

March 9, 2017

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; and County Administrator David A. Eberly. The following business was transacted:

The Pledge of Allegiance was led by Mr. 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 February 23, 2017, public business meeting.

PRESENTATION

Item 1 – National Social Work Month – Jennifer Glotfelty, LBSW, CIRS-A, Allegany-Garrett Social Work Caucus, Social Work Month Planning Committee Chair, thanked the Commissioners for again presenting her group with a proclamation for National Social Work Month, as they do every year. Ms. Glotfelty introduced several additional social workers accompanying her at this meeting: Carolyn Clausen-Andrews, the National Association of Social Workers Western Region Representative; Donna Fost, of the Alzheimer's Association; Melissa Clark, Liaison, from AHEC West; and Richard Kerns.

Ms. Glotfelty then explained that the Allegany-Garrett Social Work Caucus is hosted by AHEC West, and she added that she was happy to report there are currently 189 members in the Caucus from Allegany and Garrett Counties. Ms. Glotfelty added that this year, NASW has declared the theme for National Social Work Month to be "Social Workers stand up by advocating for and empowering millions of Americans each day." She pointed out that as of now, the Social Work profession is the fastest growing in the United States. Ms. Glotfelty also remarked that everybody, at some point in their life, will come in contact with a social worker. She again thanked the Commissioners for their acknowledgment of this important profession, and commented that she was so proud to be part of it.

To conclude her remarks, Ms. Glotfelty announced that the Social Work Appreciation Luncheon will be held on March 22, 2017, and that at this luncheon, the 2017 Social Worker of the Year winner will be announced. She reported that this year's nominees are Jennifer Brennaman, Carolyn Clauson-Andrews, Corinne Fazenbaker, Jessica Nies, Joy Reckley-Murphy, and Patty Thomas.

Commissioner Shade then read and presented the Proclamation of March 2017 as National Social Work Month in Allegany County. A round of applause followed.

PUBLIC HEARING

Item 2 – Public Hearing – Code Home Rule Bill 3-17 – "Maryland Commercial Property Assessed Clean Energy (PACE)" – Jeffrey S. Barclay, Economic & Community Development Representative, recalled that Mr. Gerard Neely of PACE Financial Servicing made a presentation at the Commissioners Work Session on January 19, 2017, on the Clean Energy Loan Program. Mr. Barclay explained that after that, with the assistance of the County's Legal Department, Code Home Rule Bill 3-17 was introduced for the Commissioners' consideration at their public meeting on February 23, 2017. He then called Mr. Neely forward to say a few words before opening of the public hearing.

Mr. Gerard Neely, Program Manager for Maryland's Commercial Property Assessed Clean Energy Program, commonly referred to as "PACE", came forward to address the meeting. He explained that in a partnership with the Maryland Clean Energy Center, his firm, PACE Financial Servicing, administers PACE programs throughout the State of Maryland.

Mr. Neely said that he was present at this meeting in support of Code Home Rule Bill 3-17 establishing a Clean Energy Loan Program. He explained that this legislation, if enacted, would allow commercial building owners, retail building owners, non-profits, and houses of worship to conduct energy efficiency and renewal energy upgrades to their buildings, to reduce energy costs and to hopefully invest more money into their companies and into the County. Mr. Neely added that this will hopefully produce and increase economic activity and jobs here in Allegany County. He described PACE as a customized solution for these types of buildings to conduct energy

efficiency and renewable energy upgrades. Mr. Neely reported that there are now eleven jurisdictions that have adopted PACE, and that nationally, 33 states have enabled PACE legislation, with nineteen programs active in the Country.

Commissioner Shade then opened the hearing for public comment.

Mr. Doug Bittinger, 501 Warren Street, Cumberland, Maryland, spoke in favor of Code Home Rule Bill 3-17. He said that he currently has a project in the works which needs PACE funding to be completed.

Following Mr. Bittinger's comments, Commissioner Shade closed the public hearing on Code Home Rule Bill 3-17.

ACTION AGENDA

Item 3 – Allegany County Director of Economic and Community Development Appointment

– Board of County Commissioners to approve the ratification of the appointment for the position of Director of Economic and Community Development – David A. Eberly, County Administrator, recalled that at the Commissioners public business meeting on October 6, 2016, he announced the pending restructuring of the County's Department of Economic & Community Development. Mr. Eberly reported that since that time, the County has conducted a search for a new department head, as the former Director of Economic & Community Development, Matt Diaz, accepted a new position with the County. He explained that it was now time to take the next step in the restructuring efforts.

Mr. Eberly then announced that consistent with Article 4-5 of the County's Rules & Regulations, he was pleased to recommend for ratification this evening Mr. Jeffrey S. Barclay as the County's next Director of the Department of Economic & Community Development. He pointed out that Mr. Barclay has been serving in the capacity of Acting Director since November 2016, and asked the Commissioners to take action.

Upon Motion by Commissioner Valentine, seconded by Commissioner Brodie, and unanimously carried, the Commissioners approved the ratification of the appointment of Jeffrey S. Barclay as Director of the Allegany County Department of Economic & Community Development.

Commissioner Shade congratulated Mr. Barclay and told him that the Commissioners looked forward to continuing to work with him. The other Commissioners also offered their congratulations.

Mr. Barclay thanked County Administrator Eberly and the Commissioners for giving him the opportunity to lead Economic & Community Development in Allegany County. He commented that he is a lifelong resident of the County and attended Allegany High School and Allegany College of Maryland, then Frostburg State University. He and his wife, also a lifelong resident of Allegany County, decided to stay here with their families and to raise their children. Mr. Barclay remarked that he has a positive attitude and passion for Allegany County, and he wants to see the County's true potential come to fruition because it is personal for him. He added that with his staff, he plans to continue to work on the many things the Department does well, and that he and his staff will also be receptive to new ideas that could potentially make Allegany County a better place to live and conduct business operations.

Item 4 – Possible Action – Code Home Rule Bill 1-17 “Salary Study Commission” – William M. Rudd, County Attorney. In the absence of County Attorney Rudd, County Administrator Eberly presented this Item 4. Mr. Eberly referenced the report of the Salary Study Commission, as well as the introduction of Code Home Rule Bill 1-17 at a previous public meeting, and the public hearing on the Bill at a subsequent meeting. He told the Commissioners that tonight is their opportunity to take official action on Code Home Rule Bill 1-17.

Commissioner Brodie moved that the Commissioners approve and adopt Code Home Rule Bill 1-17 “Compensation for Public Officials”. Commissioner Valentine seconded the Motion. Motion carried unanimously to adopt Code Home Rule Bill 1-17 “Compensation for Public Officials”.

Item 5 – Possible Action – 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 Patterson, PE, Land Use and Planning Engineer for Allegany County, reminded the Commissioners that public hearing was held on Code Home Rule Bill 2-17, providing for revisions to Part 4 of the County's Zoning Code, on February 23, 2017; and that at the hearing, she presented two proposed amendments to the Bill. Mrs. Patterson reported that she has received no public comment since then relative to the text amendment. She pointed out that she did receive one comment regarding a potential rezoning, but it was not relevant to the text amendment. She again reviewed the proposed amendments that were

presented at the February 23, 2017 meeting.

David Dorsey, Planning Coordinator for Allegany County, did not have any additional comments to present.

Mr. Eberly told the Commissioners that they should first entertain a Motion to amend Code Home Rule Bill 2-17. Upon Motion by Commissioner Valentine, and seconded by Commissioner Brodie, the Commissioners unanimously approved and accepted the amendments to Code Home Rule Bill 2-17 as presented by Mrs. Patterson on February 23, 2017.

The Commissioners then took action on Amended Code Home Rule Bill 2-17. Upon Motion by Commissioner Valentine, seconded by Commissioner Brodie, and unanimously carried, the Commissioners adopted Amended Code Home Rule Bill 2-17 "An Act to Repeal and Reenact Part 4 of Chapter 360 of The Code of Public Local Laws of Allegany County, Maryland (2011 Edition)".

Item 6 – Road Opening Petition – Possible Action – LaVale United Methodist Church – The road opening petition is with the intent of closing an unnamed alley which is shown on Assessment Map 11V, Grids 7 and 13, in Election District 29 – Gregory H. Getty, Attorney, Geppert, McMullen, Paye & Getty. County Administrator Eberly informed the Commissioners that they could take action to open the proposed alley between North Woodlawn Avenue and Long Drive in LaVale. He pointed out to the Commissioners that if they do grant the petition to open, a public hearing will subsequently be held on petition to close the same alley.

Commissioner Brodie moved that the Commissioners grant the Petition to Open an unnamed alley shown on Assessment 11V, Grids 7 and 13, in Election District 29, located between North Woodlawn Avenue and Long Drive, and Commissioner Valentine seconded the Motion. Motion carried unanimously, and the Petition to Open was granted.

Item 7 – Resolution 17-10 – Authorizing Resolution for Filing Fiscal Year 2018 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 2018 – Roy S. Cool, Transportation Planner, explained that this is a process that happens every year, and that it is a requirement of the grant application that a resolution giving authority to file for the grant application be passed. Mr. Cool further explained that the resolution is also to authorize either the County Administrator or the President of the Board of County Commissioners to sign the grant application documents.

Upon Motion made by Commissioner Shade, and seconded by Commissioner Valentine, the Commissioners passed Resolution 17-10 to authorize the County Administrator or the President of the Board of County Commissioners to file grant applications for public transportation for fiscal year 2018 and to sign the grant application documents.

Item 8 – Allegany County 2017 Priority Letter to Maryland Department of Transportation – Board of County Commissioners to approve and sign the Allegany County 2017 Priority Letter to the Secretary of the Maryland Department of Transportation – Siera N. Wigfield, Transportation Planner, explained to the Commissioners that in order to get the County's transportation projects to the State, a priority letter is sent to the Maryland Department of Transportation every year. Mrs. Wigfield reported that this year, the County has 22 projects to submit, and a meeting was held on March 1, 2017, to prioritize the projects in order of their importance. She asked the County Commissioners to approve and sign the priority letter so it can be sent to the Maryland Department of Transportation. A copy of the priority letter is attached to and made a part of these minutes. Mrs. Wigfield added that she is working on getting the necessary endorsement signatures on the letter by members of the Western Maryland Delegation and municipal elected officials of Allegany County.

Upon Motion by Commissioner Valentine, and seconded by Commissioner Brodie, the Commissioners unanimously approved and agreed to sign the Allegany County 2017 Priority Letter to the Secretary of the Maryland Department of Transportation.

Item 9 – Resolution 17-11 – Fiscal Year 2018 Cumberland Area Unified Planning Work Program – Board of County Commissioners, acting as the Metropolitan Planning Organization, to approve the adoption of Resolution 17-11 endorsing the fiscal year 2018 Unified Planning Work Program – Siera N. Wigfield, Transportation Planner, told the Commissioners that the Cumberland Area MPO has planning funds, and Resolution 17-11 lays out the plans for the County to accomplish in FY-2018. These plans are listed in a staff report prepared by Mrs. Wigfield and attached to and made a part of these minutes.

Upon Motion made by Commissioner Brodie, and seconded by Commissioner Valentine, Motion carried unanimously to approve and pass Resolution 17-11 - Fiscal Year 2018 Cumberland Area Unified Planning Work Program.

Item 10 – Resolution 17-9 – Potomac Highlands Airport Authority – Board of County Commissioners to approve Resolution 17-9 to support the Potomac Highlands Airport Authority in its efforts to seek loan forgiveness from the Maryland Aviation Administration – David A. Eberly, County Administrator, explained that back in 1999, the Potomac Highlands Airport Authority borrowed \$1.874 million from the Maryland Aviation Administration to construct a commercial airline hangar at the Regional Airport. Since that time, the Airport Authority has endeavored to seek a long-term tenant as a commuter air service, but they have not been successful in doing that. Mr. Eberly reported that at this time, they are requesting that the State of Maryland consider forgiving approximately \$1.3 million of the loan, and allow them the opportunity to repurpose their annual debt service payments of approximately \$62,000 into other capital needs at the Airport. Mr. Eberly added that the County received a letter from the Airport manager last month requesting an endorsement from the County Commissioners in the form of a resolution.

Commissioner Brodie reported that around the State, the Maryland Aviation Administration is doing this for several of the smaller airports to try to give them some working capital to actually revamp existing hangars or for other projects. He pointed out that if the State does grant the PHAA's request, the money has to be spent and reinvested back in the Airport. Commissioner Brodie remarked that he thinks it is worthwhile to seek the loan forgiveness.

Commissioner Valentine moved that the Commissioners approve Resolution 17-9 to support the Potomac Highlands Airport Authority in its efforts to seek loan forgiveness from the Maryland Aviation Administration. Commissioner Brodie seconded the Motion. Motion passed unanimously, and the Commissioners passed Resolution 17-9 – Potomac Highlands Airport Authority.

CONSENT AGENDA

As recommended by the County Administrator

Upon Motion by Commissioner Shade, seconded by Commissioner Valentine, and Motion carried, the Consent Agenda as to Items 11, 13, and 14 as recommended by the County Administrator is adopted; and is also adopted as to Item 12, with Commissioner Brodie abstaining from voting on Item 12.

Item 11 – North Branch Industrial Park Road Rehabilitation Project Bid Award – Board of County Commissioners approved the award of the North Branch Industrial Park Road Rehabilitation contract to the apparent low bidder, IA Construction Corporation, subject to review and approval by the Maryland State Highway Administration, and authorized the President of the Board of County Commissioners to sign any necessary documentation associated with the project.

Item 12 – LaVale Sanitary Commission Board Appointment – Board of County Commissioners approved the re-appointment of John P. Deffenbaugh to a six-year term as a member of the LaVale Sanitary Commission. His term will expire on March 9, 2023.

Item 13 – Hauling Contract Renewals for Sludge, Recycling and Refuse – Board of County Commissioners approved a one year extension, July 1, 2017 – June 30, 2018, of the hauling contract with Advanced Disposal – Western Maryland for recycling containers and refuse disposal boxes and with Burgmeier's Hauling, Inc. for sewer sludge containers.

Item 14 – Allegany County Fairgrounds Event WiFi Expansion Project – Board of County Commissioners to authorize the Department of Economic & Community Development to advertise the Fairgrounds Event WiFi Access Expansion Project.

Commissioner Shade read a Statement Regarding the Closed Session held on Thursday, February 23, 2017. A copy of this Statement is attached to and made a part of these minutes.

Commissioners' statements, comments, recognition –

Commissioner Valentine remarked that things in Annapolis seem to be going the County's way a little bit this year. He discussed the Highway User Funds, which were taken away by the State about 8 or 9 years ago, resulting in a hit of about \$4,000,000 to the County. Commissioner Valentine said that he had the opportunity to testify on replacing some of the Highway User Funds about four or five times this year, both on behalf of the County and on behalf of MACo. He reported that the Committee Chairs of both the House and the Senate have said that they are going to see to it that the County gets some funds returned.

Commissioner Valentine also brought up the BAT Septic System war, commenting that it is still ongoing. Vote on the BAT Septic System has been delayed four or five times. Commissioner Valentine added that it looks like this area of the State will probably be taken out of the BAT restrictions. He estimated that a BAT septic system in this area would cost about \$35,000 to be installed, with probably \$500 a year in maintenance costs.

Commissioner Brodie declined to make any additional comments this evening, saying that he wanted to yield his time to the constituents signed up to speak.

Commissioner Shade briefly remarked on one of the text amendments made to Code Home Rule Bill 2-17, regarding "Small Scale Product Development and Technology Enterprises". He explained that now includes farm brewing and breweries, and that there has been some interest expressed in those uses. Commissioner Shade said that the Commissioners are supportive of that use. The other Commissioners agreed.

Constituents – In order of sign-up sheet

Mr. Rick Bittinger came forward to speak on behalf of the Greater Cumberland Raceway. He thanked the Commissioners for their time and acknowledged others from the Raceway in attendance at this meeting: Todd Brode, the promoter; his wife, Andrea; Dave Troutman, who has donated a great deal to the Raceway project; and Christa Kennel, a volunteer since the project began.

Mr. Bittinger reported that there has been a huge response to the upcoming Endurance Race, with cars coming from Potomac, Maryland; Southern Virginia; Baltimore; and other places. He asked the Commissioners if any of them planned to attend the Race next weekend. Mr. Bittinger told the Commissioners that the Raceway would like to have a ribbon-cutting ceremony at the first race, if the Commissioners are available to be there. He also called attention to some photos on display in the meeting room, of the improvements being made at the racetrack, and passed photos around also.

Mr. Bittinger then told the Commissioners that when the previous racing promoter left, he took with him items that are needed. One of the items was a breaker, which according to Mr. Bittinger would cost \$600 to replace. He explained that it must be replaced for safety reasons and to protect the County's other breaker boxes. He asked if the County had any interest in putting in a new breaker. Mr. Eberly asked Mr. Bittinger to confirm the cost of a new breaker. He replied that it would be \$600, and said they would also like a County electrician to install it for them. Mr. Bittinger remarked that Kevin Kamauf, the Fairgrounds Manager, knows what they need, and that it is called a "contractor's breaker".

The Commissioners agreed to pay for the cost and installation of a new breaker. Commissioner Valentine made the Motion, and Commissioner Brodie seconded it. Motion carried unanimously.

Mr. Bittinger thanked the Commissioners, and asked if one of the Commissioners would throw the flag to get the race started next week. He then asked if it is true that camping is not allowed at the Fairgrounds. Mr. Eberly confirmed that is true, unless the entire Fairgrounds is rented. Mr. Bittinger asked Mr. Eberly what the cost would be to rent the entire Fairgrounds in order to be able to have camping during a racing event. Mr. Eberly told him that it would be about \$1,500.

Commissioner Shade asked Mr. Bittinger to announce the dates and times of the Endurance Race for the media. Mr. Bittinger announced that gates open at 12 noon, and the race begins at 4 p.m.

Mr. Bob Candy, 12605 Moore's Hollow Road, Cumberland, Maryland, from the Tristate Zoo in Cumberland, spoke next. He said that he was speaking on behalf of the Zoo, to present a rebuttal and the "facts, as they really are". Mr. Candy told the Commissioners that he knew Ms. McManus spoke at the meeting last week, and that he would apologize to her for the items (debris) out there. He explained that lots of things are donated to the Zoo, and he gets whatever use he can out of these items. Mr. Candy reported that the cleaning process began a month ago, as it does every year, because every year people come out to the Zoo and just drop things off. He commented that Mrs. McManus "made some claims that are not true", and said that he wanted to make sure this is noted on file.

Mr. Candy referred to a claim by Mrs. McManus that the value of her house decreased by \$100,000 because of the Zoo and the debris, etc. that was out there. He said that the value of her house is \$207,900, and it has been that same value for three years in a row. He maintained that she has not lost a cent in value because of the Zoo. Mr. Candy expressed his opinion that Mrs. McManus was giving her opinions at the meeting, not the facts.

Next, Mr. Candy said that he wanted to address what he felt were "slanderous" remarks made by the County Attorney, William Rudd (not present at this meeting because of illness). He said that Attorney Rudd said "(the Tristate Zoo) is run so poorly, (it) should be shut down". Mr. Candy disagreed and said the Tristate Zoo is not run poorly. He pointed out that the Zoo has been in business for 16 years and is debt free, "has never cost the County one cent", and pays taxes. Mr. Candy then brought up that Attorney Rudd did cite numerous occasions of failed inspections and

citations under the Animal Welfare Act. Mr. Candy commented that a lot of people don't understand how the Zoo operates. He explained that they are licensed by the USDA, and that under them, they are to follow the Animal Welfare Act. He suggested reading the Act, remarking that "it is a very vague thing". Mr. Candy reported that the Tristate Zoo has never failed an inspection. He explained that inspectors have come out to look at the Zoo and tell him things that they would like him to do there, but the suggestions are not always because something there is wrong.

Mr. Candy also discussed PETA, which is an animal rights organization. He pointed out that PETA does not govern the Zoo, and commented that they have nothing to do with the Zoo. Mr. Candy also described PETA as a "terrorist organization".

He remarked that at the Zoo, while they welcome public opinion, and try to listen to what the public has to say, they deal with fact, not opinion.

Mr. Candy reported that the Zoo receives no funding from the County, but County staff has brought him mulch, and County Planning Coordinator Dave Dorsey had some signs made up for the Zoo. He explained that the Zoo is there for the community, and that it has no assets, just a collection of animals which it exhibits. The animals are all owned by a rescue organization. He went on to say that animals are dropped off at the Zoo regularly, including cats, and that they have adopted out 300 cats. Interns from the County's schools and colleges work at the Zoo, and the Zoo also participates in all school programs.

Mr. Candy spoke of the 2006 fire at the Zoo property, and he said that he acquired the property in 2002, after it had stood empty for a long period of time. He pointed out that he and others at the Zoo took out 71 loads of garbage before they could even get started working on the property.

In conclusion, Mr. Candy commented that he and the others working out at the Zoo have done a lot, and he doesn't think they get recognized for what they do, but rather for complaints made. He asked that if statements are going to be made, they should be based on fact, not on people's opinions that are wrong for whatever reason, or because of dislike for him. Mr. Candy remarked that dislike of him seemed to be an issue with Attorney Rudd. He concluded by saying "all we ask is that things be presented as they should be".

Commissioner Shade thanked Mr. Candy for his comments.

Reminders/Upcoming Meetings –

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

Announcement – Allegany County FY 2018 Budget Schedule (See News Release)

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:50 p.m.

Jacob C. Shade, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary



ALLEGANY COUNTY, MARYLAND

Office of The Board of Commissioners

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BOARD OF COMMISSIONERS

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

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

April 10, 2017

The Hon. Pete K. Rahn, Maryland Transportation Secretary
Maryland Department of Transportation
7201 Corporate Center Drive
Hanover, Maryland 21076

RE: Allegany County 2017 Transportation Priorities

Dear Transportation Secretary Rahn:

The Board of Commissioners of Allegany County, in cooperation with the municipalities of Allegany County is pleased to have the opportunity to present its transportation priorities to your department for the FY 2018 – 2022 Consolidated Transportation Program (CTP). The County's transportation priorities focus on system preservation, safety and supporting economic development. The County appreciates your willingness to have face-to-face meetings to move projects forward efficiently to better serve the needs of our constituents.

Thank you for funding the Allegany County Transit Passenger Facility and the US 40 Main, Center, and Depot Streets Intersection Improvement Project, these projects were in the 2016 Priority Projects for Allegany County.

We would like to mention our support to repeal Chapter 36 of the Maryland Transportation Code, also known as the "Road Kill Bill;" this legislation is unnecessary and will hurt rural Maryland.

To be consistent with the Chapter 725 process, representatives from the County and the municipalities discussed and prioritized the projects at a coordination meeting held Wednesday, March 1, 2011. The Board of Commissioners, as a part of the agenda on Thursday, March 9, 2017 endorsed the 2017 priority projects. On behalf of Allegany County, the Town of Barton, the City of Cumberland, the City of Frostburg, the Town of Lonaconing, the Town of Luke, the Town of Midland, and the Town of Westernport, we would like to submit our projects as follows:

- 1. US 220 Improvements and Corridor Feasibility Study** (updated)
Allegany County supports to move the US 220 Project forward by requesting funding for finalized design and construction for focused safety improvements on existing US 220, MD 53, and MD 636 (Warrior Dr). These transportation system management (TSM) improvements will relieve the congestion in this area. The second part to this project is a to request a Corridor Feasibility Study from I-68 to the West Virginia boarder, recommendations and findings should be made to determine how to move forward with a high capacity limited access highway. This represents Maryland's portion of a larger joint study from I-68 to Corridor H in West Virginia. West Virginia is moving forward with their planning study. This corridor is a growing residential area with some strip commercial development. The overall plan is for the development of a multilane highway in this area would ease the current conflict between local and through traffic, improve safety and encourage economic vitality in Allegany County.
- 2. Allegany County Transit Capital Funding** (updated)
Allegany County Transit is requesting funding for preventative maintenance, three replacement buses, shop equipment, office equipment, a replacement service truck and a fare box collection system.
- 3. Baltimore Street Bridge Rehabilitation**
The City, County, and State have put effort into this project, but unfortunately the City is currently lacking the necessary local funds. The project is requested because the City is hopeful that local funds can be available in the future. In fact, the City's financial position has improved in recent years, and the City desires to more definitively update the project cost and define the cost-sharing parameters. The Baltimore Street Bridge over Wills Creek needs a total deck replacement. The bridge is a vital transportation link between the main downtown business district, the West Side residential area, suburban areas along U.S. Route 220 south in Allegany County. The bridge also handles relief traffic when sections of I-68 west of downtown Cumberland are closed or blocked.
- 4. MD 936, Grant Street Stormwater and Safety Improvements Project**

The proposed project would include improvements to 1,300 linear feet of storm sewer to convey separated stormwater from Main Street (US 40) and Grant Street (MD 936) to a proper outfall. Currently, stormwater is collected in 13 inlets on Grant Street and Main Street near Grant Street and enters into a sanitary sewer. The design and construction of a new stormwater system by Maryland State Highway Administration is necessary in order for the City to be successful in eliminating combined sewer overflows, (CSOs). These 13 Maryland State Highway Administration inlets significantly contribute to Frostburg's CSOs. The City is under an MDE Consent Decree and Court Order to eliminate its CSOs. The project should also improve the safety characteristics for motorists by removing excess sheet flow due to surface runoff during periods of heavy rain or major snow melts, as there is a steep grade from Main Street to the bottom of the hill near Blair Street. Additional safety and pedestrian enhancements such as ADA compliant sidewalks and crosswalks would be part of the project. Maryland SHA and the City are currently reviewing an MOU in which MD SHA will partner with the City of Frostburg in the completion of this project and provide the funding to address the aspects of the project for which MD SHA is responsible.

5. US 220 Bowling Green Drainage Improvements (updated)

State Highway Administration(SHA) and Allegany County collaborated with Whitney Bailey Cox & Magnani, LLC (WBCM) in preparing the Bowling Green Flooding Hydrology/Hydraulics Study from Milnor Avenue to Moss Avenue along the US220 corridor. The study consisted of a hydrology study over 1,184 acres, review of the existing stormwater systems' hydraulic conditions, and proposed short-, mid-, and long-term solutions in response to the June 12, 2014 flood event. The study was first reviewed in April 2015 and has been developed into a preliminary drainage improvement plan that will be completed through five (5) phases of construction. Allegany County will lead the project and requests that SHA obligate funding for the cost of finalizing engineering/design, permitting, administering the advertisement/bid/award, and construction management services. SHA will fund the construction cost of all work within the US220 right-of-way and a 50/50 Cost Share Program with Allegany County for all work from US220 to the CSX Railroad. The study and preliminary drainage improvement plan will be presented publicly in Spring 2017.

6. Great Allegheny Passage Stabilization, Drainage & Surface Improvements (new)

Allegany County requests construction funding for stabilization, drainage and surface improvements on the Great Allegheny Passage. Spot improvements are needed in various locations throughout the County to eliminate the on-going maintenance that is required to combat drainage and trail surface issues. These improvements will address historical problems and improve safety for all trail users.

7. Braddock Road (MD 736), Center Street, Bowery Street and Park Avenue Intersection Improvements

The Braddock Road (MD 736), Center Street, Bowery Street and Park Avenue intersection serves a major pedestrian thoroughfare for University students and as a gateway to the Frostburg Central Business District for those entering the City via Interstate 68, Exit 33 (Braddock/Midlothian Road). The purpose of this project is to reduce vehicular conflicts, improve pedestrian safety, and enhance the appearance of the City at this intersection. The project will include changes to traffic patterns, narrowing of a one-way street, new pedestrian crossings, construction of new sidewalks, and additional lighting of the intersection.

8. MD135 Safety & Structural Improvements in Luke, Maryland

MD 135 spanning from the intersection with WV 46 (to Bloomington) to intersection of MD 36 in Westernport, is in need of improvements. These improvements include road geometry, stabilization of cliffs along the roadway, drainage, lighting, safety signage, and surface rehabilitation. In April 2015 this area was affected by a significant rock fall which left the road way operating with one-way traffic for a quarter mile section for a period of time. This has been cleaned up but not fully addressed. **In fact, another section of road experienced another rock fall on February 23, 2017.** The narrow roadway, wet weather and vibration from industrial truck traffic make this issue a concern for the Town of Luke and the industries that travel this road. Widening and adjusting the roadway geometry near Grant Street and the filter plant has been a major safety concern. The parts of the roadway which parallel the rock cliff are in need of improved lighting, and stormwater management. These improvements would reduce hazards and collisions to the approximate 6,000 vehicles which travel this portion of State Highway daily. The Town of Luke, Maryland, and Allegany County find these improvements necessary to keep all vehicular and pedestrian traffic safe.

9. Greene Street Rehabilitation & Streetscape Improvements

Greene Street is one of the city's oldest streets and is in need of extensive and long-deferred structural (base and subbase improvements), roadway surface rehabilitation, and pedestrian, bicycle, ADA, and streetscape upgrades. Greene Street, formally US Route 220 and prior to that it was part of the National Road, is in need of significant rehabilitation to handle the traffic on this West Side arterial street. Lack of local funds as well as any funds for road improvements have prevented the City from being able to do anything on this street since the days of Urban Systems Federal Aid sharing through the Maryland SHA. The portion of Greene Street between Baltimore Street and Lee Street has been redesignated as part of the National Road Scenic Byway, as part of its campaign to replace scenic byway signage along the route. The City is looking to implement the Greene Street Complete Street Plan to improve the corridor for all modes of

transportation. The Greene Street Complete Street Plan (financed by the Cumberland Area MPO) was completed in 2015. The plan provides a vision for a safer, more attractive and economically viable street spanning from Baltimore Street to the end of City maintenance at I-68 Exit 42.

10. MD 135 Safety Barrier at Westernport Elementary

The Town of Westernport would like to request construction funding to build a safety barrier wall 350 feet long between MD 135 and the Westernport Elementary School playground. Westernport Elementary is located along MD 135 with a wrought iron fence as the barrier between the playground and ball field and MD 135. In April 2015, there was a tractor trailer accident on MD 135 and the driver lost control and ran into a gas station less than 1000 feet from the school.

11. New Town Center (Traffic on Baltimore Street Mall) (new)

As recommended in a recent Economic and Transportation Study of downtown Cumberland the City plans to reopen the Baltimore Street pedestrian mall to "complete street", which will allow vehicular traffic to travel through the area, yet maintain space for pedestrians, bikes and outdoor dining. The Appalachian Regional Commission (ARC) is providing funds for engineering design and SHA has agreed to administer the funds, which the City appreciates. That work is expected to get underway soon and then we hope to be able to proceed with construction as soon as possible. So far the State has been very helpful concerning funding of the construction and City is looking forward to continuing that good relationship through the funding and construction phases of the project. Without grant funds, this project will not be possible. In addition to the transportation needs satisfied by this project, the City is also anticipating Economic Development and increased tax base to be accomplishments of the project.

12. Braddock Road Pedestrian & Bicycle Improvements (new)

The project lies along MD 736 in Allegany County. The purpose of the project is to provide continuous pedestrian access from the Center Street intersection to Braddock Street and bicycle lanes to Active Network, residences, Appalachian Lab, Edgewood Commons, and Frostburg State University (FSU). The corridor is currently used by pedestrians and bicyclists, but does not have adequate facilities for their safe travel. A feasibility study was conducted by SHA in 2016 evaluating the project for funding.

13. MD 36 Sidewalk Safety Improvements in Lonaconing

The sidewalks along route 36 through Lonaconing are a safety hazard for pedestrians. Several locations along route 36 the curb height is less than 2" in height and increasing the chances of vehicles ability to veer onto the sidewalks and strike a pedestrian. Route 36 has approximately 9,000 vehicles passing through this section daily. Lonaconing is requesting the sidewalk/curbing height be increased to normal safety standards to reduce the likelihood of vehicles mounting the sidewalk and injuring pedestrians. Sections of this project will also need to improve for ADA compliance.

14. LaVale to Great Allegheny Passage Connection

Allegany County requests construction funding for stabilization, drainage and surface improvements on the Great Allegheny Passage. Spot improvements are needed in various locations throughout the County to eliminate the on-going maintenance that is required to combat drainage and trail surface issues. These improvements will address historical problems and improve safety for all trail users.

15. Allegany County Transit Operating Funding

Allegany County Transit operates fixed route service and ADA Demand Response in Allegany County, Maryland. The Transit's mission is to provide the citizens and visitors of the Allegany County service area with safe, reliable, courteous, efficient and clean transportation. Continued support for operations funds will help us achieve our mission.

16. MD 135 Access Improvement in Westernport

At peak times the traffic in the vicinity of Church Street (MD 135) is backed up in both lanes due to access to the following businesses: McDonald's, The Dollar General and Fair Price Market. The Town of Westernport would like to request MDOT to obligate money to improve the access and traffic flow in this area.

17. Maryland Avenue Improvements between Short and Lamont Streets

This section of Maryland Avenue represents the essential traffic link between the recently completed Rolling Mill (Maryland Avenue) and Virginia Avenue Corridor projects. Planned improvement work includes street widening and resurfacing, retaining wall reconstruction and reinforcement, ADA and sidewalk improvements, and streetscaping.

18. MD 135 (Pratt Street) Pavement Improvements

The Town of Luke requests that the State of Maryland, consider MD 135, also known as Pratt Street, for pavement repair. The Town would like to see this area improved for public safety, and to improve quality of service in the area by providing better road surfaces for general and industry-related freight traffic.

19. Traffic Study MD 51 and I-68 Intersection Area (new)

The area around this intersection has a lot of potential for development, and the current traffic volumes are high, but the area is complicated to maneuver through and that reduces the chances of greater development both at Canal Place and at

areas around the intersection, like the Cumberland Steel Building. We agree that there is no easy answer to this situation which brings three major routes (routes 61, 51 and I68) together and includes a number of City streets. We believe that there are both great potential for development in the area and, but if left alone there will be serious traffic problems. We request that the State take on a major traffic study to deal with both current and future traffic issues and make recommendations for long term improvements. We do understand that there have been traffic studies in the past and that they were intended to only provide minor traffic safety and signing solutions. Those studies are old enough now that new traffic data is required to do a proper analysis, and we request that the study include possible future land use in the area, which is something we don't believe was ever included in past studies.

20. Pedestrian Connections at MD 36 and US ALT 40 - Eckhart to Village Parkway (updated & expanded)

The sidewalks along Main Street (US 40) in Frostburg end at the City limits near Mountain Ridge High School. About 300 yards from City limits are a supermarket, banks, fast food restaurants and other services that are often frequented by residents of the City and Eckhart. The intersection of 36 & 40 is complicated and there are little pedestrian accommodations at the intersection, yet the intersection is heavily used by pedestrians, especially high school students. East of city limits is Eckhart, a community which relies on Frostburg for its services. Approximately 1 mile of sidewalk along MD ALT 40 would connect this community to the City. South of the intersection of MD 36 & MD ALT 40 are several businesses that have a significant portion of their employees or customers that walk to the businesses. Again, there are no pedestrian or bike connections in this area.

21. Industrial Boulevard (MD 51) Bicycle/Pedestrian Improvements

Sections of Industrial Boulevard in Cumberland currently have a level of service of F for bicycles, which are legally entitled to use the highway. Sidewalk and crosswalk facilities are provided in part, but may not be complete. In order to more properly comply with current Complete Streets standards and to ensure public safety for pedestrians and bicyclists seeking to utilize the corridor, additional improvements are needed.

22. Mount Savage Road (MD 36) Streetscape

Allegany County requests streetscape improvements on Mount Savage Road (MD 36) from New School Road to the intersection of Iron Rail Street at the east end of town. Improvements should consider pedestrian accommodations and furnishings, landscaping, and lighting. We feel these improvements will further revitalize the community of Mount Savage. We are aware of the challenges associated with the project, but are hopeful for any improvements that can be made along the state route.

Thank you for your consideration of these transportation priorities in Allegany County. We look forward to a productive partnership with the Maryland Department of Transportation and to actively participate in the development of the CTP to plan and implement these projects.

If you need any clarifications about our recommendations, please contact us.

Sincerely,
The Board of Commissioners of Allegany County

President, Jacob C. Shade

Commissioner Creade V. Brodie, Jr.

Commissioner William R. Valentine

Western Maryland Delegation

Senator George C. Edwards, District 1

Delegate Jason C. Buckel, District 1B

Delegate Wendell R. Beitzel, District 1A

Delegate Michael W. McKay, District 1C

Municipal Elected Officials of Allegany County

Daniel A. Colmer, Mayor, Town of Barton

Edward E. Clemons, Jr., Mayor, Town of Luke

Brian K. Grim, Mayor, City of Cumberland

Richard M. Blair, Mayor, Town of Midland

W. Robert Flanigan, Mayor, City of Frostburg

J. Daniel Laffey, Mayor, Town of Westernport

John W. Coburn, Mayor Town of Lonaconing
Enclosures:

Project Questionnaire and maps, for all projects

Cc:

The Hon. George C. Edwards, Maryland Senate
The Hon. Jason C. Buckel, Maryland House of Delegates
The Hon. Wendell R. Beitzel, Maryland House of Delegates
The Hon. Michael W. McKay, Maryland House of Delegates
Daniel A. Colmer, Mayor, Town of Barton
Brian K. Grim, Mayor, City of Cumberland
W. Robert Flanigan, Mayor, City of Frostburg
John W. Coburn, Mayor Town of Lonaconing
Edward E. Clemons, Jr., Mayor, Town of Luke
Richard M. Blair, Mayor, Town of Midland
J. Daniel Laffey, Mayor, Town of Westernport
Bill Atkinson, Maryland Department of Planning
Anthony Crawford, District 6 State Highway Administration
Matt Baker, State Highway Administration
Tyson Byrne, Manager, Regional Planning, Office of Planning and
Capital Programming, Maryland Department of Transportation
Ian Beam, Regional Planner, Office of Planning and Capital
Programming, Maryland Department of Transportation

Elizabeth Kreider, Director Office of Local Transit Support,
Maryland Transit Administration
George Thornes, Regional Planner, Maryland Transit
Administration
David Eberly, Administrator, Allegany County
Paul Kahl, Director, Public Works, Allegany County
Adam Patterson, Public Works, Allegany County
Roy Cool, Planner III/ MPO Coordinator
Siera Wigfield, Planner, Allegany County
David Dorsey, Planning Coordinator, Allegany County
John Difonzo, City Engineer, City of Cumberland
Elizabeth Stahlman, Director of Community Development, City of
Frostburg
Robert Ketterman, Community Development Specialist, City of
Frostburg
John Rudd, Town Administrator, Lonaconing Maryland



ALLEGANY COUNTY DEPARTMENT OF PUBLIC WORKS

Item 9

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BOARD OF COUNTY COMMISSIONERS

Jacob C. Shade, *President*
Creede 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, *PK*
Siera Wigfield, Transportation Planner *SW*
DATE: March 3, 2017
RE: Cumberland Area Unified Planning Work Program Fiscal Year 2018

For the Agenda of March 9, 2017

1. BACKGROUND

The County Commissioners, having been designated the Metropolitan Planning Organization for the Cumberland Area, are required to endorse the Unified Planning Work Program every year, as a prerequisite to approval of federal funding. The Work Program consist of the Core Planning Element (TIP/ Annual Element of Coordination), and Special Studies (Transit System Evaluation (NTD), Transit System Safety Plan Evaluation, Allegany County Transit Advisory Committee Coordination, Allegany County Safety Management Plan, Allegany County Transit Title VI Plan update, 2018 Priority Letter Coordination, Trail Plan for Constitution Park, Cumberland, MD, Eckhart to Frostburg Pedestrian Connection Part 1, and Lower LaVale to GAP Connection Plan Part 2).

2. ISSUES

N/A

3. FINANCIAL IMPACT

The County share of the Unified Planning Work Program is part of the proposed FY 2018 Budget.

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 FY 2018 Unified Planning Work Program.

STATEMENT REGARDING THE CLOSED SESSION
HELD ON THURSDAY, FEBRUARY 23, 2017, AT 3:30 PM, ROOM 408

The Board of County Commissioners, at a meeting convened on Thursday, February 23, 2017, at 3:30 o'clock p.m., voted unanimously to go into a closed session. The meeting time and place and the purpose of the meeting were provided in a public notice distributed on February 21, 2017. The notice was provided in the same manner, and also to the same entities, as receive the Commissioners' regular business meeting notices.

The meeting was closed in accordance with the General Provisions Article of the Annotated Code of Maryland Section 3-305, and the purposes for which the meeting was closed were as follows:

1. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State (General Provisions Article Section 3-305 (b)(4)).
2. To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees or officials over whom it has jurisdiction (General Provisions Article Section 3-305 (b)(1)).
3. Consultation with counsel to obtain legal advice concerning the matters referenced in numbers 1 and 2 above (General Provisions Article Section 3-305 (b)(7))

The Commissioners first discussed the intention of a company to potentially locate in a building owned by the County in one of its industrial parks. No action was taken by the Commissioners on this particular matter.

The Commissioners also discussed a personnel matter. Discussion was initiated by Commissioner Brodie concerning the possible creation of a new position in County Government. Discussion was had as to the appropriate procedure for creating and filling of such a position. No decisions were made, and no vote was taken.

There was no further business to be conducted in the closed session, and therefore, upon motion by Commissioner Valentine, seconded by Commissioner Brodie, the Commissioners voted unanimously to adjourn the closed session at 4:45 p.m.

Those persons present during the entire closed session were Commission President Jacob C. Shade; Commissioner Creade V. Brodie, Jr.; Commissioner William R. Valentine; County Administrator David A. Eberly; and County Attorney William M. Rudd.

Present only for discussion of the first item was Jeffrey S. Barclay, Acting Director of Economic & Community Development. Present only for discussion of the second item was Brian P. Westfall, Director of Human Resources. Cindy Young was recording secretary.