

April 7, 2016

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The regular meeting of the County Commissioners of Allegany County was held in the Commissioners' Meeting Room, Room 100, 701 Kelly Road, Cumberland, at 5:00 p.m. on the above date. The following were present: Commissioner Jacob C. Shade; Commissioner Creade V. Brodie, Jr.; Commissioner William R. Valentine; County Attorney William M. Rudd; and County Administrator David A. Eberly. The following business was transacted:

The Pledge of Allegiance was led by Dan Williams.

MOTION #1

There were no additions or deletions to the agenda.

MOTION #2

Upon Motion by Commissioner Brodie, seconded by Commissioner Valentine, and Motion carried, the Commissioners approved the minutes of the March 24, 2016, public business meeting.

PRESENTATIONS

Item 1 – Primary Election 2016 – Diane L. Loibel, Administrator of Elections. announced that Early Voting is set to begin on Thursday, April 14, 2016, and will run through Thursday, April 21. Early voting hours are from 10 a.m. to 8 p.m., and it will be held in Room 100 of the County Office Building. Mrs. Loibel added that same-day registration will also be implemented, for the early voting period only.

The Commissioners thanked Mrs. Loibel for her presentation.

Item 2 – The Week of the Young Child, April 10-16, 2016 – Heather D. Glass, Western Maryland Association of the Education of Young Children, thanked the Commissioners for taking the time at this evening's meeting to recognize the important work of early childhood professionals. Ms. Glass spoke of the importance of early childhood education and the purpose of the Week of the Young Child.

At the conclusion of Ms. Glass' comments, Commissioner Shade read and presented her with an official Proclamation of the week of April 10-16, 2016, as the Week of the Young Child in Allegany County. There was a round of applause.

Item 3 – Cumberland Broadcasting Company, Inc./WCBC 40th Anniversary – David N. Aydelotte, Owner, AKA Dave Norman, Morning Mayor, acknowledged and thanked the WCBC staff members present in the audience, and thanked the Commissioners for honoring

him at this evening's meeting. After Mr. Aydelotte spoke briefly, Commissioner Shade read and presented him with an official Citation in honor of his 40-year anniversary with Cumberland Broadcasting Company – WCBC Radio. A round of applause followed.

Commissioner Brodie told Mr. Aydelotte that it has been “fantastic” to deal with his staff through the years, and thanked Mr. Aydelotte for the respect he has shown the Commissioners.

Item 4 – Fair Housing Month – David K. Nedved, Economic and Community Development Representative, announced that April is Fair Housing Month. Commissioner Shade read and presented him with an official Proclamation in honor of Fair Housing Month.

ACTION AGENDA

Item 5 – Introduction of Code Home Rule Bill 2-16 “Update to Residential Sprinkler Incentive” – William M. Rudd, County Attorney, provided some background regarding Code Home Rule Bill 2-16. Attorney Rudd explained that in 2013, the Board of County Commissioners approved the “Residential Sprinkler Incentive Tax Credit” for up to \$500 per year for three years, to offset the cost of installing residential sprinkler systems. He pointed out that at that time (2013) installation of residential sprinkler systems was optional in Allegany County, and the 2013 Bill provided for a sunset when it became mandatory. Attorney Rudd went on to explain that the new Bill, prepared at the Commissioners’ request, does two things: It expands the credit from \$500 up to \$1,000 a year for three years, and provides for a sunset of June 30, 2020, so that the Commissioners can reconsider the credit at that time, and decide if they want to extend it, change the amount, etc.

Attorney Rudd concluded his introduction of Code Home Rule Bill 2-16, “Update to Residential Sprinkler Incentive” by informing the Commissioners that they can introduce the Bill this evening, as it is a Legislative Day, and set hearing on the Bill in a few weeks, and then vote on it at a later date. He added that the new Bill would become effective on July 1, 2016, as the current Bill is effective through June 30 of this year.

Upon Motion made by Commissioner Brodie, seconded by Commissioner Valentine, and Motion unanimously carried, the Commissioners agreed to introduce Code Home Rule Bill 2-16 “Update to Residential Sprinkler Incentive”.

Item 6 – Introduction of Code Home Rule Bill 3-16 “Annual Fire and Emergency Medical Services Appropriations” – Richard L. DeVore, Director of Emergency Services, reminded the Commissioners that they requested that the Emergency Services Board review the existing funding formula for Fire and EMS in Allegany County. Mr. DeVore reported that the Emergency Services Board has completed that process. He explained that Code Home

Rule Bill 3-16 provides an opportunity to move away from an “antiquated funding formula and implement a more equitable formula that is really based on quantitative measures”. He added that Attorney Rudd could address the legal issues on the Bill.

County Attorney Bill Rudd explained that the old Bill had a chart that set percentages on how much went to each fire company, and that this new Bill eliminates the chart. He further explained that basically, Code Home Rule Bill 3-16 provides that the Emergency Services Board will recommend how the money should be appropriated to each company as needed.

Commissioner Shade pointed out that the Commissioners were provided with a longer presentation on this issue a few weeks ago, He said that the information is available for public view if anyone wishes to look at the recommendations.

Upon Motion by Commissioner Valentine, and seconded by Commissioner Brodie, the Commissioners unanimously authorized the introduction of Code Home Rule Bill 3-16 “Annual Fire and Emergency Medical Services Appropriations”.

County Administrator David Eberly announced that public hearing on both Code Home Rule Bill 2-16 and 3-16 will be held at the Commissioners’ next public business meeting on April 28, 2016.

Mr. DeVore asked to speak again briefly, and he reminded everyone that on Sunday, April 10, 2016, from 12 noon to 4 p.m., Statewide Volunteer Recruitment Day for Fire and EMS will be held. He said that this is sponsored as part of a federal grant to the Maryland State Firemen’s Association, Maryland Fire Chiefs, as an initiative to be able to recruit additional volunteers to the Fire and EMS Service. Mr. DeVore remarked that volunteers are the backbone of emergency services in Allegany County, and that each volunteer recruited actually saves tax dollars.

Mr. DeVore thanked the Commissioners for their move on the Sprinkler legislation and described it as a positive move towards protecting the County’s citizens. He also thanked Bob Knippenberg, whom he acknowledged as a true champion for a number of years for the fire service, in particular with advancing the sprinkler agenda.

Item 7 – Resolution 16-6 – North South Appalachian Highway – Board of County Commissioners to approve Resolution 16-6 to advance the North South Appalachian Highway project ensuring its completion as the connection transportation corridor between I-68 in Maryland to the Pennsylvania Turnpike (I-70/76) and Corridor H in West Virginia – Brenda A. Smith, Executive Director, The Greater Cumberland Committee, and Matthew W. Diaz, CEcD, Director of Economic and Community Development. Commissioner Shade called forward Brenda Smith, Executive Director of the Greater Cumberland

Committee. Mrs. Smith explained that Resolution 16-6 is to continue a plan put in place in 2012, to make sure that all the counties affected by the North South Appalachian High Project were in full support of the Project. She pointed out that the language in the Resolution has not changed, that she is just asking that it be updated with the signatures of the current Commissioners.

Mrs. Smith remarked that the Commissioners' support is sincerely appreciated, as is the monthly participation of Matthew Diaz, Director of Economic and Community Development, in the workgroup meetings.

Commissioner Shade told Mrs. Smith that he and Commissioner Valentine were present at The Greater Cumberland Committee's meeting earlier in the day, and that what Bridges of Opportunity is doing is great. He remarked that it is really good to see Allegany and Garrett Counties working together, and even better to see them working together on a program that gets results and helps bring people out of poverty.

Commissioner Brodie made a Motion, which was seconded by Commissioner Valentine, to approve and pass Resolution 16-6 – North South Appalachian Highway - to advance the North South Appalachian Highway project ensuring its completion as the connection transportation corridor between I-68 in Maryland to the Pennsylvania Turnpike (I-70/76) and Corridor H in West Virginia. Motion carried unanimously, and the Commissioners passed Resolution 16-6.

Commissioner Brodie thanked Mrs. Smith and commented that in case people don't know, this Project has really grown in the six years since it started, and that Mrs. Smith has worked diligently on it. Commissioner Valentine remarked that the legislature has not helped with it this year.

Item 8 – Resolution 16-8 – Law Enforcement Officer's Pension System (LEOPS) – Board of County Commissioners to approve the transfer of Sheriff's Deputies to the Law Enforcement Officer's Pension System – Brian P. Westfall, SPHR, SHRM-SCP, IPMA-SCP, Director of Human Resources, explained that Resolution 16-8 is to approve the transfer of the deputies in the Sheriff's Office from the Employees' Pension System to the Law Enforcement Officers Pension System. Mr. Westfall said that this is something the County's deputies have requested for a number of years, and he recommended that the Commissioners pass Resolution 16-8 and approve the transfer.

Upon Motion made by Commissioner Valentine, seconded by Commissioner Brodie and unanimously carried, the Commissioners approved and passed Resolution 16-8 – Law Enforcement Officer's Pension System (LEOPS).

Commissioner Valentine remarked that he and Commissioner Brodie began working on getting the Sheriff's Deputies into the LEOPS right after they were elected six and a half years ago. He added that the deputies definitely deserve it.

Commissioner Brodie thanked Sheriff Robertson and the deputies present at the meeting for being there.

Item 9 – Resolution 16-9 – Fiscal Year 2014-2019 Cumberland Area Transportation Improvement Program Amendment – Board of County Commissioners to approve the amendment to the revised Cumberland Area FY 2014-2019 Transportation Improvement Program by adding MD 36 (Mount Savage Road) Jennings Run Bridge #01008 Replacement – Siera N. Wigfield, Planner, presented Resolution 16-9 – Fiscal Year 2014-2019 Cumberland Area Transportation Improvement Program Amendment to the Commissioners, and explained that an amendment is being made to add a new project, the Mount Savage Road over Jennings Run Bridge Replacement, and move through the preliminary engineering and construction funds to begin that project. Mrs. Wigfield requested that the Commissioners, acting as the Cumberland Area Metropolitan Planning Organization, sign the Resolution to adopt the revised Transportation Improvement Plan.

Commissioner Brodie moved that the Commissioners approve and pass resolution 16-9 - Fiscal Year 2014-2019 Cumberland Area Transportation Improvement Program Amendment. Commissioner Valentine seconded the Motion, and it carried unanimously to approve and pass Resolution 16-9.

Item 10 – South Cumberland Library Renovation – Board of County Commissioners to approve the Department of Public Works to proceed with advertisement of the South Cumberland Library Renovation project – Paul F. Kahl, PE, Director of Public Works, reported that Public Works has been working with John Taube from the County's Library System. Mr. Kahl said that years ago, the County Engineering Department got involved with the Library System, because the System does not have full-time engineers, to assist them with review the drawings and other things. He added that he and especially Adam Patterson have been involved with the South Cumberland Library Renovation Project, and that he was present this evening to request the Commissioners' permission to advertise for bids for the Project. Mr. Kahl pointed out that estimated construction costs for the Project come to \$1.5 million, but that at this time, the County is going to have to put in only \$85,000, as cost of previous roof replacement is being figured into calculation of the County's match. Mr. Kahl commented that the South Cumberland Library is one of the oldest libraries in the Library System, and that they have a very active and vibrant community. He reported that the project will be a total renovation, including new lighting and an expansion and addition of a quiet study room.

Commissioner Shade asked Mr. Kahl for a time frame for completion of the renovation. Mr. Kahl replied that staff is hoping to bid in late May or early June, then start construction, which would take about a year. He remarked that John Taube has been great to work with on the project. Mr. Kahl asked the Commissioners for their permission to advertise for bids on the South Cumberland Library Renovation Project.

Upon Motion made by Commissioner Valentine, seconded by Commissioner Brodie, the Commissioners unanimously approved the Department of Public Works to proceed with advertisement of the South Cumberland Library Renovation project.

Item 11 – Prince Albert/Sunnyside Area Water Project – Board of County Commissioners to sign the USDA-RD grant and loan documents for the Prince Albert/Sunnyside Area Water Project – Paul F. Kahl, PE, Director of Public Works, said that he was present to ask the Commissioners to sign the grant and loan documents for the Prince Albert/Sunnyside Area Water Project. Mr. Kahl explained that this Project is currently estimated at \$1.6 million, and that USDA is committing their funding once authorization is granted to sign the documents. He provided some details about the funding of the project, from different funding agencies, most of which will be grants.

Mr. Kahl remarked that USDA is strongly in favor of this Project, and that representatives from USDA and the Block Grant Program will be coming to Allegany County on Earth Day to make the announcement. Commissioner Brodie commended Mr. Kahl for all of his work to make this Project happen.

Upon Motion by Commissioner Brodie, seconded by Commissioner Valentine and carried unanimously, the Commissioners agreed to sign the USDA-RD grant and loan documents for the Prince Albert/Sunnyside Area Water Project.

CONSENT AGENDA

As recommended by the County Administrator

Upon Motion by Commissioner Valentine, seconded by Commissioner Brodie, and Motion carried, the Consent Agenda as recommended by the County Administrator is adopted.

Item 12 – C3I Clerical Services Memorandum of Understanding – Board of County Commissioners approved the Memorandum of Understanding between the Mayor and City Council of Cumberland and the Board of County Commissioners regarding clerical services for the Allegany County Narcotics Task Force.

County Administrator – Bid Opening - Correspondence -

County Administrator Eberly reported on the bid opening held on Tuesday, April 5, 2016, for the Creek Road Water project. He said that he is very confident that by the public business meeting on April 28, 2016, the County will be in a position to award the contract that evening.

Mr. Eberly also read into the record a letter addressed to Dr. Edward Root, Allegany County Board of Education. A copy of this letter is [attached to and made a part of these minutes](#). Mr. Eberly and the Commissioners discussed the letter. Commissioner Valentine pointed out that it is important for the public to know that the Board of County Commissioners is not cutting the funding to the school by one penny. Commissioner Shade said that he would sign the letter, and the other two Commissioners agreed to sign it too. All three signed the letter and returned it to Mr. Eberly.

Commissioners' statements, comments, recognition –

Commissioner Valentine remarked that he had to make only one trip to Annapolis this week. He reported that as he understands it, the Legislature overrode the Governor's veto on the new Transportation Funding Formula, so it will be really hard for anyone other than Montgomery County to get transportation funding with the new system in place.

Commissioner Valentine announced that the Allegany County One-Stop Jobs Center is going to have a Teen Job Fair on Tuesday, April 26, 2016. He pointed out that this will be a good opportunity for the County's young people to find summer employment. Commissioner Valentine explained that this job fair is open to all employers and all teenagers who are seeking employment. The event will be held at the One-Stop Center on the 26th from 3 p.m. to 6 p.m.

Commissioner Brodie offered congratulations and welcome to Buffalo Wild Wings. He commented that the Commissioners have worked since their election to make sure that the County is open and welcome to any business that can come into the County and pay taxes, hire employees, and not be detrimental to citizens' health. Commissioner Brodie said that he thinks they have been fairly successful at that, and that he does not like to hear disparaging comments from the public about businesses not coming to the County. He encouraged everyone to get out and vote. Commissioner Brodie pointed out the great importance of coal to the economy.

Commissioner Shade thanked the Sheriff and law enforcement officers in attendance for coming to the meeting. He acknowledged that the transfer of law enforcement personnel to LEOPS was something that the other two Commissioners wanted to do, and that when he found out that Allegany County was the only local law enforcement agency that did not participate in LEOPS, he agreed with them. He acknowledged that law enforcement officers put their lives

on the line every day, and said that they should be compensated for that. Commissioner Shade pointed out that this is something the County can do for the officers.

Commissioner Shade offered his own comments about Buffalo Wild Wings, saying that it is great, it will get people off the interstate, and is a new tax base. He added that while the jobs created by Buffalo Wild Wings are not high-paying jobs, they are a start. Commissioner Shade encouraged the public to try this new restaurant.

Commissioner Valentine commented that at the present time it will be harder for Buffalo Wild Wings to get people off Interstate 68. They are not allowed to have signage on 68 because they don't serve breakfast. Commissioner Valentine explained that it is a state regulation that a restaurant must serve three meals a day to have signage on Interstate 68.

Mr. Eberly reported that the head of Human Resources at Buffalo Wild Wings was with County officials at the soft opening on Sunday, and was very proud to report that they have hired 120 new employees. Commissioner Brodie added that apparently out of that number, 25 employees are either general managers, assistant managers, or shift managers, which are higher-paying jobs.

Constituents – In order of sign-up sheet

Mr. Ken Wilmot, 513 Fort Avenue, Cumberland, spoke again about his concerns regarding drivers with suspended licenses continuing to be out on the road.

Before the end of the meeting, Commissioner Shade said that he also wanted to mention that he made it to one of the Sheriff's Town Hall meetings (regarding opioids). He acknowledged that Commissioner Valentine has attended most of the meetings. Commissioner Shade remarked that he was very glad that he attended the meeting, and that "Behind the Orange Curtain" (which is shown at the meetings) is such a powerful movie. He thanked the Sheriff for holding the meetings, and commented on the good crowd in attendance on Monday evening (April 4th).

Reminders/Upcoming Meetings

Next Public Business Meeting – Thursday, April 28, 2016, 5:00 p.m.

Announcement – Allegany County Fiscal Year 2017 Budget Schedule (See News Release)

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:45 p.m.