

February 9, 2017

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 Danny 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 January 19, 2016, public business meeting.

**PRESENTATION**

**Item 1 – Encore for a Hero – Kenneth Lee May** – Richard L. DeVore, Director, Department of Emergency Services, and Raymond H. Shipley, President, LaVale Rescue Squad. On behalf of all three County Commissioners, President Shade welcomed Mr. Kenneth Lee May to the meeting. There was a round of applause as Mr. May came forward. Mr. May offered brief remarks. He thanked the County Commissioners for all they do, and commented that he enjoyed what he did for 72 years, as a volunteer.

Mr. May thanked the Commissioners for their support over the years to the fire and EMS service in Allegany County, and thanked his family and all the volunteers and paid personnel. He stated that it was an honor to serve as a volunteer for so many years. Mr. May acknowledged and thanked the Maryland State Police, the Allegany County Sheriff's Office, and the City Police Department. He said that he would accept his Citation in honor of all of them.

Commissioner Shade next called forward Dick Devore, Director of Emergency Services for Allegany County. Mr. Devore remarked that it was truly an honor to recognize Mr. May for his 72 years of service to his community and country. Mr. Devore acknowledged Mr. May's work with the LaVale Rescue Squad and Fire Department, the Lions Club, the Region 1 EMS Council, and the Emergency Services Board, on which he served for as long as he could remember.

Mr. Devore described Mr. May as a true hero and elaborated on his many hours and acts of service. He also spoke of the many people Mr. May encountered and welcomed into the Rescue Squad, and further described him as a mentor and a role model. Mr. Devore pointed out how much Mr. May's service, and Mr. May himself, has meant to Allegany County, and thanked him.

Mr. Raymond Shipley, the current President of the LaVale Rescue Squad, also came forward to share some remarks about Mr. May. He spoke of his many hours and years of service.

Commissioner Shade then called forward Mr. May's family for the presentation of the Encore for a Hero Award to Mr. Kenneth May. A round of applause followed.

Commissioner Brodie also shared a memory about Mr. May and spoke of his legacy. He also asked Mr. May to introduce his family members, all of whom are also serving in the fire and EMS service.

At Commissioner Shade's request, members of the LaVale Rescue Squad and the LaVale Lions Club stood to be recognized.

**Item 2 – Small Business Revolution \$500,000 Prize** – Jessica Palumbo, Main Street Manager, FrostburgFirst, thanked the Commissioners for the opportunity to come to the meeting and speak. Before beginning her presentation, she remarked on the inspiring acknowledgment of Mr. Kenneth May.

Ms. Palumbo mentioned that she had hoped that she would be able to announce this evening that Frostburg was a finalist in the Small Business Revolution Main Street Makeover Competition, sponsored by DeLuxe Corporation. However, she found out earlier in the day that Frostburg did not make the top five finalists. She did provide some details about Frostburg's involvement in this competition, as one of eight communities in the nation selected last Fall to compete. Ms. Palumbo also described the visit to Frostburg by representatives of DeLuxe Corporation on January 8 and 9,

2017, during which they toured the City and did a lot of filming and speaking with community members. She said that this was a great opportunity for the City of Frostburg.

Commissioner Brodie read and presented an Official Citation from the County Commissioners to Ms. Palumbo. He remarked that he and the other Commissioners are extremely proud. There was a round of applause.

### **ACTION AGENDA**

**Item 3 – Introduction – Code Home Rule Bill 1-17 “Compensation for Public Officials”** – William M. Rudd, County Attorney, explained that Code Home Rule Bill 1-17, prepared for introduction this evening, incorporates the report from the Salary Study Commission presented by Chairman Stuart Czapski several weeks ago. Attorney Rudd reported that the salaries involved are for the County Commissioners, Board of Education, Liquor Board, Board of Elections, Judges of the Orphans Court, and the Sheriff, and that the salaries set by this Code Home Rule Bill would begin January 1, 2019, which is the next term of all of the positions. He added that this is done every four years.

Commissioner Shade asked Attorney Rudd if he had information on the current salaries. He provided some of the current salaries, as listed below. Attorney Rudd also listed the recommended salaries for the new term, as provided for in Code Home Rule Bill 1-17, a copy of which is attached to and made a part of these Minutes.

#### **Current Salaries:**

- President of the Board of County Commissioners: \$33,765
- County Commissioner: \$32,639
- Board of Education President: \$7,428
- Board of Education Member: \$6,077
- Sheriff: \$76,491

Upon Motion made by Commissioner Valentine, seconded by Commissioner Brodie, and carried unanimously, the Commissioners approved the introduction of Code Home Rule Bill 1-17 “Compensation for Public Officials”.

**Item 4 – Introduction – Code Home Rule Bill 2-17 – “Revisions of Allegany County Code Chapter 360 Part 4 Zoning”** – Angela R. Patterson, PE, Land Use and Planning Engineer, and David A. Dorsey, Planning Coordinator.

Angela R. Patterson, PE, Land Use and Planning Engineer for Allegany County, said that she was present to introduce the new Park 4 Zoning Code for the County. She explained that currently, there is one Code for LaVale, and one for the rest of the unincorporated areas of Allegany County, and what is being proposed is one new Code that would be applied to all of the unincorporated areas, including LaVale. Mrs. Patterson provided a brief history of the LaVale Zoning Code, adopted in 1957 and administered by the LaVale Zoning Board, and the Allegany County Code, adopted in 1965, administered by the County, for the unincorporated areas of the County other than LaVale. She added that since 2004, Allegany County has been administering LaVale's Zoning Ordinance, and in 2014, the County's Comprehensive Plan recommended that the County adopt one Zoning Code, to be applied everywhere.

Mrs. Patterson further explained that the County contracted with a consulting firm, AE Com, in 2015, to assist with development of one user-friendly document. On December 21, 2016, the Planning Commission held a public hearing regarding the new Park 4 Zoning, and recommended its approval on January 25, 2017. She pointed out that Code Home Rule Bill 2-17 – “Revisions of Allegany County Code Chapter 360 Part 4 Zoning” is being introduced tonight, and that public hearing on the Bill will be held on February 23, 2017. She then acknowledged the Allegany County staff members who were part of this process: herself, Angie Patterson, PE, Land Use and Planning Engineer; Dave Dorsey, Planning Coordinator; Jim Squires, Chief of Land Development Services; Jeff Barclay, representing Economic and Community Development, Adam Patterson, PE, representing Public Works, and Bill Rudd, the County Attorney.

Mrs. Patterson pointed out that the scope of this is to apply one Code to all unincorporated areas, including LaVale, and to update and improve the user-friendliness of the document. She then clarified what is not in the scope of this effort:

- This is not a comprehensive re-zoning.
- No changes are being made to the Zoning Map.
- The districts and district boundaries are not changing at this time. (An effort to begin that process has commenced, to be completed hopefully by the end of this calendar year.)

- Nothing is being changed regarding the extractive industry regulations for Allegany County. Neither the current Code or the proposed Code specifically address hydraulic fracturing. The County plans to evaluate this issue after the State makes a decision about it.

Dave Dorsey added that this is something that really needs to be done.

Commissioner Shade asked Mrs. Patterson if a copy of the proposed revision is available online, and she told him that it should be available the next day. He mentioned that a copy is also available out front if anyone wants to look at it.

Upon Motion made by Commissioner Brodie, and seconded by Commissioner Valentine, the Commissioners unanimously approved the introduction of Code Home Rule Bill 2-17 "Revisions of Allegany County Code Chapter 360 Part 4 Zoning".

County Attorney Rudd asked to add a comment, and he acknowledged Mrs. Patterson as the person who did the most work on this Revision to the Zoning Code, and added that she should be rewarded, commended, and applauded for her work.

**Item 5 – Amended Animal Control Operating Agreement Renewal** – Board of County Commissioners to approve the Amended Animal Control Operating Agreement between the County Commissioners of Allegany County and the Allegany County Animal Shelter Management Foundation, Inc. – William M. Rudd, County Attorney, reminded everyone that Animal Control was privatized a few years ago, and added that the County makes an annual appropriation to them. He explained that the Animal Control Board acquired some property, the old Sheriff's Department Building, from the County, which they are remodeling, and need some assistance with the financing. Attorney Rudd further explained that with this proposed Agreement, the Commissioners would agree to contribute an additional \$15,000 per year to help with the debt service on the remodeling project. The Animal County Animal Shelter Management Foundation is securing funding with Standard Bank; and in connection with the agreement with Standard Bank, the \$15,000 payments from the County would be made directly to the Bank. The County is not taking on any debt for the project, and is not responsible. This would simply let the Bank know that they will be getting the money for the next five years. Attorney Rudd confirmed that other than that change, this Renewal Agreement will remain the same as the original Agreement, and explained that this new Agreement will be in effect through 2022.

Commissioner Valentine moved that the Board of County Commissioners approve the Amended Animal Control Operating Agreement between the County Commissioners of Allegany County and the Allegany County Animal Shelter Management Foundation, Inc. Commissioner Brodie seconded the Motion, which passed unanimously.

**Item 6 – Resolution 17-5 – Cumberland Area Metropolitan Planning Organization Title VI Plan** – Board of County Commissioners to adopt the Cumberland Area Metropolitan Planning Organization's Title VI Plan to ensure non-discrimination in all programs and activities – Siera N. Wigfield, Transportation Planner, explained that the Cumberland Area MPO staff has updated its Title VI Plan, which is the non-discrimination implementation plan. She asked that the Commissioners, acting as the Cumberland Area MPO, adopt the plan.

Upon Motion by Commissioner Brodie, seconded by Commissioner Valentine and Motion carried, the Commissioners unanimously approved and passed Resolution 17-5 – Cumberland Area Metropolitan Planning Organization Title VI Plan and adopted the Cumberland Area Metropolitan Planning Organization's Title VI Plan to ensure non-discrimination in all programs and activities.

**Item 7 – Resolution 17-6 – Cumberland Area Metropolitan Planning Organization Decennial Functional Classification System Approval** – Board of County Commissioners, acting as the Metropolitan Planning Organization, to approve the proposed functional classification network, and also approve the same for submittal to the Maryland Department of Transportation and Federal Highway Administration – Siera N. Wigfield, Transportation Planner, reported that the State Highway Administration met with Allegany County, the City of Frostburg, and the City of Cumberland to provide some guidance on the Decennial Federal Highway Functional Classification update. She explained the process and reported that changes were made as needed, which are detailed in the attachment to Resolution 17-6, attached to and made a part of these Minutes.

Mrs. Wigfield pointed out that the Cumberland MPO has to adopt the map and table of any changes in order for submittal to MDOT and the Federal Highway Administration.

Upon Motion made by Commissioner Valentine, and seconded by Commissioner Brodie, the Commissioners unanimously approved the proposed functional classification network, and also approved the same for submittal to the Maryland Department of Transportation and Federal Highway Administration.

**Item 8 – Memorandum of Understanding for Emergency Medical Services Response for Eastern Allegany County, Maryland** – Board of County Commissioners to approve the agreement between Morgan County Commissioners and Allegany County Commissioners to provide emergency medical services response for eastern Allegany County – Richard L. DeVore, Department of Emergency Services Director, told the Commissioners that in front of them was a consideration to enter into a mutual aid agreement with the Morgan County Commissioners for EMS Services. Mr. DeVore reminded the Commissioners that Allegany County was notified that Oldtown Ambulance was ceasing to provide ambulance service in the Oldtown area, leaving just District 16 Ambulance to cover the entire response area to the County line at West Virginia. He explained that this is about a 26-mile drive from that location. Mr. DeVore reported that Morgan County has graciously offered assistance by its career service unit, with paramedic, stationed in Paw Paw, to respond to critical care calls in the lower portion of that response area. He pointed out that this could save lives by getting emergency personnel there quickly. Mr. DeVore added that both Allegany and Morgan Counties recognize that this is a short-term solution, but that Allegany County is extremely pleased with it. He remarked that Morgan County has been an excellent partner and neighbor in delivering the service.

Mr. DeVore asked the Commissioners to authorize entering into this mutual aid agreement.

Commissioner Shade asked Mr. DeVore if Morgan County is doing private billing. He replied yes, and that they also have a fee attached to each of the taxpayer accounts in Morgan County which is used to fund the career EMS service in Morgan County. For Commissioner Valentine, Mr. DeVore clarified that Morgan County will deliver critical care when they can get to an emergency more quickly than District 16, then potentially pass off service to District 16.

Motion was made by Commissioner Brodie, seconded by Commissioner Valentine, and unanimously carried by the County Commissioners to approve the agreement between Morgan County Commissioners and Allegany County Commissioners to provide emergency medical services response for eastern Allegany County.

**Item 9 – Staffing for Adequate Fire and Emergency Response (SAFER) Grant** – Board of County Commissioners to authorize staff to explore the possibility of obtaining SAFER Grant funding to support the cost associated with up to 4 EMS personnel – Richard L. DeVore, Department of Emergency Services Director, called the Commissioners' attention to a request for the Department of Emergency Services to file an application to request assistance from the Federal Government under the SAFER Act. Mr. DeVore explained that the SAFER Act was created to allow jurisdictions to be able to expand their fire and EMS protection within their boundaries. He added that more career services are being provided in LaVale and in other areas of the County, as volunteers are unfortunately lost. If the grant application is successful, funding support for up to four EMS personnel for three years will be provided. The Federal Government would pay 75 percent of the employment cost for the first two years, and then 35 percent in the third year.

Commissioner Valentine asked if any of the funding would go toward training personnel, or just for already-trained personnel. Mr. DeVore responded that the funding is specifically earmarked toward the personnel themselves. He added that this would be an excellent job opportunity with benefits.

Commissioner Brodie moved that the Board of County Commissioners authorize staff to explore the possibility of obtaining SAFER Grant funding to support the cost associated with up to 4 EMS personnel. Commissioner Valentine seconded the Motion, and it carried unanimously.

#### **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 – Region 1 Emergency Medical Services Advisory Council Board Appointments** – Board of County Commissioners approved the re-appointments of Dr. William May, Chris Guynn and Alex Kelly and the appointment of Robert Pattison to the Region 1 EMS Advisory Council for a three-year term to expire January 15, 2020.

**Item 11 – Declaration of Surplus Vehicle** – Board of County Commissioners authorized the Allegany County Sheriff's Office to declare the following vehicles surplus to be sold at public auction: 2004 Chevy Trailblazer VIN # 1GNDDT13S042347132; 2004 Kia Spectra 4S VIN # KNAFB161145143667; 2001 Mitsubishi Eclipse VIN # 4A3AC54H51E018679; 2004 Honda CRV VIN # SHSRD78804U258470; 1994 Chevy S-10 Truck VIN # 1GCDT19Z3RK127715; 2001 Jeep Grand Cherokee VIN # 1J4GW48S41C573536; 1997 Chrysler Van VIN #1C4GP54R5VB373837;

and a 2002 Ford Pick Up VIN # 1FMZU77E52UC61623.

**Item 12 – Prince Albert/Sunnyside Water Project Advertisement for Bids** – Board of County Commissioners authorized the Department of Public Works to advertise the Prince Albert/Sunnyside Water project and authorized the Allegany County Commissioners to sign the associated funding documents for this project.

**Item 13 – Rolling Oak Drive, NW, Ellerslie** – Board of County Commissioners approved an additional 500 linear feet of Rolling Oak Drive, NE, into the county road system and be accepted for county maintenance.

**County Administrator** – Correspondence – Mr. Eberly presented a letter addressed to Senator Joan Carter Conway, Chair of the Education, Health & Environmental Affairs Committee of the Maryland Senate, and to Senator Edward J. Kasemeyer, Chair of the Senate Budget & Taxation Committee. He read the letter, which is in support of Senate Bill 273 “State Forest, State Park, and Wildlife Management Area Revenue Equity Program”, into the record. A copy of this letter is attached to and made a part of these Minutes.

The Commissioners briefly discussed the letter.

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

**Commissioner Valentine** reported that all three County Commissioners took part in funding meetings at PACE 2017 at the end of January. He explained that those meetings involved very important discussions on funding to do water lines and other projects. Commissioner Valentine also said that he has been taking part in some panels through MACo, talking with the House Ways & Means Committee and Taxation Committee in an effort to get the State to return some funding to the County, not only Highway User Funds, but also just for general infrastructure needs. Commissioner Valentine pointed out that the money the County receives from the State that is considered Highway User Funds by the State is only enough to blacktop two and three quarters miles of road. He said that the County absolutely has to keep the pressure on the State to get some of those funds back.

**Commissioner Brodie** agreed, remarking that the County has 548 miles of road. He then discussed the funding obtained for water and sewer projects. Commissioner Brodie reported that the County presented roughly \$125,000,000 worth of projects at PACE. Commissioner Brodie explained that normally the County leaves PACE with around \$20,000,000 a year, give or take. He commented that that is absolutely vital to Allegany County.

**Commissioner Shade** brought up Senator Edwards’ bill, Senate Bill 273, again, and remarked that the State owns property in Allegany County that would be worth somewhere in the area of \$250,000,000 and barely pay any taxes on it: only \$100,000 to \$200,000 from timbering. The County is trying to make that more equitable. He said that he is hopeful the Bill will make it through the House this year.

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

**Mr. Rick Bittinger**, from Hyndman, Pennsylvania, thanked the Commissioners for giving him time to speak. He said that he has been approached by Todd Brode, the racetrack promoter, about taking an assistant general manager role at the racetrack to assist Mr. Brode. Mr. Bittinger explained that he has an extensive background in promoting, and that twenty years ago, he and his wife were among the biggest unsanctioned promoters on the East Coast for motorcycle and ATV racing.

Mr. Bittinger told the Commissioners that Mr. Brode asked him to attend this evening’s meeting to give the Commissioners, as well as the public, an update on what’s going on at the Racetrack. He reported that there are a lot of things happening out there, all positive. He commented that the racetrack at the Allegany County Fairgrounds means a lot to a lot of people in the County. Mr. Bittinger presented a copy of *Dirt on Dirt Magazine* and described it as the biggest dirt track publication in the world. He added that there was an article about the County’s racetrack in that magazine. Mr. Bittinger also said that the work accomplished to date at the racetrack has been a one hundred percent volunteer effort; and if a monetary value were put on that work, it would be \$100,000. He reported that D & R Trucking and the company’s owner and his wife, Mr. and Mrs. Troutman, have donated countless trucks; Sponaule’s, Chucky Clise, and Larry Platt have also contributed to the efforts. Mr. Bittinger added that the racetrack is going to be family-oriented, and that he would like to have bouncy houses and other things for the kids other than just coming along to watch the races. He said that another goal is to bring prices down so local people can afford to go to the races. Mr. Bittinger commented that he hopes the racetrack will have a good impact on local restaurants and hotels too.

Mr. Bittinger announced that on March 18, 2017, there will be an endurance race at the track, and the response to that has been unbelievable. He told the Commissioners that a major fundraiser is needed to kick things off; at the end of the night of the first race held, \$15,000 will be needed to pay the bills. There is a fundraiser scheduled for the coming weekend at Shooters. A percentage of sales will go to the racetrack. He asked the Commissioners if they had any questions about what is going on at the track.

Commissioner Valentine said that he is glad to see the track being brought back the way that it is. He acknowledged that a lot of the work done so far has been done for the safety of the racers.

Mr. Bittinger then made a request of the Commissioners. He said that the event being held on March 18<sup>th</sup> is totally for fundraising, and that they are not going to be out there all night. He asked the Commissioners if they would consider giving them a reduction in the rate for that one event. Mr. Bittinger pointed out that as it stands now, the racetrack group would pay \$850 to use the track for basically three hours.

Mr. Eberly asked if this will be an evening or daytime event. Mr. Bittinger answered that gates open at 12, and the race starts at 4. The race will consist of 100 laps or two hours, whichever comes first. He added that hopefully they will not need to use the lights.

Commissioner Brodie said that he didn't see any problem with cutting the fee in half for that event, to \$425. He remarked that is the lowest the County can go.

Mr. Bittinger said that visitors to the racetrack, as well as any questions anyone may have, are welcome. He also thanked the Commissioners for agreeing to reduction in the fee to \$425 for the March 18<sup>th</sup> racing event.

**Commissioner Shade** added one more comment. He reported that all three Commissioners received a letter from Governor Hogan this week, regarding the State seeking to repeal what they are calling the "Road Kill Bill". Commissioner explained what this Bill means to Allegany County: Route 220 has been taken off the CTP, and unless something changes, it will be difficult to get it back on there. The County will support the repeal of the Bill.

#### **Reminders/Upcoming Meetings –**

**Next Public Business Meeting –** Thursday, February 23, 2017, 5:00 p.m.

#### **ADJOURNMENT:**

There being no further business to come to the attention of the Board, the meeting was adjourned at 6:00 p.m.

\_\_\_\_\_  
Jacob C. Shade, President

True Copy  
Attest:

\_\_\_\_\_  
Cynthia A. Young  
Recording Secretary



# ALLEGANY COUNTY, MARYLAND

## Office of The Board of County Commissioners

701 Kelly Road  
Cumberland, MD 21502  
301-777-5912 FAX 301-724-6970  
www.gov.allconet.org

### BOARD OF COMMISSIONERS

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

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

February 9, 2017

The Honorable Joan Carter Conway, Chairwoman  
Education, Health & Environmental Affairs Committee  
West Miller Senate Building, Room 2  
11 Bladen Street  
Annapolis, MD 21401

The Honorable Edward J. Kasemeyer, Chairman  
Budget & Taxation Committee  
West Miller Senate Building, Room 3  
11 Bladen Street  
Annapolis, MD 21401

### **RE: SB 273: State Forest, State Park, and Wildlife Management Area Revenue Equity Program**

Dear Chairwoman Conway and Chairman Kasemeyer:


On behalf of the Board of Commissioners of Allegany County, we would like to express our support on behalf of SB 273 State Forest, State Park, and Wildlife Management Area Revenue Equity Program. This legislation seeks to assist counties wherein the State owns large tracts of forests, parks and wildlife management areas. SB 273 seeks to help offset the financial impact to local governments that do not collect property taxes from State owned property. This legislation will provide to County governments a sum of funds for each 10,000 acres of State owned property classified as either forest, park, or wildlife management areas. At this time, approximately 67,000 acres of Allegany County fall into one of the three aforementioned classifications of State holdings.

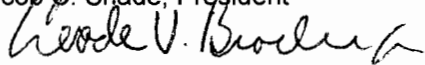
Presently, the only significant direct financial outlay for State owned land provided to County governments is a 25% share of the gross revenue generated for timber sales from the property. However, in recent years, Allegany County has seen a substantial loss of revenue as a result of decreased payments from the Department of Natural Resources, due to a reduction in timbering activity at Green Ridge State Forest.


Providing to counties an established appropriation in lieu of taxes for State owned property that cannot be privately developed is only equitable; and, thus, we thank you for allowing us this opportunity to express our position on this important legislation for Allegany County.

Sincerely,

The Board of Commissioners of Allegany County

  
Jacob C. Shade, President

  
Creade V. Brodie, Jr., Commissioner

  
William R. Valentine, Commissioner

**CODE HOME RULE  
BILL NO. 1-17**

**An Amended Bill Entitled:  
“COMPENSATION FOR PUBLIC OFFICIALS”**

**“AN ACT TO ESTABLISH SALARIES FOR VARIOUS PUBLIC OFFICIALS  
PURSUANT TO THE PROVISIONS OF ARTICLE 28, SECTION 28-101 ET. SEQ. OF  
THE ANNOTATED CODE OF MARYLAND”**

**WHEREAS** pursuant to the provisions of Article 28, Section 28-101 et. seq. of the Local Government Article of the Annotated Code of Maryland, the County Commissioners are authorized to establish the salaries of the County Commissioners of Allegany County, the members of the Board of Education of Allegany County, the Allegany County Board of License Commissioners, the Board of Supervisors of Elections, the Judges of the Orphans’ Court of Allegany County, and the Sheriff of Allegany County; and

**WHEREAS** a Salary Study Commission was appointed to study the salaries of said public officials, and said Salary Study Commission has issued a report, which has been received by the Board of County Commissioners; and

**WHEREAS** the County Commissioners are required to set by law the salaries for each of the above offices.

**Section I.** Pursuant to authority granted by the Legislature of the State of Maryland, be it enacted by the County Commissioners of Allegany County, Maryland, that Chapter 52 of the Code of Public Local Laws of Allegany County (2011 Edition as amended) is hereby repealed and reenacted to read as follows:

**Chapter 52  
COMPENSATION FOR PUBLIC OFFICIALS**

**§52-1. County Commissioners.**

A. Each County Commissioner shall receive as full compensation for all of his/her services the following, all of which said salaries are to be payable in accordance with usual payroll procedures of the County:

- (1) From January 1, 2019, through December 31, 2019:
  - a. President of the Board of County Commissioners – Thirty-Four Thousand, Two Hundred Sixty-Five Dollars (\$34,265) per annum;
  - b. Member of the Board of County Commissioners – Thirty-Three Thousand, One Hundred Thirty-Nine Dollars (\$33,139) per annum.



- (2) From January 1, 2020, through December 31, 2020:
  - a. President of the Board of County Commissioners – Thirty-Four Thousand, Seven Hundred Sixty-Five Dollars (\$34,765) per annum;
  - b. Member of the Board of County Commissioners – Thirty-Three Thousand, Six Hundred Thirty-Nine Dollars (\$33,639) per annum.
  
- (3) From January 1, 2021, through December 31, 2021:
  - a. President of the Board of County Commissioners – Thirty-Five Thousand, Two Hundred Sixty-Five Dollars (\$35,265) per annum;
  - b. Member of the Board of County Commissioners – Thirty-Four Thousand, One Hundred Thirty-Nine Dollars (\$34,139) per annum.
  
- (2) From January 1, 2022, through December 31, 2022:
  - a. President of the Board of County Commissioners – Thirty-Five Thousand, Seven Hundred Sixty-Five Dollars (\$35,765) per annum;
  - b. Member of the Board of County Commissioners – Thirty-Four Thousand, Six Hundred Thirty-Nine Dollars (\$34,639) per annum.

**§52-2. Board of Education.**

A. Pursuant to the provisions of Article 24, Section 12-101 et. seq. and Section 3-203 of the Education Article of the Annotated Code of Maryland, each member of the Board of Education of Allegany County shall receive as full compensation for all of his/her services the following, all of which said salaries are to be payable in accordance with usual payroll procedures of the Board of Education:

- (1) From January 1, 2019, through December 31, 2022:
  - a. President of the Board of Education – Seven Thousand, Four Hundred Twenty-Eight Dollars (\$7,428) per annum;
  - b. Member of the Board of Education – Six Thousand, Seventy-Seven Dollars (\$6,077) per annum.

**§52-3. Board of License Commissioners.**

A. Pursuant to the provisions of Alcoholic Beverages Article, Section 9-204(a) of the Annotated Code of Maryland, each member of the Board of License Commissioners shall receive as full compensation for all of his/her services the following:

- (1) From January 1, 2019, through December 31, 2022:
  - a. President of the Board of License Commissioners – Five Thousand, Eight Hundred Fifty-Two Dollars (\$5,852) per annum;

b. Member of the Board of License Commissioners – Five Thousand, Two Hundred Dollars (\$5,200) per annum.

**§52-4. Board of Elections.**

A. Pursuant to the provisions of the Registration and Election Laws of Maryland, Section 2-204, each member of the Board of Elections shall receive as full compensation for all of his/her services the following:

(1) From January 1, 2019, through December 31, 2019: Four Thousand, One Hundred Seventy-Three Dollars (\$4,173) per annum.

(2) From January 1, 2020, through December 31, 2020: Four Thousand, Two Hundred Ninety-Eight Dollars (\$4,298) per annum.

(3) From January 1, 2021, through December 31, 2021: Four Thousand, Four Hundred Twenty-Seven Dollars (\$4,427) per annum.

(4) From January 1, 2022, through December 31, 2022: Four Thousand, Five Hundred Sixty Dollars (\$4,560) per annum.

**§52-5. Judges of the Orphans' Court.**

A. Pursuant to the provisions of Sections 2-108(b) of the Estates and Trusts Article of the Annotated Code of Maryland, each Judge of the Orphans' Court shall receive as full compensation for all of his/her services the following:

(1) From January 1, 2019, through December 31, 2019:  
a. Chief Judge of the Orphans' Court – Six Thousand, Four Hundred Sixty-Nine Dollars (\$6,469) per annum;

b. Associate Judge of the Orphans' Court – Six Thousand, One Hundred Thirty-Two Dollars (\$6,132) per annum;

(2) From January 1, 2020, through December 31, 2020:  
a. Chief Judge of the Orphans' Court – Six Thousand, Six Hundred Sixty-Three Dollars (\$6,663) per annum;

b. Associate Judge of the Orphans' Court – Six Thousand, Three Hundred Sixteen Dollars (\$6,316) per annum;

(3) From January 1, 2021, through December 31, 2021:  
a. Chief Judge of the Orphans' Court – Six Thousand, Eight Hundred Sixty-Three Dollars (\$6,863) per annum;

b. Associate Judge of the Orphans' Court – Six Thousand, Five Hundred Five Dollars (\$6,505) per annum;

(4) From January 1, 2022, through December 31, 2022:

a. Chief Judge of the Orphans' Court – Seven Thousand, Sixty-Nine Dollars (\$7,069) per annum;

b. Associate Judge of the Orphans' Court – Six Thousand, Seven Hundred Dollars (\$6,700) per annum.

B. Notwithstanding anything contained above to the contrary, each current Judge of the Orphans' Court shall continue to receive the current annual compensation for the balance of his or her respective term until a successor is elected and duly qualified.

**§52-6. Sheriff of Allegany County.**

A. Pursuant to the provisions of Section 2-309(b) of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland, the Sheriff shall receive as full compensation for all of his/her services the following, all of which said salaries are to be payable in accordance with usual payroll procedures of the County:

(1) From January 1, 2019, through December 31, 2019: Eighty-Five Thousand Dollars (\$85,000) per annum;

(2) From January 1, 2020, to December 31, 2020: Ninety Thousand Dollars (\$90,000) per annum;

(3) From January 1, 2021, to December 31, 2021: Ninety-Five Thousand Dollars (\$95,000) per annum;

(4) From January 1, 2022, to December 31, 2022: One Hundred Thousand Dollars (\$100,000) per annum.

B. The annual salary of the Sheriff shall remain at the rate provided for in Code Home Rule Bill 1-13 until January 1, 2019.

**Section II. AND BE IT FURTHER ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ALLEGANY COUNTY, MARYLAND,** that this act shall take effect forty-five (45) days from the date of passage.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

**BOARD OF COUNTY COMMISSIONERS  
OF ALLEGANY COUNTY, MARYLAND**

\_\_\_\_\_  
**Jacob C. Shade, President**

\_\_\_\_\_  
**Creade V. Brodie, Jr., Commissioner**

\_\_\_\_\_  
**William R. Valentine, Commissioner**

**ATTEST:**

\_\_\_\_\_  
**David A. Eberly, County Administrator**

**RESOLUTION**

**17-6**

Resolution approving the decennial Federal Functional Classification System the Cumberland Area Metropolitan Planning Organization.

**WHEREAS**, the Cumberland Area Metropolitan Planning Organization was established to manage and provide policy direction in accordance with Federal requirements, and the Allegany County Commissioners have been designated as the Metropolitan Planning Organization for this area as approved by the Maryland Governor Harry Hughes on May 17, 1982; and

**WHEREAS**, the Cumberland Area Metropolitan Planning Organization (CAMPO) is the organization designated by the Governor of the State of Maryland as being responsible, together with the State of Maryland, for implementing the applicable provisions of amended 23 USC 134 and 135 (SAFETEA-LU Section 6001 August 2005); 42 USC 2000d-1, 7401; 23 CFR 450 and 500; 40 CFR 51 and 93; and

**WHEREAS**, in conformity with the federal codes cited above, the State of Maryland and the Federal Highway Administration (FHWA) require MPOs to establish a functionally classified road network within the Metropolitan Planning Area and produce a Functional Classification Map; and

**WHEREAS**, the proposed functional classification network (see Appendix A) has been reviewed by the Allegany County Department of Public Works Staff, City of Cumberland Staff, City of Frostburg Staff and the Cumberland Area MPO Staff; and all entities recommended approval by the MPO Board; and

**WHEREAS**, upon approval the proposed network map and accompanying roadway information will be submitted to the Maryland Department of Transportation and the FHWA for review and approval of the final highway functional classification network; now

**THEREFORE, BE IT RESOLVED** that the Allegany County Commissioners acting as the Cumberland Area Metropolitan Planning Organization approves the proposed functional classification network, as shown in Appendix A, and hereby approves the same for submittal to MDOT and FHWA.

**APPROVED** this 19<sup>th</sup> day of January 2017.

County Commissioners of Allegany County, Maryland

\_\_\_\_\_  
Jacob C. Shade, President

\_\_\_\_\_  
Creade V. Brodie, Jr., Commissioner

\_\_\_\_\_  
William R. Valentine, Commissioner

ATTEST:

\_\_\_\_\_  
David A. Eberly County Administrator

Allegany County Proposed Functional Classification Changes, December 14, 2016

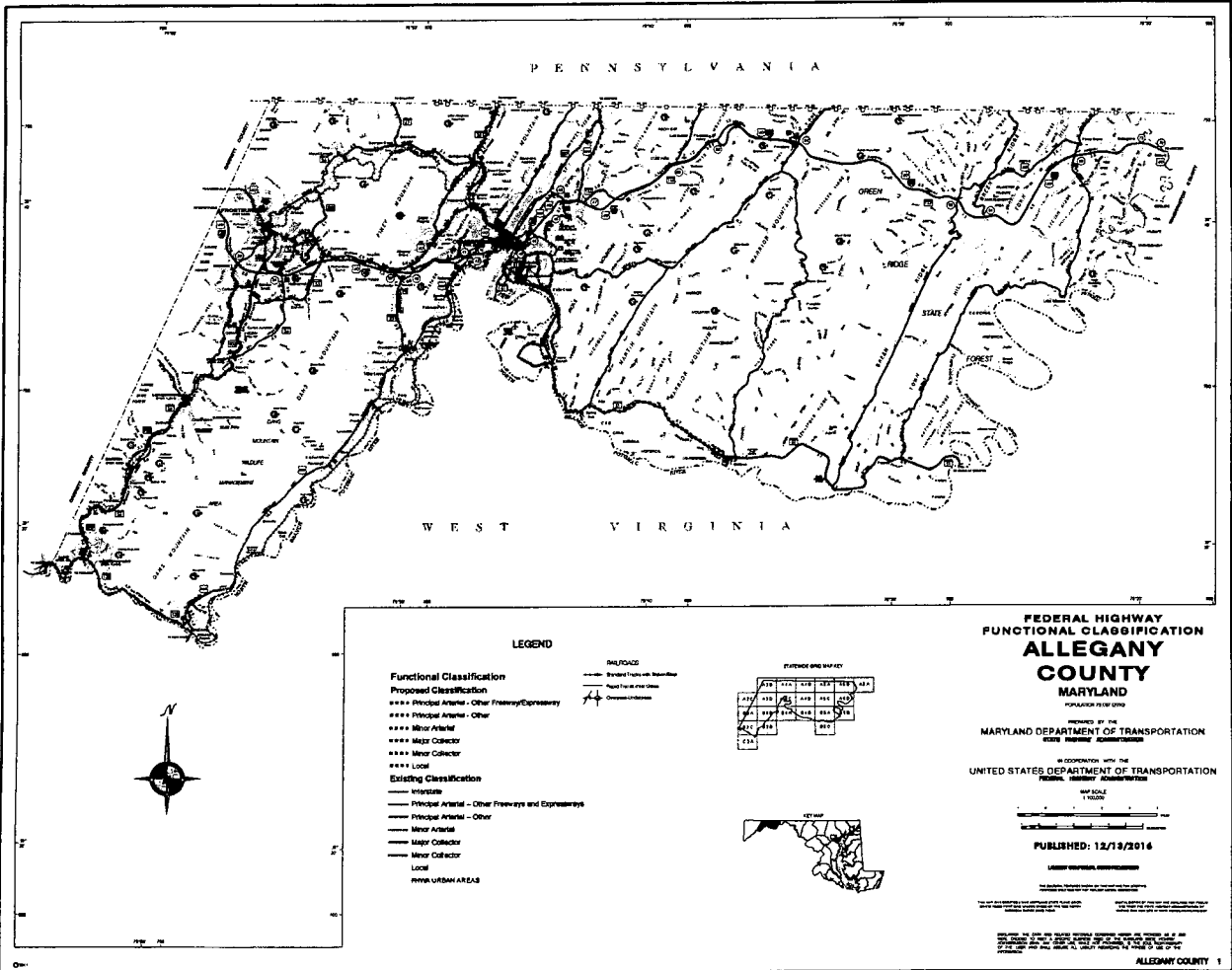
| Route Name           | Begin Point        | End Point     | Existing Classification | Proposed Classification | Urban/Rural | Length |
|----------------------|--------------------|---------------|-------------------------|-------------------------|-------------|--------|
| Pear St              | N Mechanic St      | Fairview Ave  | Major Collector         | Local                   | Urban       | 0.3    |
| Fairview Ave         | Valley St          | Franklin St   | Major Collector         | Local                   | Urban       | 0.3    |
| Shawnee Ave          | Franklin St        | Holland St    | Major Collector         | Local                   | Urban       | 0.1    |
| Holland St           | Shawnee Ave        | End           | Major Collector         | Minor Collector         | Urban       | 0.8    |
| Franklin St          | Fairview Ave       | Shawnee Ave   | Major Collector         | Minor Collector         | Urban       | 0.0    |
| Washington St        | Baltimore St       | N Allegany St | Minor Arterial          | Minor Collector         | Urban       | 0.5    |
| Pine Ave             | MD 639             | S Central St  | Local                   | Minor Collector         | Urban       | 0.6    |
| W Second St          | MD 51              | Virginia Ave  | Local                   | Minor Collector         | Urban       | 0.2    |
| N Lee St             | Valley St          | Cumberland St | Major Collector         | Minor Collector         | Urban       | 0.2    |
| Cumberland St        | Market St          | Washington St | Minor Arterial          | Minor Collector         | Urban       | 0.2    |
| Valley St            | N Mechanic St      | Lee St        | Major Collector         | Minor Collector         | Urban       | 0.1    |
| Fayette St           | N Allegany St      | Cumberland St | Major Collector         | Minor Collector         | Urban       | 0.4    |
| Holland St           | Columbia Ave       | Shawnee Ave   | Local                   | Minor Collector         | Urban       | 0.1    |
| Columbia Ave         | Holland St         | Valley St     | Local                   | Minor Collector         | Urban       | 0.3    |
| Franklin St          | N Mechanic St      | Fairview Ave  | Local                   | Minor Collector         | Urban       | 0.3    |
| Franklin St          | Shawnee Ave        | Sylvan Ave    | Local                   | Minor Collector         | Urban       | 0.1    |
| Linden St            | Bedford St         | Frederick St  | Local                   | Minor Collector         | Urban       | 0.1    |
| Decatur St           | Frederick St       | Main St       | Local                   | Minor Collector         | Urban       | 0.2    |
| Offutt St            | Virginia Ave       | End           | Local                   | Minor Collector         | Urban       | 0.5    |
| W Elder St           | Canal Pkwy         | Virginia Ave  | Local                   | Minor Collector         | Urban       | 0.3    |
| Gephart Dr           | Fletcher           | Greene St     | Local                   | Minor Collector         | Urban       | 0.2    |
| Blackiston Ave       | MD 51              | Oldtown Rd    | Major Collector         | Minor Collector         | Urban       | 0.5    |
| E Second St          | Virginia Ave       | Wempe Dr      | Major Collector         | Minor Collector         | Urban       | 0.4    |
| Squirell Neck Run Rd | Old Legislative Rd | MD 936        | Major Collector         | Minor Collector         | Urban       | 0.7    |
| Harvey Rd            | Old Legislative Rd | Shaft Rd      | Major Collector         | Minor Collector         | Urban       | 0.5    |
| Old Legislative Rd   | Shaft Rd           | Klondike Rd   | Minor Arterial          | Minor Collector         | Urban       | 2.4    |
| Shaft Rd             | Harvey Rd          | MD 936        | Major Collector         | Minor Collector         | Urban       | 0.2    |
| UHL Highway          | MD 51              | MD 51         | Major Collector         | Minor Collector         | Rural       | 2.2    |
| Winifred Rd          | Oldtown Rd         | Williams St   | Major Collector         | Minor Collector         | Urban       | 0.9    |
| S Central St         | Monroe St          | Cecelia St    | Major Collector         | Minor Collector         | Urban       | 0.4    |

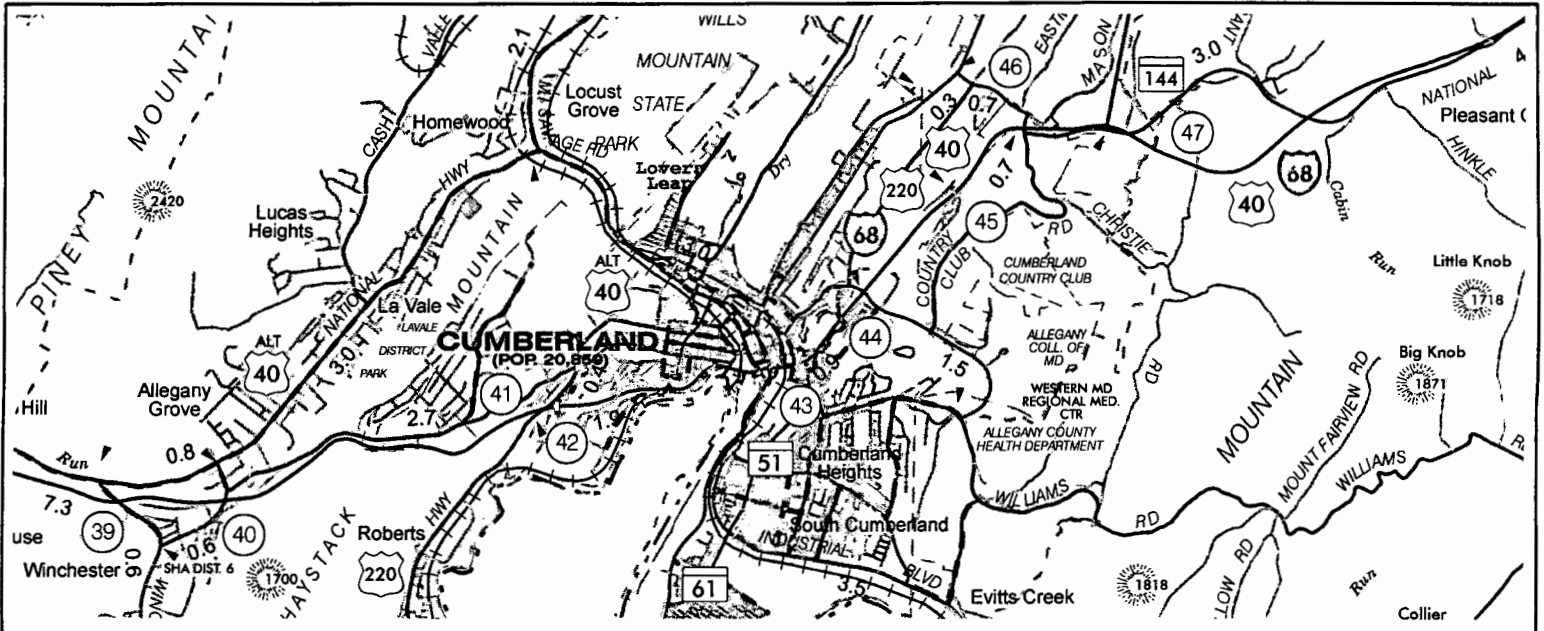
| Route Name           | Begin Point               | End Point             | Existing Classification    | Proposed Classification | Urban/Rural | Length |
|----------------------|---------------------------|-----------------------|----------------------------|-------------------------|-------------|--------|
| Seton Dr             | Braddock Rd               | Bishop Walsh Rd       | Major Collector            | Minor Collector         | Urban       | 0.6    |
| Harrison St          | Park St                   | Maryland Ave          | Local                      | Minor Collector         | Urban       | 0.1    |
| Washington Hollow Rd | Hoffman Hollow Rd         | MD 743                | Major Collector            | Minor Collector         | Urban       | 0.9    |
| Village Parkway      | MD 36                     | Hoffman Hollow Rd     | Major Collector            | Minor Collector         | Urban       | 0.4    |
| Marion St            | US 40 Alt                 | Monroe St             | Major Collector            | Minor Collector         | Urban       | 0.3    |
| Monroe St            | Marion St                 | S Central St          | Major Collector            | Minor Collector         | Urban       | 0.0    |
| Cecelia St           | Maryland Ave              | S Central St          | Major Collector            | Minor Collector         | Urban       | 0.1    |
| Bishop Walsh Rd      | Seton Dr                  | Crest Dr              | Major Collector            | Minor Collector         | Urban       | 0.8    |
| Maryland Ave         | Harrison St               | Central Ave           | Local                      | Minor Collector         | Urban       | 0.1    |
| Hoffman Hollow Rd    | Village Parkway           | Washington Hollow Rd  | Major Collector            | Minor Collector         | Urban       | 0.3    |
| Fletcher St          | Lake Ave                  | Gephardt              | Local                      | Minor Collector         | Urban       | 0.2    |
| MD 736               | I 68                      | Shaft                 | Minor Arterial             | Minor Collector         | Urban       | 2.4    |
| MD 636               | MD 53                     | US 220                | Principal Arterial - Other | Major Collector         | Urban       | 0.3    |
| Park Ave             | Braddock St               | Midlothian Rd         | Minor Arterial             | Major Collector         | Urban       | 0.0    |
| MD 639               | MD 51                     | Williams Rd           | Minor Arterial             | Major Collector         | Urban       | 0.8    |
| Williams St          | west of Fisher Rd         | Williams St           | Minor Arterial             | Major Collector         | Urban       | 1.4    |
| Park St              | Williams St               | Baltimore Ave         | Minor Arterial             | Major Collector         | Urban       | 0.3    |
| S Allegany St        | Greene St                 | Beall St              | Local                      | Major Collector         | Urban       | 0.2    |
| Market St            | N Centre St               | Cumberland St         | Minor Arterial             | Major Collector         | Urban       | 0.2    |
| Wempe Dr             | MD 51                     | E Oldtown Rd          | Minor Arterial             | Major Collector         | Urban       | 0.6    |
| Louisiana Ave        | E Oldtown Rd              | Williams St           | Minor Arterial             | Major Collector         | Urban       | 0.4    |
| Beall St             | S Allegany St             | S Lee St              | Local                      | Major Collector         | Urban       | 0.2    |
| South St             | Oldtown Rd                | MD 51                 | Local                      | Major Collector         | Urban       | 0.6    |
| US 40 AL             | Water St, MD 36           | north of Catherine St | Minor Arterial             | Major Collector         | Urban       | 1.2    |
| MD 51                | Pittsburgh Plate Glass Rd | Oldtown Cemetery Rd   | Minor Arterial             | Major Collector         | Rural       | 8.6    |
| Park Ave             | Centre Street             | Braddock Rd           | Minor Arterial             | Major Collector         | Urban       | 0.0    |
| Howard St            | I-68 ramp                 | MD 51                 | Local                      | Major Collector         | Urban       | 0.1    |

| Route Name    | Begin Point            | End Point         | Existing Classification    | Proposed Classification | Urban/Rural | Length |
|---------------|------------------------|-------------------|----------------------------|-------------------------|-------------|--------|
| S Johnson St  | I-68 ramp              | Greene St         | Local                      | Major Collector         | Urban       | 0.2    |
| Kelly Rd      | Riverside Ave          | Beall St          | Local                      | Major Collector         | Urban       | 0.7    |
| MD 55         | US 40 Alt              | I-68              | Minor Arterial             | Major Collector         | Urban       | 0.2    |
| Bowery St     | Park Ave               | US 40 Alt         | Minor Arterial             | Major Collector         | Urban       | 0.6    |
| Center St     | US 40 Alt              | Park Ave          | Minor Arterial             | Major Collector         | Urban       | 0.5    |
| Allegany St   | Washington St          | Greene St         | Minor Arterial             | Major Collector         | Urban       | 0.1    |
| Williams St   | MD 639                 | west of Fisher Dr | Minor Arterial             | Major Collector         | Urban       | 1.4    |
| Williams St   | Williams St            | Maryland Ave      | Minor Arterial             | Major Collector         | Urban       | 1.4    |
| Williams St   | Maryland Ave           | Park St           | Minor Arterial             | Major Collector         | Urban       | 1.4    |
| N Centre St   | S Mechanic St          | N Mechanic St     | Principal Arterial - Other | Minor Arterial          | Urban       | 1.2    |
| Frederick St  | US 220                 | Edge of UA        | Major Collector            | Minor Arterial          | Rural       | 0.5    |
| MD 36         | Edge of UA             | Edge of UA        | Major Collector            | Minor Arterial          | Rural       | 2.9    |
| Queen City Dr | N Mechanic St          | S Centre St       | Major Collector            | Minor Arterial          | Urban       | 0.9    |
| Main St       | Queen City Dr          | Main St           | Major Collector            | Minor Arterial          | Urban       | 0.0    |
| MD 36         | State Line             | MD 937            | Principal Arterial - Other | Minor Arterial          | Urban       | 1.4    |
| MD 36         | Iron Rail St           | Edge of UA        | Major Collector            | Minor Arterial          | Urban       | 0.3    |
| MD 36         | Edge of UA             | Proenty Rd        | Major Collector            | Minor Arterial          | Urban       | 0.4    |
| Frederick St  | Edge of UA             | Pea Vine Run Rd   | Major Collector            | Minor Arterial          | Urban       | 0.3    |
| Crooks Ave    | McCoole Westernport Rd | Crooks Ave        | Principal Arterial - Other | Minor Arterial          | Urban       | 1.6    |
| MD 135        | River Rd               | Garrett Co line   | Principal Arterial - Other | Minor Arterial          | Urban       | 2.3    |
| W Harrison St | N Mechanic St          | Queen City Dr     | Local                      | Minor Arterial          | Urban       | 0.2    |
| MD 36         | US 40 Alt              | MD 35             | Principal Arterial - Other | Minor Arterial          | Urban       | 3.2    |
| N Mechanic St | US 40 Alt              | Baltimore St      | Principal Arterial - Other | Minor Arterial          |             | 0.9    |
| MD 35         | MD 36                  | PA state line     | Principal Arterial - Other | Minor Arterial          | Urban       | 2.4    |
| MD 135        | Pratt St               | US 220            | Principal Arterial - Other | Minor Arterial          | Urban       | 0.8    |



| Route Name           | Begin Point    | End Point            | Existing Classification    | Proposed Classification    | Urban/Rural | Length |
|----------------------|----------------|----------------------|----------------------------|----------------------------|-------------|--------|
| New Georges Creek Rd | US 40-AL       | I-68                 | Principal Arterial - Other | Minor Arterial             | Urban       | 1.5    |
| US 40 Alt            | MD 36          | I-68 ramp            | Principal Arterial - Other | Minor Arterial             | Urban       | 3.6    |
| US 40 AL             | I-68 ramp      | New Georges Creek Rd | Principal Arterial - Other | Minor Arterial             | Urban       | 4.4    |
| MD 658               | US 40 Alt      | I-68                 | Principal Arterial - Other | Minor Arterial             | Urban       | 0.2    |
| MD 53                | US 40 Alt      | MD 658               | Principal Arterial - Other | Minor Arterial             | Urban       | 0.6    |
| S Lee St             | Beall St       | Greene St            | Local                      | Minor Arterial             | Urban       | 0.1    |
| S Mechanic St        | Baltimore St   | I-68 (Howard Street) | Principal Arterial - Other | Minor Arterial             |             | 0.2    |
| US 220               | Bealls Mill Rd | state line           | Minor Arterial             | Principal Arterial - Other | Rural       | 2.1    |





**LEGEND**

**Functional Classification**

- Proposed Classification**
- Principal Arterial - Other Freeway/Expressway
  - Principal Arterial - Other
  - Minor Arterial
  - Major Collector
  - Minor Collector
  - Local

**Existing Classification**

- Interstate
- Principal Arterial - Other Freeways and Expressways
- Principal Arterial - Other
- Minor Arterial
- Major Collector
- Minor Collector
- Local
- FIVE MILE URBAN AREA

- MARKERS**
- Standard Trucks with Subsidies
  - Rapid Transit New Line
  - Commuter Services

**EXISTENCE AND IMPACT**

|     |     |     |     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 |
| 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 |
| 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 |
| 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 |
| 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 |
| 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 |
| 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 |
| 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 |
| 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 |
| 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 | 4.4 |

- A. Aerial
- B. Army
- C. Chemical Warfare
- D. Defense
- E. Electric
- F. Gas
- G. Hazardous Materials
- H. Highways
- I. Interstate
- J. Land Use
- K. Major Road
- L. Major Road
- M. Major Road
- N. Major Road
- O. Major Road
- P. Major Road
- Q. Major Road
- R. Major Road
- S. Major Road
- T. Major Road
- U. Major Road
- V. Major Road
- W. Major Road
- X. Major Road
- Y. Major Road
- Z. Major Road



**FEDERAL HIGHWAY FUNCTIONAL CLASSIFICATION CUMBERLAND Allegany Co MARYLAND**

PREPARED BY THE MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION

IN COOPERATION WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION



**PUBLISHED: 12/13/2016**

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