

January 18, 2018

The regular meeting of the County Commissioners of Allegany County was held in the Commissioners' Meeting Room, Allegany 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 Administrator David A. Eberly; and County Attorney William M. Rudd. The following business was transacted:

The Pledge of Allegiance was recited by those present.

MOTION

Item 6A – Approve and Authorize the President to sign a Deed from the County Commissioners to Russell S. and Belinda S. Blubaugh, as a follow-up to the recent Blubaugh Road Closing – Water Station Run Road, was added to the Agenda for this meeting, under “Action”.

There were no further 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 January 4, 2018, public business meeting.

STATE OF THE COUNTY ADDRESS

Jacob C. Shade, President

Jacob C. Shade, President of the Board of County Commissioners of Allegany County, Maryland, presented the annual State of the County Address, for the calendar year 2017. A copy of the State of the County Address is attached to and made a part of these Minutes.

ACTION AGENDA

Item 1 – Possible Action – Road Opening Petition – Cresaptown Eagles Aerie 2883, Inc. – The road opening petition is for a certain unnamed alley located between US Route 220 and First Avenue and adjacent to Lots 151, 156, 157-163, in Section A – Amended, Cellulose City, Cresaptown, Election District 07, Allegany County, Maryland – Wesley W. McKee, Attorney. County Attorney William M. Rudd explained that Attorney Wesley McKee was not present, as it was not necessary for him to be at the meeting. Attorney Rudd explained that the road closing documents were referred to county staff, and hearing was held on the matter at the last public business meeting on January 4, 2018. He reported that there have been no objections to the road closing, and told the Commissioners that they could take action on it today. Attorney Rudd confirmed that the Petition being presented to them for approval was for opening of the road, with closing to then take place several weeks later.

Upon Motion by Commissioner Valentine, seconded by Commissioner Brodie, and unanimously carried, the Commissioners approved and granted the road opening petition of Cresaptown Eagles Aerie 2883, Inc., for a certain unnamed alley located between US Route 220 and First Avenue and adjacent to Lots 151, 156, 157-163, in Section A – Amended, Cellulose City, Cresaptown, Election District 07, Allegany County, Maryland.

Item 2 – Approval of Contract for the Allegany County Administrator – Approve and authorize the President to sign the Employment Agreement for County Administrator between the Board of County Commissioners of Allegany County, Maryland, and Brandon S. Butler – William M. Rudd, County Attorney, presented to the Commissioners, for their consideration, a contract to be entered into with Brandon Scott Butler, the next Allegany County Administrator. Attorney Rudd explained that this Contract would take effect March 1, 2018, through February 28, 2021, and provide for an annual salary of \$115,000, with two subsequent \$7,500 raises and a \$600 per year car allowance, and the other standard health insurance and other benefits as provided to other Allegany County Government employees. Attorney Rudd reported that Mr. Butler has reviewed, approved, and signed the Contract. He asked the Commissioners for their approval of the Contract and authorization for the President to sign it.

Upon Motion by Commissioner Brodie, and seconded by Commissioner Valentine, the Commissioners unanimously approved and authorized the President to sign the Employment Agreement for County Administrator between the Board of County Commissioners of Allegany County, Maryland, and Brandon Scott Butler.

Item 3 – Resolution 18-2 – Cumberland Area Metropolitan Planning Organizations (MPO) Adoption of the Maryland State Transportation Performance Management Safety Targets – Board of County Commissioners, acting as the Metropolitan Planning Organization, to authorize the Transportation Performance Management (TPM) safety targets as established by Maryland Department of Transportation for the State of Maryland – Siera N. Wigfield, Transportation Planner, explained to the Commissioners that the Federal Highway Administration’s latest Transportation Bill requires States and Metropolitan Planning Organizations (MOPs) to set performance measures or targets. She added that the Maryland Department of Transportation has coordinated with the Cumberland Area MPO staff to develop the Maryland Strategic Highway Safety Plan. Further details are provided on the Staff Report of Paul Kahl, Director of Public Works, and Mrs. Wigfield, dated January 8, 2018, attached to and made a part of these Minutes. After presenting the information, Mrs. Wigfield recommended to the Commissioners that they, acting as the Cumberland Area MPO, authorize the adoption of the Transportation Performance Measurement (TPM) safety targets as established by the Maryland Department of Transportation, for the State of Maryland, by passing Resolution 18-2.

Upon Motion made by Commissioner Valentine, and seconded by Commissioner Brodie, the Commissioners unanimously passed Resolution 18-2 to adopt the Transportation Performance Management (TPM) safety targets as established by Maryland Department of Transportation for the State of Maryland.

Item 4 – Resolution 18-3 – Fiscal Year 2017-2023 Cumberland Area Transportation Improvement Program Amendment – Board of County Commissioners, acting as the Metropolitan Planning Organization, to authorize and adopt Resolution 18-3 endorsing the Revised Fiscal Year 2017-2023 Transportation Improvement Program – Siera N. Wigfield, Transportation Planner, presented background and information regarding the Fiscal Year 2017-2023 Cumberland Area Transportation Improvement Program (TIP) Amendment, as set forth on the Staff Report of Paul Kahl, Director of Public Works, and Roy Cool, Planner, on this subject dated January 2, 2018, a copy of which is attached to and made a part of these Minutes. She recommended that the Commissioners, acting as the Cumberland Area MPO, adopt Resolution 18-3 to revise the TIP.

Commissioner Brodie moved that the Commissioners pass Resolution 18-3 - Fiscal Year 2017-2023 Cumberland Area Transportation Improvement Program Amendment. Commissioner Valentine seconded the Motion. Motion passed unanimously to pass Resolution 18-3 endorsing the Revised Fiscal Year 2017-2023 Transportation Improvement Program.

Item 5 – Resolution 18-4 – Authorizing Resolution for Filing Fiscal Year 2019 Transit Grant Applications – Board of County Commissioners to authorize the County Administrator or the President of the Board of County Commissioners to file grant applications for public transportation for fiscal year 2019 – Roy S. Cool, Transportation Planner, explained that Resolution 18-4 is a routine Resolution that is passed annually as a requirement of the Transit grant application. Mr. Cool further explains that all the Resolution does is authorize the filing of the grant application and also authorizes either the County Administrator or the President of the Board of County Commissioners to sign the appropriate documents.

Upon Motion of Commissioner Valentine, seconded by Commissioner Brodie, and duly carried, the Commissioners unanimously passed Resolution 18-4 - Authorizing Resolution for Filing Fiscal Year 2019 Transit Grant Applications, to authorize the County Administrator or the President of the Board of County Commissioners to file grant applications for public transportation for fiscal year 2019.

Item 6 – Fiscal Year 2018-2020 Title VI Implementation Plan for Allegany County Transit – Board of County Commissioners to adopt the Fiscal Year 2018-2020 Title VI Implementation Plan for Allegany County Transit to ensure non-discrimination in all programs and activities – Roy S. Cool, Transportation Planner, pointed out that he is presenting this Item as a “housekeeping” move. Mr. Cool explained that the County is required to have a plan to prevent discrimination at the Transit Operation, and has to periodically update that plan. He said that the Fiscal Year 2018-2020 Title VI Implementation Plan for Allegany County Transit is that update.

Upon Motion by Commissioner Brodie, seconded by Commissioner Valentine, and Motion unanimously carried, the Commissioners adopted the Fiscal Year 2018-2020 Title VI Implementation Plan for Allegany County Transit to ensure non-discrimination in all programs and activities.

Item 6A - Approve and Authorize the President to sign a Deed from the County Commissioners to Russell S. and Belinda S. Blubaugh, as a follow-up to the recent Blubaugh Road Closing – William M. Rudd, County Attorney, recalled that back on December 14, 2017, the Commissioners voted to close a former portion of Water Station Run Road upon petition of Russell and Belinda Blubaugh, owners of adjoining property. Attorney Rudd explained that

typically, one half of the closed road property would go half to the property owner and half to the county; but the county really doesn't have any need for the property, and the Blubaughs do need the whole road for a setback. Attorney Rudd presented to the Commissioners a deed to convey the entire surface of the closed road to Mr. and Mrs. Blubaugh, adding that in the deed, the county is reserved rights of way for public water and sewer.

Upon Motion made by Commissioner Valentine, and seconded by Commissioner Brodie, the Commissioners unanimously approved and authorized the President to sign the Deed from the County Commissioners to Russell S. and Belinda S. Blubaugh.

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 7 – Bedford Road Sewer Rehabilitation Phase V Contract S-87 Bid Award – Board of County Commissioners approved the award of the Bedford Road Sanitary Sewer Rehabilitation Phase V project to Carl Belt, Inc., Cumberland, Maryland, in the amount of \$1,097,115, subject to the approval of the Maryland Department of the Environment, and authorized the President of the County Commissioners to sign any and all necessary contract agreements or documents.

Item 8 – Public Notice for the Public Transportation Grant Application Hearing – Board of County Commissioners authorized advertising for a public hearing to be held on March 7, 2018, at 1 p.m., in Allegany Room 100 of the County Office Complex, for the fiscal year 2019 Public Transportation Program and publishing a public hearing notice in the Cumberland Times-News.

Item 9 – Solid Waste Management Board Appointment – Board of County Commissioners approved the appointment of David DeWitt to serve as a member on the Solid Waste Management Board representing the City of Frostburg, with his term to expire on December 31, 2020.

Item 10 – 2018 Salvage Yard License Issuances – Board of County Commissioners approved the issuance of a 2018 license for salvage yard operations to Harold's Garage, 21203 Creekside Drive, SW, Westernport, Maryland, subject to the payment of \$100 licensing fee.

County Administrator Eberly briefly discussed some details of the Early Retirement Incentive Program for County employees. He mentioned that there were about 60 employees who would be eligible for this Program. Action was taken on this Program at a prior public business meeting.

Commissioners' statements, comments, recognition

Commissioner Valentine reported on the tour he took earlier in the day of the new halfway house being opened by the County Health Department. He said that they hope to have people moving into that facility by the end of this week, starting with six people on the first floor, and in another week or so, another eight people on the second floor. Commissioner Valentine remarked that it is a very nice facility, located very close to the Health Department, and that it should be a good tool in the fight against the opioid crisis.

Commissioner Brodie commented that he thought the property housing the halfway house formerly belonged to the county and the Western Maryland Health System. Commissioner Valentine said that was a different property, and that this building is on the left-hand side of Willowbrook Road going toward Allegany College, and it is being leased from a private owner. Commissioner Brodie then said that the county is also working with the Health System and the Health Department on another facility.

Commissioner Brodie then talked about the big week coming up at PACE, with the biggest part of the week to happen on Thursday between 8 a.m. and 4 p.m. He explained this is when the county goes down and gets money to fund future projects, and he pointed out that for the last fifteen years, the county has been extremely successful. This has included funding help from USDA, MDE, Community Development Block Grants, and others. Commissioner Brodie remarked that without this funding, the ability to move forward with water and sewer projects in Allegany County would be stopped in its tracks, and that the funding is truly what makes this county grow and move into the future.

Commissioner Shade agreed that the funding meetings at PACE are productive, and he thanked Commissioner Brodie for his leadership.

Commissioner Shade then acknowledged in the audience School Board Member Tammy Fraley, and talked about the progress of the new Allegany High School Project. Commissioner Shade

pointed out that collaboration is important as the county moves forward over the next six months to make sure that the school gets opened on time. Commissioner Shade talked about the purchase of furniture for the school, and acknowledged that money is set aside for that. He added that the Board doesn't know what the exact cost will be, and it is nice to have some money earmarked through the Rocky Gap proceeds funds. Commissioner Shade also commented that the new school is something exciting for the entire community, and something to be proud of.

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

Reminders/Upcoming Meetings

Next Public Business Meeting – Thursday, February 8, 2018, 5:00 p.m.

Announcement – Local Development Council (See News Release)

Announcement – Allegany County Transit In-Service Training (See News Release)

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:25 p.m.

Jacob C. Shade, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary



ALLEGANY COUNTY DEPARTMENT OF PUBLIC WORKS

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Item 3
Director of Public Works
Adam Patterson, P.E.
County Engineer

BOARD OF COUNTY COMMISSIONERS

Robert C. Shade, President
Debra V. Brodie, Jr.
William R. Valentine

STAFF REPORT

TO: David A. Eberly, County Administrator
FROM: Paul Kahl, P.E., Director of Public Works, *DK*
Siera Wigfield, Transportation Planner *SW*
DATE: January 8, 2018
RE: Cumberland Area MPO Adoption of the Maryland State Transportation Performance Management Safety Targets

For the Agenda of January 18, 2018

1. BACKGROUND

The Federal Highway Administration (FHWA), beginning with MAP-21, in 2013, and continuing with the FAST Act, established Transportation Performance Measurement requirements for States and metropolitan planning organizations (MPOs). Maryland Department of Transportation coordinated with CAMPO on the development of their Maryland Strategic Highway Safety Plan and targets for five safety performance measures: (1) fatalities, (2) rate of fatalities, (3) serious injuries, (4) rate of serious injuries, and (5) number of non-motorized fatalities and non-motorized serious injuries. This MPO is required to adopt the safety performance measure no later than February 28, 2018.

The Cumberland Area MPO's technical advisory committee met on December 11, 2017 and assessed that due to the limited funding of the MPO it would be prudent to adopt the State's safety targets at this time, and agreed to recommend the MPO Board to adopt the state's targets. – Attached are the State's 2018 Targets.

2. ISSUES

N/A

3. FINANCIAL IMPACT

N/A. By Adopting the State's safety performance measures the MPO does not have to allocate funding to analyze and report its own regional targets.

4. ALTERNATIVES

N/A

5. OTHER CONSIDERATIONS

N/A

6. CONFORMITY TO COUNTY POLICY

N/A

7. RECOMMENDATION

I recommend that the County Commissioners acting as the Cumberland Area MPO to adopt the TPM safety targets, as established by Maryland Department of Transportation, for the State of Maryland.



ALLEGANY COUNTY DEPARTMENT OF PUBLIC WORKS

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Item 4

BOARD OF COUNTY COMMISSIONERS

Jacob C. Shade, *President*
Creade V. Brodie, Jr.
William R. Valentine

Director of Public Works
Adam Patterson, P.E.
County Engineer

STAFF REPORT

TO: David A. Eberly, County Administrator
FROM: Paul Kahl, P.E., Director of Public Works, *PKC*
Roy Cool, Planner
DATE: January 2, 2018
RE: FY 2017 -2023 Cumberland Area Transportation Improvement Program
Amendment

For the Agenda of January 18, 2018

1. BACKGROUND

MTA has requested the following administrative modifications to the FY 2017- 2023 Revised Cumberland Area Transportation Improvement Program (TIP):

- Increase the FY 2018 Funding for 5307 Transit Capital to \$299,000 for capital assistance to small urban transit systems. In FY 2018 MTA is awarding Allegany County \$597K, in federal funding for one medium duty bus replacement, one small cutaway bus replacement and continued preventive maintenance.
- MTA has increase the federal obligation for Section 5339 funding in the amount of \$240K for capital assistance. This funding will be to replace one medium duty bus.

This action is needed in order for the projects to be in compliance with Federal funding requirements.

2. ISSUES

N/A

3. FINANCIAL IMPACT

N/A

4. ALTERNATIVES

N/A

5. OTHER CONSIDERATIONS

N/A

6. CONFORMITY TO COUNTY POLICY

N/A

7. RECOMMENDATION

I recommend the County Commissioners, acting as the Metropolitan Planning Organization, adopt the resolution endorsing the Revised FY 2017- 2023 Transportation Improvement Program.



ALLEGANY COUNTY, MARYLAND

Office of The Board of County Commissioners

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BOARD OF COMMISSIONERS

Jacob C. Shade, *President*
Creade V. Brodie, Jr.
William R. Valentine

David A. Eberly, *County Administrator*
William M. Rudd, *County Attorney*

State of the County

January 1, 2017 – December 31, 2017

Overall, 2017 was a productive year for The Board of County Commissioners and county staff as we worked to address the needs of our community.

2017 was a year of change for Allegany County Government. The County welcomed a new Director of Economic and Community Development, Jeffrey S. Barclay, and a new Director of Tourism, Ashli Workman. The Allegany County Commissioners also announced the selection of Brandon S. Butler as the next County Administrator.

FINANCIAL HIGHLIGHTS

For the seventh consecutive year, the County Commissioners reduced the real estate property tax by 1/10th of a cent by the adoption of the FY 2018 budget. Our Board's intent is to incrementally reduce this financial burden on Allegany County's property owners/taxpayers. Of the 24 jurisdictions in the State of Maryland, 14 had higher real estate property tax rates than Allegany County in FY 2017.

Our Board continued to adopt and apply a conservative approach to fiscal matters, while is fulfilling its commitment to deliver core local government services in an efficient and equitable manner. A balanced budget was developed, passed, and implemented.

Overall, Allegany County Government is financially sound. Our fund balance is intact and our debt affordability calculations remain on target. Allegany County's fund balance is to be a minimum of two months of operating expenses. Allegany County's operating expenses designated for debt repayment are to be a maximum of three million dollars per year. Our Board secured the Public Improvement Bond of 2017 for nine million dollars, 15 years, 2.867%. This will be used for a number of projects.

Your Board strives to minimize all costs, small and large. This means being strategic and working to avoid one-time and on-going costs in all departments. The County successfully secured thousands of dollars of federal, state, and private sector grants to offset costs in 2017.

The Finance Department was a national award winner for the 25th consecutive year. The Certificate of Achievement for Excellence in Financial Reporting is the highest form

of recognition in the area of governmental accounting and financial reporting. It acknowledges the County's "spirit of full disclosure" to clearly communicate its financial position and demonstrates transparency. Nationally, only 29 percent of like-sized counties received this prestigious award.

INFORMATION TECHNOLOGY

Allegheny County Government continued to invest in broadband infrastructure. In 2017 the County upgraded Allconet core networking capacity from 1 Gbps to 10 Gbps and upgraded management switching capacity to 1 Gbps. The County also invested in a WiFi access expansion project at the Allegheny County Fairgrounds. This will serve the facilities and all individuals enjoying events there.

PUBLIC WORKS

Water and Sewer

Providing clean and safe water to drink and use in everyday activities is an essential function of local government. The Utilities Division maintains 160 miles of water lines and 195 miles of sewer lines. The infrastructure required to provide public water and sewer services is complex and expensive. Allegheny County Government operates five wastewater treatment plants, eight water pumping stations, 22 wastewater pumping stations, and has 11 water storage tanks.

Two solar power projects were designed, installed, and became operational in Allegheny County in 2017. The on-going operational expenses associated with wastewater treatment will be addressed as a result of these renewable energy initiatives supported by Allegheny County Government. County taxpayers will, therefore, save money for years to come.

Water lines were extended four and one-half miles to serve 141 households receiving public water for the first time. These households were located in Barrelville, Prince Albert/Sunnyside, Midlothian, and Cumberland.

A new water main line was installed in the Cresaptown Water District and the Wrights Crossing Pump Station, an extensive project, began.

Fairgrounds

The Allegheny County Fairgrounds booked 250 days of activities in 2017. This is truly a community center for the Tri-State Region.

After a two-year hiatus, with the strong volunteer commitment of fans, motor sports returned to the Allegheny County Fairgrounds.

Recycling

Allegany County Government held a special household hazardous waste collection. Residents safely and legally disposed of 8.3 tons of materials. For the first time, this special collection accepted paint for reuse by artists and others

ECONOMIC AND COMMUNITY DEVELOPMENT

Revisions of Allegany County Code Chapter 360 Part 4 Zoning (Code Home Rule Bill 2-17, March 9, 2017) and 2017 Allegany County Zoning District Map (December 14, 2017) were adopted this past year. These two actions provided the County with the opportunity to merge the LaVale Zoning Regulations with those of the County and to provide greater flexibility for future business development in suitable areas.

Our Board took steps to purchase 250+/- acres of the former Barton Farm. The County is also taking steps now to increase its holdings at this location to support a mix of urban uses at this site. This is being done to complement the County's business park across Route 220 and to maximize the development potential of the largest parcel of undeveloped Priority Funding Area in the County.

The Community Enhancement Program was leveraged in 2017. This program allowed for the rehabilitation of properties in Cumberland and one each in Barton, Frostburg, and Westernport. This program assists with blight removal and commercial revitalization.

DelFest celebrated its 10th year in Allegany County and a new five-year contract was signed. County government extends its deepest appreciation to Del McCoury and the DelFest Foundation for significant and on-going contributions to our community.

Overall, tourism continues to grow and be an important component of economic development activity.

Specs Chemical Services, Inc., a company based in The Netherlands, signed a ten-year lease for the Burbridge Building in the North Branch Industrial Park. The company now has the entire 24,000 square foot building – an increase of 10,000 square feet. Specs first came to Allegany County in 2002. Specs provides chemical related services for pharmaceutical companies.

Sierra Hygiene Products, LLC, a light manufacturing entity in the paper industry, came to Allegany County in 2007. Sierra Hygiene renewed a five-year lease in Frostburg Business Park in 2017.

Hamilton Relay, based in Aurora, Nebraska, signed a new three-year lease extension with additional options for the One Science Park Building in the Frostburg Business Park. Hamilton Relay first came to Allegany County in 2007. This company is a leading telecommunications relay and captioned telephone services provider.

A medical marijuana dispensary located in the City of Cumberland in 2017. A medical marijuana growing operation also located in Riverside Industrial Park. Manicorp, LLC, completed extensive renovations and began operations in the space formerly held by Biederlack of America.

A number of small commercial projects also occurred throughout Allegany County last year.

Private entrepreneurship sparked in Allegany County in 2017. Allegany County's first farm craft beer brewery, 1812 Brewery, commenced operations. StoneBridge, an elegant events venue, completed a sold-out first full season.

EMERGENCY SERVICES

Our Board designated five million dollars of bond funds in 2017 to purchase public safety communications equipment. This demonstrates understanding of and commitment to public safety.

The Board of County Commissioners was asked to assume the responsibility for the operation of the Frostburg Area Ambulance Service. This merger with the Allegany County Department of Emergency Services was effective on July 1, 2017.

NOTEWORTHY ITEMS

Our Board of County Commissioners would like to remember several noteworthy items in 2017.

Every Allegany County resident is negatively affected, directly or indirectly, by the nationwide opioid epidemic. Many public and private entities are working together to tackle this crisis. It is important for Allegany County Government to continue to partner with other government agencies to address the implications of this crisis.

Our community noted the passing of three former Allegany County Commissioners, Arthur T. Bond, John J. Coyle, Sr., and Robert M. Hutcheson, III. These community leaders are warmly remembered for their steadfast commitment and devotion to the citizens of Allegany County.

Allegany County saw the passing of The Honorable James S. Getty, Sr. Judge Getty served on the Circuit Court of Allegany County and the Maryland Court of Special Appeals. He heard his last case at age 90. A native of Lonaconing, Judge Getty was respected by his peers as a brilliant jurist.

The County also saw the passing of Lawrence J. Kelly, the longest serving State's Attorney for Allegany County.

Kenneth Lee May was honored with an Encore for a Hero Ceremony for his years of volunteer service to the LaVale Volunteer Rescue Squad. He became an EMT in 1945.

The Allegany County Opportunity Scholarship is meeting expectations. Local residents can pursue a variety of higher educational opportunities at Allegany College of Maryland and Frostburg State University. After their education is completed, many of these scholarship recipients are choosing to seek employment and remain in the Tri-State Region.

As we begin 2018, our Board wishes to affirm and emphasize its commitment and availability to all citizens and stakeholders. We appreciate your participation, value your viewpoints, and thank everyone for your support of and interest in Allegany County. We wish one and all a happy, healthy, safe, and prosperous new year.