

**April 28, 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 April 7, 2016, public business meeting.

**PRESENTATIONS**

**Item 1 – Allegany College of Maryland Human Service Associate Program: Capstone Project STOMP OUT STIGMA Presentation** – Ula Keech, Allegany College of Maryland Human Service Student, thanked the County Commissioners and then provided some information about STOMP OUT STIGMA, a program related to addictions and mental health. Ms. Keech described some of the activities held for benefit of both ACM students and the community.

Ms. Keech, accompanied by some other ACM students, then came forward, and Commissioner Shade read and presented them with an official Proclamation in honor of the Capstone Project STOMP OUT STIGMA. There was a round of applause.

**Item 2 – National Mental Health Month Proclamation** – Lesa Diehl, Mental Health System's Office, Allegany County Health Department, introduced herself as Director of the Mental Health System's Office at the Allegany County Health Department. Ms. Diehl explained that her office is responsible for planning, managing, and overseeing public mental health services within the County, as well as also providing some mental health support services. She thanked the Commissioners for their recognition of May as Mental Health Month. Ms. Diehl provided some additional information regarding the impact of untreated mental illness, and discussed the negative taboos placed by society on mental health issues but not placed on physical conditions. She then announced some

of the activities planned for Mental Health Month to raise awareness and educate the residents of Allegany County about mental health and mental illness.

Ms. Diehl announced that on Saturday, May 28, 2016, the Mental Health System's Office will be hosting the first annual Allegany County Mental Health Matters Five-Mile Run, starting and ending at Isminger Town Center on the Downtown Cumberland Mall. She pointed out that the event is being held to raise awareness about mental health issues, and that proceeds will be used for the benefit of individuals in the County who suffer from mental illness and have no other assistance available. Ms. Diehl added that flyers about the race were available at the front of the room for anyone interested in sponsoring or participating in the event. She introduced Ms. Megan Mertz, a former employee of her office and current member of Queen City Striders, who came up with the idea of the race. Ms. Diehl acknowledged and thanked Ms. Mertz for all of her work in organizing the event, and she also thanked the Queen City Striders for their support.

Ms. Diehl and Ms. Mertz came forward, and Commissioner Shade read and presented the Proclamation of May 2016 as National Mental Health Month in Allegany County. A round of applause followed.

### **PUBLIC HEARINGS**

**Item 3 – Public Hearing for Code Home Rule Bill 2-16 “Update to Residential Sprinkler Incentive”** – William M. Rudd, County Attorney, referred to the introduction of Code Home Rule Bill 2-16 at the Commissioners' last public business meeting. He explained that the Bill proposes to increase the tax credit from \$500 to \$1,000 per year, for three years, for residents who install sprinkler systems in new construction. Attorney Rudd pointed out that the previous Residential Sprinkler Incentive Bill is due to sunset on June 30, 2016, or at such time as sprinkler systems become mandatory in Allegany County. Sprinkler systems will now be mandatory in Allegany County, and the sunset on the new Bill will be June 30, 2020. Attorney Rudd announced that today is the public hearing on Code Home Rule Bill 2-16.

Commissioner Shade asked if anyone had any public comment on Code Home Rule Bill 2-16.

Richard DeVore, Allegany County Director of Emergency Services, thanked the Commissioners for giving Code Home Rule Bill 2-16 their consideration. He explained that the Bill basically provides funding to help residents cover the cost of installing residential sprinklers in new construction homes. Mr. DeVore commented that sometime in the future of Allegany County, a residential sprinkler system will be credited with saving property and lives in this

County; and it will have all started at this particular time, right here. He thanked the Commissioners for their cooperation with the fire service.

Commissioner Valentine pointed out that to his knowledge, Allegany County is the only County offering help with residential sprinkler system costs. He added that, sadly, there was a Bill that made it through both the House and the Senate this year, but was turned down when it went to conference committee, that would have provided for the state to help fund a credit.

Mr. DeVore again commended the Commissioners, and also Mr. Bob Knippenberg, in pushing through this credit, because they are providing a real, true incentive for a huge safety device that benefits homeowners.

There was no further comment on Code Home Rule Bill 2-16.

Commissioner Brodie asked Attorney Rudd when the Commissioners could take action on Code Home Rule Bill 2-16. He replied that the plan is for the Commissioners to take action on it at their next public business meeting, which has been advertised as a Legislative Day, on May 5, 2016.

Commissioner Shade remarked that anything the County can do to help mitigate this expensive state mandate is good to hear.

**Item 4 – Public Hearing for Code Home Rule Bill 3-16 “Annual Fire and Emergency Medical Services Appropriations”** – Richard L. DeVore, Director of Emergency Services, discussed Code Home Rule Bill 3-16, which was introduced at the previous public business meeting. He explained that the funding formula used by the Emergency Services Board to provide funding to the County’s fire and EMS companies has been reviewed. Mr. DeVore further explained that through working with the fire and EMS services, and lifting some of the current restrictions in language, they have developed a more effective and adequate funding formula. He added that going forward, the Emergency Services Board will present funding recommendations each year to the Board of County Commissioners as part of the budget process.

Commissioner Brodie acknowledged and thanked Mr. DeVore and the Emergency Services Board for their efforts, and Mr. DeVore in turn thanked the Commissioners for their support. He acknowledged that the Emergency Services Board will fight for every dollar they can get for emergency services.

Commissioner Shade also thanked Mr. DeVore for his work on the issue and acknowledged the great amount of time that it took to accomplish. He also pointed out that the new process will not discourage consolidation of fire companies.

Commissioner Valentine mentioned the additional Rocky Gap Slots Revenue funds that will be coming to the fire companies. Mr. DeVore estimated a \$4,000 to \$5,000 increase per fire department, across the board.

Commissioner Shade announced that this was the public hearing for Code Home Rule Bill 3-16 and asked if anyone had any public input on the Bill. No one spoke.

Attorney Rudd told the Commissioners that they could also take action on Code Home Rule Bill 3-16 at their next public business meeting on May 5.

**Item 5 – Public Hearings for Sunnyside/Prince Albert Water Project, Housing Buyouts in Flood Plains, and Bowling Green Water Project**

– David K. Nedved, Economic and Community Development Representative, reported that about two weeks ago, the background for the Sunnyside/Prince Albert Water Project, Housing Buyouts in Flood Plains, and Bowling Green Water Project were put on the County's website, and there was a public notice advertisement in last Saturday's (April 23, 2016) *Cumberland Times-News*. Mr. Nedved read the notice, which announced that the Allegany County Commissioners would sponsor public hearings 1) to obtain views of citizens on community development and housing needs; 2) to offer citizens the opportunity to review an application for funds to assist with the Sunnyside and Prince Albert Water Project; 3) to offer citizens the opportunity to review the progress of the housing buyout in flood plains; and 4) to offer citizens the opportunity to review the progress of the Bowling Green Water Project. Mr. Nedved asked if there were any constituents at this time who would like to speak regarding any of these subjects. No one spoke.

**Item 6 – Preliminary Budget First Public Hearing**

– Jason M. Bennett, CPA, Director of Finance, presented a balanced preliminary budget for Fiscal Year 2017. A copy of the preliminary budget presentation is available on the County's website and is made a part of these minutes by reference. Mr. Bennett pointed out some highlights of the budget during his power-point presentation.

At the end of his presentation, Mr. Bennett said that he would be happy to take any questions, either by phone call or e-mail to his office. He reported that as of now, adoption of the budget is slated for June 2, 2016. Mr. Bennett then turned this item over to the Commissioners for their comments and any public comment.

Commissioner Shade remarked that a 1.9 percent budget increase is a pretty lean budget, and he thanked Mr. Bennett his efforts. He also commented that it is great to see taxes go down, even a little bit. Commissioner Valentine added that Allegany County is the only county in the state in the last five years that has reduced property tax rates, and that some of the counties had as much as 15 to almost 20 percent increase in property taxes during that time period.

Commissioner Valentine also pointed out the decrease in debt service from well over \$5,000,000 at the time that he and Commissioner Brodie first came into office, to under \$3,000,000 now.

Mr. Bennett commended the County departments and outside agencies for their cooperation in helping the budget to come together. The Commissioners thanked Mr. Bennett and he thanked them as well.

Commissioner Shade asked for any public comment.

**Tammy Fraley**, 913 Growden Terrace, Cumberland, first thanked the County Commissioners and County staff for providing time for public comment. She read a prepared statement encouraging additional funding to the County's schools and library system, and support of recreational opportunities for the County's youth, and also thanking the Commissioners for their support of the County's fire and EMS service and local law enforcement.

Commissioner Valentine responded to Ms. Fraley's comments regarding funding to the County Library System. He pointed out that for the library system, as well as for a number of other organizations, state cuts are one of the biggest problems. Commissioner Valentine explained that he went to Annapolis to personally testify on a Bill that would restore state funding to libraries, and added that he believed the Bill did go through, so libraries should be seeing a return of funding faster than they had planned.

Commissioner Shade remarked that the budget would be helped if the State would honor its commitment to Highway User Funds, which would mean another \$400,000 in revenue, as was expected.

### **ACTION AGENDA**

**Item 7 – Fiscal Year 2016 Destination Marketing Organization Grant Agreement** – Board of County Commissioners to authorize the President to sign the Grant Agreement for the FY 2016 Destination Marketing

Organization Grant from the Maryland Department of Commerce's Maryland Tourism Development Board, accepting an award of \$62,090.00, and authorize the President to sign any and all documents relating to this Grant Agreement – David K. Nedved, Economic and Community Development Representative, reported that the Department of Tourism applied for an FY-2016 Destination Marketing Organization Grant from the Maryland Department of Commerce's Maryland Tourism Development Board. He explained that the grant is to support marketing efforts by the Tourism Department, and that the County's Tourism Department received a 2016 award of \$62,090. Mr. Nedved further explained that they have received these co-op funds annually since 2003. He told the Commissioners that he was before them this evening to ask them to authorize the President to sign the grant agreement for this grant.

Upon Motion by Commissioner Valentine, and seconded by Commissioner Brodie, the Commissioners unanimously authorized the President to sign the Grant Agreement for the FY 2016 Destination Marketing Organization Grant from the Maryland Department of Commerce's Maryland Tourism Development Board, accepting an award of \$62,090.00, and authorized the President to sign any and all documents relating to this Grant Agreement.

**Item 8 – Art Easement Agreement** – Board of County Commissioners to approve the Art Easement Agreement between the Board of County Commissioners of Allegany County, Maryland and the Mayor and City Council of Cumberland, Maryland – Sandi Saville, Downtown Development Commission Chairwoman.

County Administrator David Eberly told the Commissioners that Sandi Saville, Downtown Development Commission Chairwoman, was not present at this evening, and asked to make the presentation for this Item in her place.

Mr. Eberly explained that the City of Cumberland would like to partner with Allegany County, in cooperation with the Arts Council, to install an interpretative mural on the retaining wall owned by the County, adjacent to the Western Maryland Station. He said that the mural will be sized at approximately 8 feet by 200 feet, and will be very attractive. Mr. Eberly asked the Commissioners for their support.

Commissioner Brodie asked Mr. Eberly if the mural would be painted directly on the wall, or if it would be on a canvas. He replied that he thought it would go directly on the wall, as part of repair of the wall.

Commissioner Shade asked for and received confirmation that the cost of the mural is being paid for by State Arts Council grant money.

Upon Motion by Commissioner Brodie, seconded by Commissioner Valentine, and unanimously carried, the Commissioners approved the Art Easement Agreement between the Board of County Commissioners of Allegany County, Maryland and the Mayor and City Council of Cumberland, Maryland.

**Item 9 – Special Electronics Recycling Grant** – Board of County Commissioners to authorize the execution of the interagency agreement between Allegany County and the Maryland Department of the Environment in an amount up to \$15,000.00 for electronics recycling before March 2017– Siera N. Wigfield, Recycling Coordinator, told the Commissioners that Maryland Department of the Environment has offered counties up to \$15,000 in grant money to collect electronics. She asked the Commissioners to authorize the President to sign the intergovernmental agreement with MDE so she can include it with her grant application, and hopefully the County will have money to hold an event for the residents of Allegany County for a low-cost recycling of televisions and other electronic items.

Commissioner Brodie commented that such recycling events have been very successful in the past, and the other Commissioners agreed.

Commissioner Valentine moved that the Board of County Commissioners authorize the execution of the interagency agreement between Allegany County and the Maryland Department of the Environment in an amount up to \$15,000.00 for electronics recycling before March 2017. Commissioner Brodie seconded the Motion. Motion carried unanimously.

Commissioner Brodie asked Mrs. Wigfield where a person could dispose of eight-foot fluorescent lights. She told him that these can be taken to Penn-Mar Recycling for a flat rate of one dollar per bulb. Compact fluorescents can be taken to Lowes, but they won't take the tubes.

### **CONSENT AGENDA**

As recommended by the County Administrator

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

**Item 10 – Allegany County Voice Over IP Phone System Bid Award**

– Board of County Commissioners authorized the Information Technology Division to enter into an agreement with Ark Systems, Inc., Columbia, Maryland, for the purchase of a Shoretel VOIP Phone System for the Allegany County Complex in the amount of \$74,700.00

**Item 11 – Bid Award for Distributor for Roads Division**

– Board of County Commissioners awarded the purchase of one new distributor to Southeastern Equipment Company, Cambridge, Ohio, in the amount of \$163,900.00, for the Roads Division.

**Item 12 – Creek Road Water Project Contract No. W-40 Bid Award**

– Board of County Commissioners awarded the Creek Road Water Project, Contract No. W-40, to Lashley Construction Company, Inc., Frostburg, Maryland, in the amount of \$1,047,650.00, subject to approval by the funding agencies, and authorized the President to sign the required project documents.

**Item 13 –Nationwide 401A Agreement**

– Board of County Commissioners authorized the Director of Finance to sign the Nationwide 401A Adopting Resolution to establish the Nationwide 401A plan for Administrative Personnel. This is in conformity with County Policy.

**Commissioners' statements, comments, recognition**

**Commissioner Valentine** reported that he just received the latest list from Frostburg State University, indicating that 66 more students are attending FSU thanks to the Opportunity Scholarship. He remarked that the number of students who benefit from this scholarship program keeps growing. Commissioner Valentine further commented that the more education the County's students get, the easier it will be to bring higher tech jobs and other higher paying jobs into the area.

Commissioner Valentine went on to report that in doing some research on the employment situation in Allegany County, after hearing comments that unemployment is too high, that there are no good paying jobs, or any other jobs in the area, he discovered the following:

- Allegany County has a labor force of 32,655 currently, and out of that number, 30,157 are employed, leaving just 2,498 unemployed.
- There are currently 883 job openings in Allegany County, which could cut the number of unemployed by one-third.

- The County's industrial parks are responsible for 7,178 jobs, so the parks are holding up their end of the bargain.
- Regarding the comments that there are no good-paying jobs in the County, out of the 883 job openings, 181 of them would pay a salary of \$60,000 or more per year; 292 would pay between \$45,000 and \$60,000 per year. Many other jobs would pay over \$30,000 per year.

**Commissioner Valentine** concluded his comments by saying that he doesn't believe there is a lack of good jobs; people just have to get the education they need to hold those jobs and then apply for them.

**Commissioner Brodie** spoke about participating in Earth Day at Mount Savage on April 21, 2016. He remarked that it was a fantastic place to have the event, and that the County's funding partners were present. USDA sponsored the event, in honor of their efforts to get water and sewer into areas and supply safe drinking water and sanitary conditions. Commissioner Brodie reported that a representative from D.C. participated, and that he (Commissioner Brodie) was also one of the speakers. He said that this was one of the best things he has ever gotten to do, and that he wanted to thank everyone who participated in Earth Day. Commissioner Brodie commended the Public Works Department, and mentioned that the representative from D.C., who was taken on a tour of the town by Danny Williams, was very impressed that the first iron rails made in the United States were manufactured in Mount Savage. Commissioner Brodie thanked Paul Kahl and the Department of Public Works, in particular Jim Webber, the Mount Savage project designer and engineer; Mark Yoder, Utilities Division Chief; and Jim Taylor, who will run the operation in Mount Savage now that the project is done. Commissioner Brodie also thanked Mr. Bob Knippenburg and his wife, Barb, for attending the meeting this evening.

**Commissioner Shade** also commented on the Earth Day event in Mount Savage, saying that it is great to see government in action assisting citizens.

**Commissioner Shade** next pointed out that the preliminary budget for FY-2017 does include a two percent increase for all County employees. He remarked that when you look at other government entities in the vicinity, that is a pretty good increase.

**Constituents** – In order of sign-up sheet

**Mr. Danny Williams**, of Mount Savage, spoke regarding the Route 36 Bridge that goes through Mount Savage and voiced his concerns about the impact that the planned demolition of the old bridge, and construction of a new one, would have on the community. He read two letters in his

possession, one written by Adam Patterson, County Engineer, and another by the Mount Savage Fire Department, related to the subject.

### **Reminders/Upcoming Meetings**

**Next Public Business Meeting** – Thursday, May 5, 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 6:10 p.m.