

July 26, 2018

The regular meeting of the County Commissioners of Allegany County was held in the Commissioners' Meeting Room, Allegany Room 100, 701 Kelly Road, Cumberland, at 5:00 p.m. on the above date. The following were present: Commissioner Jacob C. Shade; Commissioner Creade V. Brodie, Jr.; Commissioner William R. Valentine; County Administrator Brandon S. Butler; and Assistant County Attorney Barry R. Levine. The following business was transacted:

The Pledge of Allegiance was led by Danny Williams.

MOTION

The Board of County Commissioners agreed to add Item 15 – Resolution 18-22 – Amendment of the Sick and Safe Leave Policy - to the Agenda as a Consent item.

There were no further additions or deletions to the Agenda.

MOTION

Upon Motion by Commissioner Brodie, seconded by Commissioner Valentine, and Motion carried, the Commissioners approved the Minutes of the July 12, 2018, public business meeting.

PUBLIC HEARING

Item 1 – Road Closing Petition – Victor and Christine Sturtz – The road closing petition is with the intent of closing a portion of a street on the northerly side of Maryland Route 36, also known as Mount Savage Road, Election District 13, Allegany County, Maryland – Matthew P. Lamp, Esq., Hidey, Coyle & Monteleone, introduced himself and explained that he was present to represent Victor and Christine Sturtz. He reminded the Board of Commissioners that he was at the public business meeting on May 10, 2018, with Mrs. Christine Sturtz regarding a road opening petition, to open what essentially was a paper road that bisects two parcels owned by Mr. and Mrs. Sturtz. He provided a description of the property: Parcels 43 and 44, on County Assessment Map 3, which is located on the northerly side of Maryland Route 36 between Barrelville and Mt. Savage.

Attorney Lamp explained that he has now filed the Petition to close that road to unite the two parcels and allow Mr. and Mrs. Sturtz to begin to build a structure on that property.

Commissioner Shade opened the public hearing and invited anyone wishing to make public comment regarding the proposed road closing to do so. No one had signed up to speak at this public hearing, and no one came forward to speak.

Commissioner Brodie asked if the Commissioners could take action on the Petition at this meeting. Assistant County Attorney Barry Levine confirmed that the Commissioners could do so, explaining that Attorney Lamp indicated in his Petition that the proper exhibits were filed and the road closing was properly advertised, and that neighboring property owners were given proper notice. Attorney Lamp also confirmed this information.

Upon Motion made by Commissioner Valentine, seconded by Commissioner Brodie, and duly carried, the Commissioners approved the road closing petition of Victor and Christine Sturtz with the intent of closing a portion of a street on the northerly side of Maryland Route 36, also known as Mount Savage Road, Election District 13, Allegany County, Maryland.

ACTION AGENDA

Item 2 – Code Home Rule Bill 2-18 – Introduction – “Amendments to the Borrowing Procedures and Purposes for the LaVale Sanitary District” – Brandon S. Butler, County Administrator, explained that he was standing in for County Attorney William Rudd this evening to introduce Code Home Rule Bill 2-18. Mr. Butler further explained that Code Home Rule Bill 2-18 is an Act to amend the borrowing procedures and purposes for the LaVale Sanitary District. He pointed out that the Bill changes provisions within the County's public local law allowing for capital improvements to be used in bond issuances, as well as changes the procurement limit from the previously enacted \$1,000 to \$25,000.

Mr. Butler informed the Commissioners that tonight was just the introduction of Code Home Rule Bill 2-18.

Commissioner Brodie informed the other Commissioners that for the record he would abstain from anything dealing with LaVale Sanitary Commission – District, since he is an employee of LaVale Sanitary Commission.

Item 3 – Allegany County Director of the Department of Planning and Growth – Board of County Commissioners to approve the ratification of the appointment for the position of Director of the Department of Planning and Growth – Brandon S. Butler, County Administrator, read a

prepared announcement, a copy of which is attached to and made a part of these Minutes.

Upon Motion made by Commissioner Brodie, seconded by Commissioner Valentine, the Board of County Commissioners approved the ratification of the appointment of Angela Patterson for the position of Director of the Department of Planning and Growth.

Following the action taken on her appointment as Director of the Department of Planning and Growth, Angela Patterson came forward to make brief remarks. Mrs. Patterson expressed her thanks to Mr. Butler and the Commissioners for trusting her with the opportunity to serve as Director of Planning and Growth, acknowledged her appreciation for the County staff with whom she will be working, and also spoke about her plans and goals regarding the position.

CONSENT AGENDA

As recommended by the County Administrator

Upon Motion by Commissioner Valentine, seconded by Commissioner Brodie, and Motion carried, the Consent Agenda as to Items 4 through 14, inclusive, as recommended by the County Administrator is adopted.

Item 4 – Request for Tax Abatement – Board of County Commissioners approved the abatement of taxes in the total amount of \$1,120.64 for one property located at 301-303 Arch Street in Cumberland, Maryland. This property is being acquired by the city through tax sale foreclosure and will be demolished as part of a larger potential development site.

Item 5 – Public Works Utilities Division Travel Request – Board of County Commissioners approved the travel request for Mark W. Yoder, PE, Utilities Division Chief, to attend the Virginia Water and Wastewater Conference in Virginia Beach, Virginia, from September 10, 2018 through September 14, 2018 at a cost of approximately \$2,000.

Item 6 – New Dump Trucks for Public Works Roads Division Bid Award – Board of County Commissioners awarded the contract for the purchase of two new dump trucks to FYDA Freightliner Pittsburgh, Inc., Canonsburg, Pennsylvania, in the amount of \$265,050.

Item 7 – Unleaded Gasoline, Ultra Low Sulfur Diesel Fuel, No. 2 Heating Oil, and Kerosene Bid Award – Board of County Commissioners awarded the fuel contract to Southern States Petroleum Service, Cumberland, Maryland, in the amount of \$946,182.55.

Item 8 – Pipe Hunter Sewer Jetter Purchase – Board of County Commissioners authorized the Allegany County Utilities Division to purchase a Pipe Hunter Sewer Jetter from Mid-Atlantic Machinery, Silver Spring, Maryland, in the amount of \$73,000.

Item 9 – Landfill Leachate Waste Treatment Agreement – Board of County Commissioners approved and agreed to execute Amendment #3 to the existing Leachate Waste Treatment Agreement with Mountainview Landfill, Inc., extending the agreement until August 1, 2023 and adding additional testing requirements.

Item 10 – Resurfacing of the Parking Lot at One Science Park – Board of County Commissioners authorized solicitation of bids to resurface the parking lot at One Science Park in Frostburg, Maryland.

Item 11 – HVAC Replacement at One Science Park – Board of County Commissioners authorized the solicitation of bids to replace the rooftop HVAC units at One Science Park in Frostburg, Maryland.

Item 12 – State Fiscal Year 2019/Federal Fiscal Year 2018 Homelessness Solutions Program Grant Agreement – Board of County Commissioners authorized the President to sign a grant agreement with the Maryland Department of Housing and Community Development accepting \$240,442 in SFY 2019/FFY 2018 Homelessness Solutions Program Grant funds on behalf of Human Resources Development Commission, Inc. (\$176,381), Family Crisis Resource Center, Inc. (\$31,978), Allegany County Department of Social Services (\$16,327), and YMCA of Cumberland, Maryland, Inc. (\$15,756).

Item 13 – Senior Care System Annual Plan – Board of County Commissioners authorized the County Administrator to sign the Maryland Office on Aging Senior Care System Annual Plan Review and Approval Sign-off for Fiscal Year 2019. The Allegany County Health Department serves as the lead agency for the Senior Care Program at the request of the County Commissioners and administers the grant funds received from the Office on Aging.

(Regarding Item 13, County Administrator Butler announced that Ms. Jeannie Agosti was present at this meeting, in the back of the meeting room, and available to answer any questions regarding the Senior Care System Annual Plan.)

Item 14 – Memorandum of Understanding for Creative Services – Board of County Commissioners authorized the President to sign an MOU with McClarran and Williams, Inc., Cumberland, Maryland, to provide creative services, graphic design, production, and marketing consultation.

Item 15 – Resolution 18-22 – Amendment to Maryland Sick and Safe Leave Policy – County Administrator Brandon S. Butler explained that Resolution 18-22 provides for amendment to the Maryland Sick and Safe Leave Policy as it relates to Allegany County, and particularly as it deals with the Rules & Regulations governing employees of Allegany County.

Commissioner Brodie asked if Item 15 could be broken out separately for action. There was no objection.

After action was taken on Items 4 through 14, inclusive, of the Consent Agenda, Commissioner Brodie explained that he would not vote or second anything concerning the Maryland Sick and Safe Leave Policy, because he does not like anything State-mandated to be passed. He remarked that it is harmful to small businesses in the County.

Commissioner Shade explained that the County does not have a choice but to pass the Resolution, and he moved that the Board of County Commissioners accept Resolution 18-22 – Amendment to Maryland Sick and Safe Leave Policy. Commissioner Valentine seconded the Motion. Motion carried and Resolution 18-22 passed by a vote of two to one (Commissioners Shade and Valentine, Aye, Commissioner Brodie, Opposed).

County Administrator Brandon S. Butler announced that the first meeting of the Regulatory Reform Commission will be held on August 13, 2018, at 5:30 p.m., in Meeting Room 100 of the County Office Complex. Mr. Butler spoke briefly about the newly formed Commission and also acknowledged the presence of one of the Regulatory Reform Commissioners, Mr. Larry Wolfe, in the audience, thanking him for his time to serve on the Commission.

Commissioners' statements, comments, recognition –

Commissioner William R. Valentine talked about the effects of the Kirwan Commission. He reported that the Kirwan Commission met the previous day, July 25, 2018, and remarked that “the longer it goes, the worse it gets”. Commissioner Valentine mentioned a mandate that may be passed, that the County would basically pay teachers' salaries starting at \$54,000 per year, to increase within four years so that the average teacher salary would be \$79,000 per year. He pointed out that this would be basic salary, not including benefits. Commissioner Valentine also commented that it appears that now reducing class sizes is a bad thing according to the Kirwan Commission.

Commissioner Creade V. Brodie, Jr. discussed an ongoing issue of abandoned properties left in “no man's land”. He talked about the bad conditions of these properties and their effect on the neighboring property owners, and commented that something needs to be done about the issue. Commissioner Brodie remarked that he is open for ideas from County staff as well as from the Commissioners.

Commissioner Jacob C. Shade commented on the recent restructuring of County Government to make it more efficient and add momentum. He also mentioned he was looking forward to the ribbon cutting for the new Allegany High School on August 20, 2018.

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

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, August 9, 2018, 5:00 p.m.

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:20 p.m.

Jacob C. Shade, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary

Tonight, I am asking for your advice and consent regarding the appointment of Ms. Angela Patterson as the County's First Director of Planning and Growth.

Nearly 4 months ago, I sat around a table of business and professional leaders. They kept going back to a singular thing. We must make permitting and planning make sense. As businesses invest in the County, county government must respond with an open hand willing to work with our businesses and not with a fist full of red tape.

I made a promise to those businesses that Allegany County will do better. I also made a commitment to you gentlemen when I presented the Resolution establishing the Department of Planning and Growth. I believed that we had the right people already in place to get the job done.

That is why we didn't have to look to anyone on the outside – we had the right people right here, right now.

Angie Patterson has 12 years experience as a Land Use & Planning Engineer

She has built contacts in the community and with design professionals in Allegany County

She has worked with the state to exempt Allegany County from a number of harmful regulations

She has a vision that aligns with the vision of this county to grow our tax base and invest in those who do business here.

In short, I am requesting our support to make Ms. Angela Patterson the County's first Director of Planning and Growth.