

April 11, 2019

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 David J. Caporale; County Administrator Brandon S. Butler; and County Attorney William M. Rudd. The following business was transacted:

The Pledge of Allegiance was recited by those present.

MOTION

There were no additions or deletions to the Agenda.

MOTION

Upon Motion by Commissioner Caporale, seconded by Commissioner Brodie, and Motion carried, the Commissioners approved the Minutes of the March 28, 2019, public business meeting.

PRESENTATION

Item 1 – Fair Housing Month 51st Anniversary – David K. Nedved, Economic & Community Development Representative, started by thanking the Commissioners for celebrating the 51st anniversary of the Fair Housing Act. He acknowledged that the Allegany County Commissioners have shown their commitment to Fair Housing by adopting a Fair Housing and Equal Opportunity Plan, which was renewed in September of 2016. Mr. Nedved explained that the Plan will be renewed again this coming September (2019). He provided some details about the Plan as set forth in the Proclamation to be presented by the Commissioners, a copy of which Proclamation is attached to and made a part of these Minutes.

Commissioner Shade then read and presented Mr. Nedved with the official Proclamation of April 2019 as Fair Housing Month in Allegany County. A round of applause followed.

PUBLIC HEARING

Item 2 – State Department of Commerce Application for an Enterprise Zone – David K. Nedved, Economic & Community Development Representative, announced this evening as a public hearing for the Route 220 South Enterprise Zone Recertification. Mr. Nedved explained that the Route 220 South Enterprise Zone consists of 404 acres, and that it is up for renewal through the State of Maryland's Department of Commerce, in accordance with COMAR 24.05.01.14(a). He further explained that the Enterprise Zone Program is a tax incentive program providing property and/or income tax credits to qualified companies in accordance with State and local standards. Mr. Nedved pointed out that currently there is one large manufacturer, American Woodmark Corporation, located in this Zone, and that it employs 572 people.

Mr. Nedved again announced this Public Hearing, and asked if anyone present wished to make comment or ask a question regarding the proposed recertification. Commissioner Shade also asked for public comment.

There were no comments, and the Public Hearing for the Route 220 South Enterprise Zone Recertification was closed.

ACTION AGENDA

Item 3 – Resolution 19-5 – Enterprise Zone Designation – Board of County Commissioners to adopt Resolution 19-5 to formally request state designation of approximately 404 acres of area on the east side of Route 220 Pinto, to become eligible for state and local tax relief and other economic incentives – David K. Nedved, Economic & Community Development Representative, asked the Commissioners to adopt and pass Resolution No. 19-5 to formally request State designation of approximately 404 acres of land in the Route 220 area to become eligible for state and local tax relief and other economic incentives.

County Attorney William Rudd pointed out to the Commissioners that this is a re-designation of an essentially existing Zone.

Upon Motion by Commissioner Brodie, and seconded by Commissioner Caporale, the Board of County Commissioners adopted and passed Resolution 19-5 to formally request state designation of approximately 404 acres of area on the east side of Route 220 Pinto, to become eligible for state and local tax relief and other economic incentives.

Item 4 – Resolution 19-4 – Maryland Mortgage Program – Board of County Commissioners to authorize the transfer of \$2,545,018 to the Community Development Administration's Maryland Mortgage Program for issuance of tax-exempt housing bonds on behalf of Allegany County and

authorize the President to sign the Letter of Transfer – David K. Nedved, Economic & Community Development Representative, presented information on the Maryland Mortgage Program, which he read into the record from his Staff Report dated March 18, 2019, a copy of which is attached to and made a part of these Minutes.

Mr. Nedved asked that the Board of County Commissioners authorize the transfer of funds to the Community Development Administration's Maryland Mortgage Program for issuance of tax-exempt housing bonds on behalf of Allegany County and authorize the President to sign the Letter of Transfer.

Commissioner Shade asked Mr. Nedved if a couple of years ago the interest rate through this Program was higher than the normal interest rate at the banks, and that the Program was not being utilized. Mr. Nedved confirmed that, but told Commissioner Shade that things have improved, and that the Program is now being used more, and that the marketing of the Program has also improved.

Upon Motion by Commissioner Caporale, seconded by Commissioner Brodie and duly carried, the Board of County Commissioners passed Resolution 19-4 – Maryland Mortgage Program.

Item 5 – Tourism Reinvestment Grant – Board of County Commissioners to authorize Tourism to release the necessary documents to establish the PILOT 2019 Tourism Reinvestment Grant on or about May 1, 2019 – Ashli R. Workman, Director of Tourism, remarked that Allegany County Tourism enhances the quality of life in Allegany County, Maryland and strengthens destination awareness through promotion, development, and services that attract visitors to stay longer and spend more money in Allegany County. Mrs. Workman, on behalf of Allegany County Tourism, encouraged the Commissioners to adopt a new PILOT Grant Program for Fiscal Year 2020, and asked the Board of County Commissioners to authorize the Program. She stated the purposes for the Allegany County Tourism Reinvestment Marketing Grant: to enhance the tourism experience, increase overnight stays in Allegany County, generate visitor spending in Allegany County, and to enhance and grow the tourism products and destination awareness. Mrs. Workman explained that grant funds will be available to qualifying 501(c)(3) and 501(c)(6) organizations and will be awarded to marketing and promotion-focused projects. She offered some additional information about the Grant Program, then announced that Grant guidelines and application details will be announced in early May 2019, with a Committee to review the applications in June 2019, and grants to be issued at the beginning of July 2019.

Commissioner Shade reminded the other Commissioners that the Tourism Reinvestment Grant has been under discussion for several months. He thanked Mrs. Workman and Jessica Palumbo of Tourism for all of their work on this Grant Program. Commissioner Shade remarked that this Program is a way to try to get new groups in the budgeting process for Tourism funds, especially for one-time projects.

Upon Motion made by Commissioner Shade, and seconded by Commissioner Caporale, the Board of County Commissioners authorized Allegany County Tourism to release the necessary documents to establish the PILOT 2019 Tourism Reinvestment Grant on or about May 1, 2019.

CONSENT AGENDA

As recommended by the County Administrator

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

Item 6 – Resolution 19-6 – Revisions to the “Rules and Regulations Governing Employees of Allegany County, Maryland” – Board of County Commissioners approved Resolution 19-6 to revise and update the “Rules and Regulations Governing Employees of Allegany County, Maryland.”

Item 7 – CareFirst Blue Cross Blue Shield Dental Plan Renewal – Board of County Commissioners adopted the renewal of the CareFirst Blue CrossBlue Shield group dental plan for Allegany County employees for the period of July 1, 2019 through June 30, 2021, and authorize the President to sign.

Item 8 – Metropolitan Life Insurance Plan Renewal – Board of County Commissioners adopted the renewal of the Metropolitan Life Insurance Plan for Allegany County employees beginning July 1, 2019.

Item 9 – Vision Benefits of America Plan Renewal – Board of County Commissioners adopted the renewal of the Vision Benefits of America plan for Allegany County employees for the period of July 1, 2019 through June 30, 2021, and authorized the President to sign.

Item 10 – Oldtown Community Park Operation and Maintenance Agreement – Board of County Commissioners authorized the President to sign the Operation and Maintenance Agreement for the Oldtown Community Park for a three-year agreement with the Oldtown Youth Sports Commission.

Item 11 – Allegany County Paving Contract Bid Award – Board of County Commissioners approved the request to award the Allegany County Road Paving Rehabilitation, Contract ACRD-19-01 to Belt Paving, Inc., Cumberland, Maryland, in the amount of \$1,094,600.50.

Item 12 – Declaration of Surplus Vehicles – Board of County Commissioners authorized the Public Works Roads Division to declare the following pickup trucks as surplus and dispose of them by advertised bid or sold at public auction: 1994 Chevy VIN# 1GCFK24H4RE211377, 2005 Chevy VIN# 1GCEK14V55Z298611, and a 2005 Chevy VIN# 1GCEK14V05Z298709.

Item 13 – Declaration of Surplus Vehicles – Board of County Commissioners authorized the Sheriff's Office to declare the following vehicles abandoned/seized as surplus and sold at public auction: 1986 Chevy Truck VIN: 2GCEK14H8G1149292; 1999 Dodge Intrepid VIN: 2B3HD56J4XH7722678; 2003 Honda 4S VIN: 2HGES16583H624879; 2001 Ford Explorer VIN: 1FMYU70E31UA28392; 2006 Ford Expedition VIN: 1FMPU16596LA19645; 2003 Chevrolet Silverado VIN: 1GCEK14X23Z344104; 2006 Ford Expedition VIN: 1FMPU16586LA89220; 2018 KTM 300XCW VIN: VBKXWN239JM321920; 2014 Infinity FX35 VIN: JNRAS08W34X216123; 2004 Dodge Neon VIN: 1B3ES56C44D631963; and a 2006 Ford Escape VIN: 1FMYU92Z56KC87271.

Item 14 – Allegany County Department of Social Services Board Appointment – Board of County Commissioners approved the appointment of Tracy L. Greely as a member of the Allegany County Department of Social Services Board. She will be fulfilling the term of Andrea Beall. Ms. Greely's term will expire June 30, 2020.

Item 15 – Allegany County Commission for Women Board Appointments – Board of County Commissioners appointed additional members to the Allegany County Commission for Women. Their terms will expire on July 1, 2022.

County Administrator Brandon S. Butler read the names of the new appointees into the record: Mary Jo Walters, Debbie Grimm, Lisa Griffith, Debbie Ross, and Michelle Stahlman Twigg. He also pointed out to the Commissioners that these appointments will bring the total members appointed to the Allegany County Commission for Women to ten. Mr. Butler explained that these ten members will now solicit applications for five additional spots on the Commission to bring the total members to fifteen.

Constituents – In order of sign-up sheet –

Mr. Harold Fike, of 81 LaVale Court, LaVale, said that he was present representing some of his neighbors. Mr. Fike explained that he and the neighbors have had flooding issues since he has lived at 81 LaVale Court, four to five years, and that those issues get pretty bad. He pointed out that a lot of stormwater runs off of Weirs Avenue behind them and comes down through the back of their yards and washes out the road. Mr. Fike added that the situation is getting worse as more development is done. He told the Commissioners that he was recently given some copies of letters, some dating back over 20 years, bringing the issue to the attention of the County and to the attention of (former) Delegate Kevin Kelly, with no action taken as a result of those letters.

Mr. Fike then showed the Commissioners some pictures and pointed out inadequate storm drainage. He also showed them a May 6, 1998 letter addressed to Mr. Roger Thomas, State Construction Engineer, informing him of the issue and signed by a number of residents. He explained that a letter was sent in July 1999 to Delegate Kevin Kelly, with 32 signatures attached to that letter. Mr. Fike reported that Delegate Kelly responded to the letter and forwarded the letter on to the Office of the Secretary of the Maryland Department of the Environment. He added that a study was supposed to take place, then presented a letter dated August 8, 2008, from the Allegany County Department of Public Works addressed to Mr. Richard Pesta of 75 LaVale Court, informing him that there was to be 1,700 feet of pipe and storm drains placed in the area to deal with the problem. Mr. Fike told the Commissioners that that never happened.

Mr. Fike stated that he has lived in the neighborhood for just four or five years, and presented another issue causing his presence at this evening's meeting: a sinkhole encroaching on his back yard. He showed the Commissioners some pictures (from February 2019) and a video (March 2019) of the sinkhole. He pointed out that the sinkhole has developed quite a bit, and is not getting any better. Mr. Fike reported that in looking at some property maps, he has discovered that the sinkhole isn't actually on his property but in an alleyway, a paper alley. He voiced his concern because of his small children and their guests who come to play in his yard, and mentioned that

the grate he had covering the sinkhole is no longer big enough. Mr. Fike described the sinkhole as a danger and again confirmed that the sinkhole is not actually on his property. He told the Commissioners that he met with Dan DeWitt from the County's Public Works Department, who came out to his property a number of times. Mr. Fike expressed his appreciation for Mr. DeWitt visiting him and taking a look at the situation, but said that the current proposal, that he (Mr. Fike) is responsible for fixing the sinkhole, or providing fifty percent of the cost to fix it, doesn't seem like the right thing, as the sinkhole isn't even on his property. He again expressed his concern at the danger the issue poses, especially to children, and said that he wanted to bring the situation to the Commissioners' attention. Mr. Fike told the Commissioners that he would appreciate anything that could be done to remedy the problem, and added that he is coping with the sinkhole and covering it as best he can for the time being.

Revisiting the issue of the excess stormwater, Mr. Fike told the Commissioners about an elderly neighbor who has to clean out the culvert on her property almost daily to keep water from running into her basement. He added that he, and his neighbors, would also appreciate anything that the Commissioners could do to help with the stormwater issue.

Commissioner Brodie commented that this is a hard issue to address, because the problem was actually started by the developer, Cover, when the development was put in. He pointed out that none of the development was ever in the county's drainage system. Commissioner Brodie told Mr. Fike that he was actually the first one to go to his property to look at the sinkhole, because he (Commissioner Brodie) works in LaVale. He then addressed Dan DeWitt, present in the meeting audience, and told him that he did not know what the real solution to this would be. Commissioner Brodie mentioned the pipes that were put up in LaVale when Streetscape went through in 2008; the pipes were put up on LaVale Court, Parkside, and LaVale Boulevard, for probably close to 1,000 feet between those three streets. He spoke of a possible solution that would involve opening up Eleanor Street and putting in more drainage. Commissioner Brodie mentioned that he has met with people regarding the same issue in different areas of the County. He pointed out the great cost of fixing stormwater runoff problems.

Dan DeWitt, speaking from the back row of the audience, talked about pipe being undersized. He explained that the solution would be wide-ranging and would require cooperation from many parties.

Commissioner Brodie asked about possible grant funding to help fix the problems. Mr. DeWitt suggested trying the Department of Natural Resources.

Commissioner Brodie asked County Administrator Brandon Butler to reach out to Secretary Grumbles of MDE regarding this issue and point out its environmental impact as well as danger posed. He said that these issues must sooner or later be addressed.

Mr. Kenneth Wilmont, of 513 Fort Avenue, Cumberland, voiced his concerns over the bird population, which he has noticed is diminishing, and the cat population, which he said is now up to 40,000.

Commissioners' statements, comments, recognition –

Commissioner Creade V. Brodie, Jr. brought up the ongoing budget process. He commented that he does feel for Mr. Fike and his neighbors; and that with the many outside demands made on the Commissioners for funding, the result is that the Commissioners are not able to provide the services and help they want to be able to provide. Commissioner Brodie went on to say that he feels during the past ten years the county has been really good at helping others with their problems, but the County has not been able to take care of its own problems. He acknowledged that the other Commissioners feel the same way.

Commissioner Jacob C. Shade discussed funding coming from the State to the County, a lot of which has gone to Frostburg State University and toward building the new State Police Barracks; so technically money is coming to Allegany County, but the projects being funded are not Allegany County Government-affiliated projects, but rather State of Maryland-affiliated projects.

Commissioner Shade also thanked Mr. Fike for coming to the meeting, and commented that County Government has been dealing with similar issues not only on the drainage side, but also with OP Roads (County right of ways and roads that are not County-maintained). He pointed out that some people know that when they purchase a house, and some don't, and regardless, the homeowner still pays the same taxes as everyone else. Commissioner Shade remarked that he doesn't really think it is fair either, but there are over 250-some miles of OP Roads in Allegany County; and it would be unrealistic for the County to try to take that on, but the Commissioners are doing the best they can. He talked about the 50/50 match to help with gravel, blacktop, or other repairs, and said that the Commissioners are trying to stretch those funds as far as they can be

stretched. Commissioner Shade mentioned that money has been budgeted into the 50/50 Program this year to really start going after some of the things that need done.

Commissioner Shade then commented that this year's budget is probably the toughest that he has seen in his five years as Commissioner. He explained that a lot of that is being driven by steady revenue, as the Commissioners are not seeing any huge increases or decreases on the property side of things, and the County did lose \$300,000 from the DNR Pilot Program. Commissioner Shade pointed out that the Commissioners are looking at approximately a \$1.5 million to \$1.6 million shortfall, and they are going to see what they can do to make sure they close that, which they don't want to do by raising taxes. He said that there will need to be some serious discussions, not just elected officials, but everyone, as to what services citizens want; what services do they want the Government to provide; how quickly do they want an ambulance at their house, and what cost will be associated with that. As an example, he explained that Frostburg Ambulance cost the County zero dollars two years ago, but cost \$1.7 million last year, and cost \$2.8 million this year. Commissioner Shade described this as an "unsustainable increase" for Allegany County Government.

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, April 25, 2019, 5:00 p.m.

Announcement – Allegany County Government Schedule (See News Release)

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:40 p.m.

Jacob C. Shade, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary



Item 1

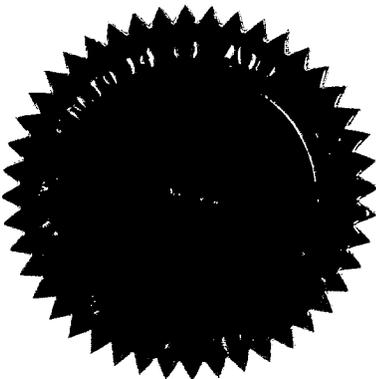
Allegany County Official Proclamation

Allegany County Fair Housing Month

WHEREAS, The Fair Housing Act of 1968 guarantees the right of all Americans regardless of race, color, religion, national origin, sex, familial status, or disability to live in the neighborhood of their choice; and

WHEREAS, for 51 years, all individuals have been entitled to equal housing opportunities – when they are renting, buying, and securing financing for any housing in the United States.

NOW, THEREFORE, we, the Board of County Commissioners of Allegany County, do hereby proclaim April, 2019, as Fair Housing Month in Allegany County and do commend this observance to all of our citizens.



President Jacob C. Shade

Commissioner Create V. Brodie, Jr.

Commissioner David J. Caporale



ALLEGANY COUNTY
DEPARTMENT OF ECONOMIC
& COMMUNITY DEVELOPMENT

Item 4

701 Kelly Road, Suite 400 • Cumberland, Maryland 21502

STAFF REPORT

TO: Brandon S. Butler, County Administrator
FROM: ^{gm} David Nedved, Representative
DATE: March 18, 2019
RE: Maryland Mortgage Program

For the Agenda of: April 11, 2019

Background: The Maryland Community Development Administration (CDA) provides financing for the Maryland Mortgage Program to each county through the sale of tax-exempt bonds. This program provides below-rate mortgages for homeownership to the residents of Allegany County. All of Allegany County is considered a targeted area, which means one does not have to be a first-time homebuyer to participate in this program. The 2019 sub-allocation for Allegany County is \$2,545,018. The Maryland Mortgage Program offers a variety of programs. See the attached document for more information or visit the web site at <http://mmp.maryland.gov>. Since Allegany County is a targeted area, current income limits to qualify are \$115,800 for one or two persons in the household with an increase to \$135,100 for a family of three or more. The maximum acquisition cost is \$331,423 for Existing or Newly Constructed Homes.

The program is accessed through various mortgage lenders throughout the State of Maryland but in Allegany County the participating lenders are BB&T Corporation and First United Bank & Trust. The contact for the program at BB&T Corporation is Kelli Palamar. Her phone is 301-991-8488 and her e-mail is kpalamar@bbandt.com. The contact for the program at First United Bank & Trust is Travis Bohrer. His phone is 301-722-2899 and his e-mail is tbohrer@mybank.com.

Issues: N/A

Financial Impact: N/A

Alternatives: N/A

Other Considerations: N/A

Conformity to County Policy: N/A

Recommendation: Recommend that the Board of County Commissioners authorize transfer of \$2,545,018 to the Community Development Administration's Maryland Mortgage Program for issuance of tax-exempt housing bonds on behalf of Allegany County and authorize the President to sign the Letter of Transfer.

cc: Jeffrey S. Barclay, Director – Economic/Community Development, Jason M. Bennett, Director – Finance, William M. Rudd, County Attorney