

July 28, 2016

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**

There were no additions or deletions to the agenda.

**MOTION**

Upon Motion by Commissioner Brodie, seconded by Commissioner Valentine, and Motion carried, the Commissioners approved the minutes of the July 14, 2016, public business meeting.

**PRESENTATION**

**Item 1 – The Final Ride, America's 9/11 Ride, August 19-21, 2016** – Harlan Smith, Western Maryland Coordinator, America's 911 Foundation, Inc. read a prepared statement, a copy of which is attached to and made a part of these minutes. There was a round of applause when she finished speaking.

The Commissioners then called Ms. Smith forward, and Commissioner Shade read and presented her with an Official Citation. Another round of applause followed.

**Item 2 – Multi-Generational Approach Update** – Courtney A. Thomas, Executive Director, Allegany County Human Resources Development Commission, and Duane E. Yoder, President, Garrett County Community Action Committee, Inc., introduced Mr. Gegan Crawford, former Garrett County Commissioner and current Director of Strategic Initiatives of the Garrett County Community Action Council, and Mr. Duane Yoder, President of the Garrett County Community Action Council. Ms. Thomas explained that for several years, each of the agencies worked independently on a "two-generation approach" to ending poverty in Allegany and Garrett Counties. She provided some examples of assistance and services they have been providing toward accomplishing this.

Ms. Thomas reported that about a year ago, the agencies worked together as partners on an application for the White House Rural Council's Rural Impact Two-Generation Approach, and were among ten agencies nationwide selected for the project. She discussed some details about the project, and pointed out that the program is in its second year, and that HRDC and the Garrett County Community Action Council are furthering their efforts.

Ms. Thomas expressed her appreciation for the Commissioners' Opportunity Scholarship Program in providing educational opportunities for families.

Mr. Gegan Crawford spoke next, regarding the NACo (National Association of Counties) Challenge. He thanked the Commissioners for the opportunity to speak and said that he agreed with Ms. Thomas' earlier comments. He reported that NACo's Legislative Committee issued a challenge earlier this year, the Rural Impact County Challenge. He presented a NACo Resolution and asked for the Commissioners' approval. A copy of this NACo Resolution is attached to and made a part of these minutes. Mr. Crawford explained that the Garrett County Commissioners have already approved this Resolution.

Upon Motion by Commissioner Valentine, seconded by Commissioner Brodie, and passed unanimously, the Commissioners accepted and approved the Rural Impact County Challenge Resolution.

**ACTION AGENDA**

**Item 3 – Introduction of Code Home Rule Bill 4-16 "Allegany County Economic Development Incentive Program"** – Commissioner Jacob C. Shade, and William M. Rudd, County Attorney.

County Attorney William M. Rudd explained that, based upon discussions with Commissioner

Shade, and on a recent work session held several weeks ago, he has drafted, with the Commissioners' assistance, a Code Home Rule Bill incorporating the Commissioners' intent to provide an incentive program for new businesses coming to Allegany County. Attorney Rudd added that the credit would apply to new employees over three, and that the incentive would be \$3,000 for three to ten new employees, then an additional \$2,000 for employees over ten up to 25, with a cap of \$45,000. The employees would have to be residents of Allegany County, and the jobs in place for one year, with the incentive to be paid at the end of the one-year period. Employees cannot include owners or principals of a business, and they must be full time, working over 35 hours per week.

Commissioner Shade confirmed that this was discussed at length at work session. He pointed out that the missing piece of the State's economic development package is basically the small group of companies with less than 25 employees, and explained that the County is trying to fill that void. Commissioner Shade added that this incentive program is geared toward tech-based businesses, but that there are a lot of different industries that fit in, that the County will be able to give the incentive. He pointed out that the jobs have to pay over \$45,000 a year, and confirmed the amounts of the credits, as previously set forth by Attorney Rudd. Commissioner Shade remarked that this is a way for Allegany County to stand out from the rest of the state and make it known that the County is "open for business" and looking forward to working with new companies.

Commissioner Shade moved that the County Commissioners introduce Code Home Rule Bill 4-16, Allegany County Economic Development Incentive Program". Commissioner Valentine seconded the Motion, which carried unanimously. Public Hearing on Code Home Rule Bill 4-16 will be held on August 11, 2016.

**Item 4 – Text Amendment for LaVale Zoning Ordinance inserting “Interstate Sign Standards” applying to Ordinance Part III-B §6. “Business Signs”** – Board of County Commissioners to approve the text amendment in the LaVale Zoning Part III – B, regulating Business Signs, adding §J, as follows: “J. On-site business signs may be constructed up to 72.5’ in height in the CA, CB and CC zoning districts, if located within 2000’ of the centerlines of the east and westbound drive lanes of I-68” – David A. Dorsey, Planning Coordinator, remarked that this evening is the decision stage for a text amendment to accommodate some on-site commercial signs in the Commercial Zoning Districts in LaVale. He explained that the amendment will specify that on-site signs can be erected up to 72.5 feet if they are within 2,000 feet of the center of the east and west drive aisles of I-68. Mr. Dorsey asked the Commissioners for their decision on the amendment.

Commissioner Shade asked what height is allowed by the current regulation. Mr. Dorsey answered that it is 25 feet, and explained that the problem is that some signs can't be seen from the Interstate. Commissioner Shade then asked if there weren't already some signs in excess of that height. Mr. Dorsey confirmed this, and added that, since 72.5 feet is the height of the tallest sign in LaVale, the Planning Commission thought it would be fair that any other business meeting the criteria would be able to have a sign of that height. It was asked, and confirmed, that the tallest sign in LaVale is Liberty Liquors.

There was no further discussion.

Upon Motion by Commissioner Brodie, seconded by Commissioner Valentine, the Commissioners unanimously approved and adopted the Text Amendment to the LaVale Zoning Ordinance applying to Ordinance Part III-B §6. “Business Signs” adding §J, as follows: “J. On-site business signs may be constructed up to 72.5’ in height in the CA, CB and CC zoning districts, if located within 2000’ of the centerlines of the east and westbound drive lanes of I-68”.

**Item 5 – Resolution 16-19 – Allegany County Enhancement Program** – Board of County Commissioners to approve Resolution 16-19 Allegany County Enhancement Program – David K. Nedved, Economic and Community Development Representative, explained that on June 8, 2016, a discussion was held, to which all local municipalities in Allegany County were invited. During this meeting, County staff listened to the municipalities' concerns, and to details about programs they currently had for tackling blight in their respective areas. Representatives from Cumberland, Frostburg, and Westernport attended. Mr. Nedved went on to report that at a work session on June 30, 2016, County staff introduced guidelines to help the problems that the municipalities of Cumberland, Frostburg and Westernport are having with blight, and on July 19, 2016, the guidelines were proposed and posted to the County's website. He added that some suggestions and proposed changes were received from the municipalities, some of which have been incorporated into the guidelines. Mr. Nedved asked the Commissioners to approve and pass Resolution 16-19 – Allegany County

Enhancement Program, to adopt the proposed guidelines and authorize the Department of Economic and Community Development to start accepting applications for the Program, and to make the Program effective September 1, 2016.

Upon Motion by Commissioner Valentine, and seconded by Commissioner Brodie, the Commissioners unanimously passed Resolution 16-19 – Allegany County Enhancement Program.

**Item 6 – Resolution No.16-20 – Maryland Mortgage Program** – Board of County Commissioners to authorize the transfer of \$2,566,134.00 to the Community Development Administration's Maryland Mortgage Program for issuance of tax-exempt housing bonds on behalf of Allegany County and authorize the President to sign the Letter of Transfer – David K. Nedved, Economic and Community Development Representative, read into the record some background on the Maryland Mortgage Program. A copy of the information he read is attached to and made a part of these minutes.

Commissioner Brodie made a Motion that the Commissioners approve and pass Resolution No. 16-20 – Maryland Mortgage Program, to authorize the transfer of \$2,566,134.00 to the Community Development Administration's Maryland Mortgage Program for issuance of tax-exempt housing bonds on behalf of Allegany County and authorize the President to sign the Letter of Transfer. Commissioner Valentine seconded his Motion. Motion carried two to one, with Commissioners Brodie and Valentine voting in favor, and Commissioner Shade voting in opposition.

### **CONSENT AGENDA**

As recommended by the County Administrator

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

**Item 7 – Declaration of Surplus Real Property** – Board of County Commissioners approved the property known as Brant and McKenzie Road, Cresaptown, Maryland, and 21326 Creek Side Drive, Westernport, Maryland, be declared surplus and authorized their sale. Title to these properties passed to the Board of County Commissioners as a result of this property being subject to tax sale and the foreclosure of the right of redemption by the title owner and other parties with interest in said property.

**Item 8 – Request for Tax Abatement** – Board of County Commissioners approved the abatement of taxes in the amount of \$10,944.99 for seven properties in Cumberland. These properties are being acquired by the Mayor and City Council of Cumberland.

**County Administrator Eberly** reported on the Bid Opening for the Frostburg Business Park Access Road Project. Mr. Eberly reported that bids were opened earlier this week, and that County staff should be in a position to make a recommendation at public meeting on August 11, 2016. Commissioner Brodie asked how many bidders there were, and Mr. Eberly told him that there were five bidders.

### **Commissioners' statements, comments, recognition –**

**Commissioner Valentine** reported that on July 15, 2016, the County participated in a groundbreaking for the upper section of Braddock Road, near Frostburg off I-68. He remarked that is to open the area for development, with a very nice development plan in the works for that area.

**Commissioner Valentine** also remarked on the Allegany County Fair, saying that it was a very good Fair week, with the concerts at the Fair well-attended. He commended Kevin Kamauf and all of the volunteers who helped put together the Fair, and commented that people don't realize how much work they do to make it happen, especially each evening after the Fair closes down for the night.

**Commissioner Brodie** also commented very favorably on the Fair. All three Commissioners discussed the quality of the musical acts, in particular Charlie Daniels, as well as Tenth Avenue North.

**Commissioner Shade** reported on a City of Cumberland meeting he attended, at which there was discussion of the opening of the Downtown Cumberland Mall. He said that is apparently part of a redevelopment project that the City is working on with the State of

Maryland. Commissioner Shade remarked that he looks forward to helping the City in any way possible.

**Constituents** – In order of sign-up sheet – No one signed up to speak at this meeting.

**Reminders/Upcoming Meetings –**

**Next Public Work Session** – Thursday, August 11, 2016, 3:00 p.m.

**Next Public Business Meeting** – Thursday, August 11, 2016, 5:00 p.m.

**Announcement** – LaVale Recycling Update (See News Release)

**Announcement** – Maryland Association of Counties Summer Conference (See News Release)

**ADJOURNMENT:**

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:30 p.m.

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Jacob C. Shade, President

True Copy  
Attest:

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Cynthia A. Young  
Recording Secretary

Hello, My name is Harlan Smith. I am a member of the Marine Corps League and am the Local Coordinator for the 911 Foundation.

I am here today to tell you that 2016 is the last 9/11 Memorial Ride. For those who are not aware of this organization. It is a group of motorcycles that have been visiting and honoring all 3 crash sites from that tragic day of September 11, 2001. Their final ride through Cumberland is Friday, August 19<sup>th</sup>. Approximate time is 9:00 AM.

The ride is in remembrance of those who served, participated and those who volunteered and lost their lives on that day. Their annual ride has been in August respecting each site and the survivors allowing them to mourn during September. The Foundation has also as of this year given out \$330,000 dollars to First Responders children.

My story with this group began 12 years ago. My husband and I were pulling out of Kline's Restaurant. There seemed to be hundreds of bikes passing us. We followed them to Allegany College where they lined up on the college lawn by the entrance. After talking to a few of the riders I realized quickly that there was no one there to greet them. I made up my mind that next year would be different. I asked the Vietnam Veterans Chapter 172 and the Marine Corps League to come out to the college the next year and greet them as they pulled into the college.

They moved their stop in 2012 to Rocky Gap State Park. The color guards, Bowling Green and Cresaptown Fire Departments are there with their bucket truck and large garrison flag. The Vietnam Veterans provide bottled water for them. Allegany County and Cumberland citizens have greeted them all along their path. I would like to encourage those who do not see them in Cumberland to come out to Rocky Gap to meet, greet them and thank them for their dedication. There has not been a real good turnout at Rocky Gap, so am hoping more will come this last year. They are there for about a ½ hour. The best and most moving thing for me is hearing them coming from afar. They are led with many policemen from many cities and states. The last count I had was over 1500.

This last year and final ride I am having all the color guards line up behind the rows of bikes. 5 minutes before they depart, their President Ted Sjurseth will give the sign to get ready to pull out. Then a Vietnam Veteran will play taps. It will be a proud moment for Allegany County and Cumberland. Very sad to wave "goodbye." But the one thing is all of us will "NEVER FORGET!"

Harlan Smith

Local Coordinator

Item 2

# **RURAL IMPACT COUNTY CHALLENGE**

**WHEREAS**, small towns and rural communities are home to millions of Americans and are a vibrant part of our nation's economy; and

**WHEREAS**, in 2014, approximately 1.4 million children in rural areas were poor and over 700,000 children lived in rural families with cash incomes that fell below half of the poverty line; and

**WHEREAS**, high rates of poverty have persisted for generations, including over 300 rural counties with poverty rates of over 20 percent in every Census since 1980; and

**WHEREAS**, investing in poor children and their families not only reduces poverty in the near term, but also improves children's education, health, and earnings outcomes later in life; and

**WHEREAS**, rural and tribal communities face distinct challenges, including limited access to critical services, fewer job prospects, and in some places, relative lack of institutional capacity; and

**WHEREAS**, no matter where they live, all families aspire for the cornerstones of economic security: a well-paying job, child care, a college education, health care, a home, and retirement; and

**WHEREAS**, Allegany County, Maryland and all counties recognize that a child's zip code should not determine their destiny, and that every child should have the opportunity to succeed; and

**WHEREAS**, Garrett County Community Action Committee and Allegany County Human Resources Development Commission have been recognized by the White House Rural Council to participate as one of ten Rural IMPACT demonstration sites in the United States to develop and implement 2-Generational strategies to combat poverty; and

**WHEREAS**, the partnership of Garrett County Community Action Committee and Allegany County Human Resources Development Commission commits to creating family, agency, and community capacities with measurable outcomes that enable families and children to achieve economic security ; and

**WHEREAS**, through *The Rural Impact County Challenge*, the National Association of Counties and the White House Rural Council are encouraging public, private and nonprofit leaders to reduce the number of children living in poverty in rural areas;

**NOW, THEREFORE, LET IT BE RESOLVED, THAT WE, The Board of Commissioners for Allegany County, Maryland**, do hereby sign on to the Call to Action to reduce the number of children living in poverty, commit to sharing lessons learned with other counties in my state and across the country to support a national initiative and encourage all county officials, employees and

residents to participate in *The Rural Impact County Challenge*. We resolve to utilize the resources available through *The Rural Impact County Challenge* and locally to:

- Support the convening of leaders and decision makers from multiple agencies committed to reducing the number of children and families in rural areas living in poverty.
- Continue to support the development of a plan with measurable outcomes that improves access, participation, and/or impact of evidence-based and other promising practices in one or more of the following areas: early childhood education, nutrition, workforce development, and health and human services.
- Support the implementation of research-based, data driven decision making and results and outcomes approaches that advance the plan.
- Support data and information systems to track, trend and report on successes.

PASSED AND APPROVED in this 28<sup>th</sup> day of July, 2016.

By: \_\_\_\_\_

Jacob C. Shade  
President

By: \_\_\_\_\_

Creade V. Brodie, Jr.  
Commissioner

By: \_\_\_\_\_

William R. Valentine  
Commissioner



ALLEGANY COUNTY  
DEPARTMENT OF ECONOMIC  
& COMMUNITY DEVELOPMENT

*Item 6*

701 Kelly Road, Suite 400 • Cumberland, Maryland 21502

STAFF REPORT

TO: David A. Eberly, County Administrator  
FROM: David Nedved, Economic/Community Development Representative  
DATE: July 22, 2016  
RE: Maryland Mortgage Program

For the Agenda of: July 28, 2016

**Background:** The Maryland Community Development Administration (CDA) provides financing for the Maryland Mortgage Program to each county through the sale of tax-exempt bonds. This program provides below-rate mortgages for homeownership to the residents of Allegany County. All of Allegany County is considered a targeted area, which means one does not have to be a first-time homebuyer to participate in this program. The 2016 sub-allocation for Allegany County is \$2,566,134. CDA offers a variety of fixed rate loans. Interest rates range from 2.750 percent to 5.232 percent depending on the option selected. Since Allegany County is a targeted area, current income limits to qualify are \$107,400 for one or two persons in the household with an increase to \$125,300 for a family of three or more. The maximum acquisition cost is \$312,368 for Existing or Newly Constructed Homes.

The program is accessed thru various mortgage lenders throughout the State of Maryland but in Allegany County, the participating lender is BB&T Corporation. The contact for the program at this bank is Kelli Palamar. Her phone is 301-991-8488 and her e-mail is kpalamar@bbandt.com

**Issues:** N/A

**Financial Impact:** N/A

**Alternatives:** N/A

**Other Considerations:** N/A

**Conformity to County Policy:** N/A

**Recommendation:** Recommend that the Board of County Commissioners authorize transfer of \$2,566,134 to the Community Development Administration's Maryland Mortgage Program for issuance of tax-exempt housing bonds on behalf of Allegany County and authorize the President to sign the Letter of Transfer.

cc: Matthew W. Diaz, Director – Economic/Community Development  
Jason M. Bennett, Director – Finance  
William M. Rudd, County Attorney