

September 12, 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 led by Jimmy Pyles, Director of Emergency Services for Allegany County.

MOTION

Commissioner Brodie requested that the Board of County Commissioners add Item 3A – Contract Extension for the Director of Emergency Services, to the Agenda. Upon Motion made by Commissioner Caporale, seconded by Commissioner Brodie, and duly carried, the Commissioners agreed to add Item 3A to the Agenda.

There were no further additions or deletions to the Agenda.

MOTION

Upon Motion by Commissioner Brodie, seconded by Commissioner Caporale, and Motion carried, the Commissioners approved the Minutes of the August 22, 2019, public business meeting.

PRESENTATION

Item 1 – National Adult Education and Family Literacy Week 2019 – Melanie J. Chapman, Allegany College of Maryland Adult Basic Education Director, and Deborah Miller, Allegany College of Maryland Adult Basic Education Instructional Specialist. Ms. Deborah Miller introduced herself as Instructional Specialist with the Adult Education Program, and also introduced Ms. Melanie Chapman, the Program Director. She thanked the Commissioners for their continuing support of adult education in Allegany County. Ms. Miller talked about National Adult Education and Family Literacy Week, September 22nd through September 28th, 2019, providing background and details about the Week and discussing what it means to many people. Ms. Miller pointed out that across this Country, one in six adults struggles with low literacy, one in three struggles with basic math, and one in ten speaks limited English. She added that by 2020, two out of three jobs in America will require a College degree, although nearly half of all adults in the United States has only a high school diploma or less.

Ms. Miller explained that the mission of the Allegany College of Maryland Adult Basic Education Program is to help close the gaps. She reported that the Program offers free educational services to individuals over the age of 18 who have identified skills gaps in their education. Ms. Miller further explained that services include free literacy tutoring, basic skills upgrades in reading, writing, math, science and social studies, work-readiness skills, English as a second language, and enrollment in a diploma option: either GED or National External Diploma Program. She concluded by saying that anyone interested in volunteering can call the office at any time.

Ms. Melanie Chapman also spoke. She confirmed that there were 408 learners in Adult Education this past year, a fifty (50%) percent increase from previous year's programs. She reported that of the 408 learners, 21 earned their high school diploma, and she explained that it is an actual Maryland high school diploma, not a GED. Ms. Chapman shared the information that in Allegany County, there are over 4,300 adults who lack a high school diploma. She remarked that statistic is significant because it is an economic impact issue for the community, because someone with a high school diploma earns \$10,000 more than someone who does not have one. Ms. Chapman described adult education as transformational, that it transforms individuals, families and the community. She expressed her appreciation for the continued support of the County Commissioners.

Commissioner Shade thanked Ms. Miller and Ms. Chapman for their work and asked them to come forward, and he read and presented them with an official Proclamation of September 22 through 28, 2019, as National Adult Education & Family Literacy Week in Allegany County. A round of applause followed.

PUBLIC HEARING

Item 2 – Road Opening Petition –The Bowling Green Volunteer Fire Company, Inc. – The road opening petition is with the intent of closing a certain portion of an unnamed alley at the intersection with Hickory Avenue (formerly Walnut Street) and runs in a southeasterly direction alongside one of Petitioner's properties for a distance of approximately 200 feet and then alongside another of Petitioner's properties for a distance of approximately 126 feet, Election District 6, Allegany County, Maryland. The total area of the unnamed alley to be opened for the purpose of closing is 3,239 square feet – Michael A. Llewellyn, Attorney, Geppert, McMullen, Paye

& Getty, appeared as attorney for the Petitioner, The Bowling Green Volunteer Fire Company, Inc. He introduced in the audience Mr. Rick Ross, a member of the Fire Company, and explained that he could answer any specific questions the Commissioners might have. Attorney Llewellyn called the Commissioners' attention to the Petition before them. He added that he also provided an aerial photograph from the County GIS site, and pointed out on the photograph the properties actually owned by the Bowling Green Volunteer Fire Company, and mentioned that there are only two other properties that would be affected by the proposed road closing. Attorney Llewellyn confirmed to the Commissioners that the Petitioner is asking for the road to be opened for the purpose of closing, and that the road is the alley directly behind their building, to be used for possible future expansions of the Fire Company. He said that they would be happy to answer any questions.

Attorney Llewellyn explained that he understood from County Attorney Bill Rudd that there were possible issues with this road closing concerning reserving some right of ways for utilities, and said that he and the Petitioner are aware of that and are happy to accept that reservation in a final deed if the road opening and closing is approved.

Commissioner Shade opened the Public Hearing and asked if anyone had any comment on the Petition of the Bowling Green Volunteer Fire Company. There was no public comment. Commissioner Shade closed the hearing and said that the Commissioners could take action to open the road for the purpose of closing.

Upon Motion by Commissioner Brodie, seconded by Commissioner Caporale, and duly carried, the Board of County Commissioners approved and granted the Petition of the Bowling Green Volunteer Fire Company, Inc. to close a certain portion of an unnamed alley at the intersection with Hickory Avenue (formerly Walnut Street) running in a southeasterly direction alongside one of Petitioner's properties for a distance of approximately 200 feet and then alongside another of Petitioner's properties for a distance of approximately 126 feet, Election District 6, Allegany County, Maryland, with the total area of the unnamed alley to be opened for the purpose of closing being 3,239 square feet.

ACTION AGENDA

Item 3A – Amendment to the Employment Contract for James R. Pyles as Director of Emergency Services. County Administrator Brandon S. Butler explained that Item 3A was an amendment to the Employment Contract for Mr. James Pyles as the Director of Emergency Services. He commented that Mr. Pyles has done an exemplary job since coming on board with County Government in February 2019. Mr. Butler asked the Board of County Commissioners to approve an Amendment to the Employment Contract to extend it for a three-year term and to direct the County Administrator to execute it.

Commissioner Caporale commented that since Mr. Pyles came on with the Department of Emergency Services, there have been a lot of changes. He pointed out that some of the things the Commissioners wanted to see happen during this time are starting to happen, and he hopes that will continue.

Upon Motion by Commissioner Caporale, and seconded by Commissioner Brodie, the Board of County Commissioners approved and authorized the County Administrator to sign the Amendment to the Employment Contract for James R. Pyles as Director of Emergency Services.

Commissioner Brodie congratulated Mr. Pyles, and he said that he wanted to echo Commissioner Caporale's remarks. He asked Mr. Pyles to keep going with getting things done.

Commissioner Shade remarked that there is certainly more work to do and said that he was glad this (contract extension) would provide some certainty for the next few years about the future of EMS both in Allegany County and the region.

Item 3 – Too Toxic to Trash – Household Hazardous Waste Collection and Disposal Intergovernmental Agreement – Board of County Commissioners to approve the Household Hazardous Waste Collection and Disposal Intergovernmental Agreement with Maryland Environmental Services in order to hold the Saturday, October 5, 2019 Too Toxic to Trash Collection Event – Siera N. Wigfield, Recycling Coordinator, presented information about the Too Toxic to Trash Event to be held in Allegany County, as set forth on her staff report dated September 3, 2019, a copy of which is attached to and made a part of these Minutes. She announced the date of the event as Saturday, October 5, 2019, at the Allegany County Fairgrounds, and pointed out that items that will not be accepted include tires, electronics, medicine, medical waste, explosives or ammunitions.

Mrs. Wigfield asked the Commissioners to approve and sign an Intergovernmental Agreement with Maryland Environmental Service in connection with the Too Toxic to Trash event.

Commissioner Shade thanked Mrs. Wigfield for all her work on this event. He confirmed that the event will be held at the Fairgrounds on Saturday, October 5, and gave the time as 9 a.m. to 2 p.m., rain or shine.

Commissioner Caporale moved that the Commissioners accept, approve and agree to sign the Intergovernmental Agreement in connection with the Too Toxic to Trash event. Commissioner Brodie seconded the Motion. Motion carried.

Item 4 – Automated Vehicle Facility Request to Advertise – Board of County Commissioners to authorize the Department of Economic & Community Development to advertise Request for Proposals for the completion of a concept of operations study for an automated test facility to be located in Allegany County, Maryland – Brandon S. Butler, County Administrator, explained to the Commissioners that Item 4 involved an autonomous technology center concept of operations study. He asked the Commissioners to recall that back in September 2018, Governor Hogan commissioned a task force regarding the feasibility of an automated vehicle facility to be located in Allegany County, based off a feasibility study conducted by the University of Maryland's Transportation Institute. Mr. Butler reported that the task force has made contact with a number of organizations, both governmental and some key businesses, and they said to build a track and they would come test it out. He pointed out that the tracks currently used most heavily are located in Ohio and Michigan; but the problem with those is that they are all flat. Mr. Butler went on to point out that Allegany County has a number of mountainous areas to test these facilities, and he reported that at a recent conference in Orlando, he and Bill Atkinson of the Maryland Department of Planning were told that a concept of operations is needed, along with a price point. Mr. Butler explained that is the purpose of this Request for Proposals being presented to the Commissioners. He added that it will be posted on both the County's website and eMaryland Marketplace by September 16, 2019, and will have a due date of October 7, 2019, with a final document to be back by December 16, 2019. Mr. Butler referred to this project as a very exciting concept that would be a partnership with Frostburg State University.

Commissioner Brodie commented that he believed this was something that the Governor had previously promised funding for to build the track, and suggested that the Commissioners move on this as quickly as possible while funding is possible. Commissioner Shade agreed.

Upon Motion made by Commissioner Brodie, and seconded by Commissioner Caporale, the Board of County Commissioners authorized the Department of Economic & Community Development to advertise Request for Proposals for the completion of a concept of operations study for an automated test facility to be located in Allegany County, Maryland.

Item 5 – Commercial Lease with Option of Purchase with Manticorp, LLC – Board of County Commissioners to authorize the President of the Board of County Commissioners to execute a Commercial Lease with Option to Purchase for Building 27 in the Riverside Industrial Park – Brandon S. Butler, County Administrator, reminded the Commissioners that there was discussion at the last meeting about businesses that are investing and reinvesting into Allegany County, and he identified Manticorp LLC as one of those companies. Mr. Butler reported that Manticorp LLC, during its short time in Allegany County, now has over 90 jobs at its facility, which has been licensed for medical cannabis. He added that with their new expansion into Building 27, the building right behind the County Building, the company is looking at 50 to 70 more full-time jobs that would be ongoing with the expansion. Mr. Butler pointed out that Manticorp LLC is also dedicated to utilizing local labor to the tune of about 80 to 100 jobs to retrofit and expand the building.

Mr. Butler asked the Board of County Commissioners to authorize the commercial lease with an option to purchase for Manticorp LLC.

Commissioner Shade commented that Manticorp LLC has been a wonderful community partner, and that they have put around \$8 million to \$10 million of their own money into the facility. He added that the company is very happy being located in Riverside Industrial Park. Commissioner Shade said that the Commissioners wish the company well and hope that they continue to grow and expand and do innovative things at their Allegany County location.

Upon Motion by Commissioner Shade, seconded by Commissioner Brodie, and duly carried, the Board of County Commissioners approved and authorized the President to execute a Commercial Lease with Option to Purchase for Building 27 in the Riverside Industrial Park.

CONSENT AGENDA

As recommended by the County Administrator

Before action was taken on the Consent Agenda, Commissioner Brodie asked for Item 16 to be broken out and voted on separately, so he (as an employee of LaVale Sanitary) could recuse himself from the vote on that Item.

Upon Motion by Commissioner Shade, seconded by Commissioner Brodie, and Motion carried, the Board of County Commissioners adopted the Consent Agenda, as to Items 6 through 15 and 17 through 20, as recommended by the County Administrator.

Upon Motion by Commissioner Shade, seconded by Commissioner Caporale, and Motion carried, the Board of County Commissioners adopted Item 16 of the Consent Agenda. Commissioner Brodie abstained from voting on Item 16.

Item 6 – Resolution 19-12 – Fiscal Year 2019-2022 Cumberland Area Transportation Improvement Program – Board of County Commissioners, acting as the Metropolitan Planning Organization, authorized and adopted Resolution 19-12, the Cumberland Area Fiscal Year 2019-2022 Transportation Improvement Program.

Item 7 – Section 3 Plan Required for Community Development Block Grants (CDBG) – Board of County Commissioners approved the Section 3 Plan and authorized the President of the Board of County Commissioners to sign the renewal.

Item 8– Minority Business Plan for Community Development Block Grants – Board of County Commissioners adopted the CDBG Minority Business Plan required for receiving Community Development Block Grants and authorized the President of the Board of County Commissioners to sign renewal.

Item 9 – Fair Housing and Equal Opportunity Plan for Community Development Block Grants – Board of County Commissioners approved the CDBG Fair Housing and Equal Opportunity Plan required for receiving Community Block Grant funding and authorized the President of the Board of County Commissioners to sign the renewal.

Item 10 – Allegany County Board of Zoning Appeals Appointments – Board of County Commissioners approved the appointment of Dale L. Dickerhoof, Cumberland, Maryland, as a member of the Allegany County Board of Zoning Appeals. His term will expire on September 25, 2022.

Item 11 – Declaration of Surplus Real Property – Board of County Commissioners authorized several properties to be declared surplus and authorized their sale. Title to these properties passed to the Board of County Commissioners as a result of these properties being subject to tax sale and the foreclosure of the right of redemption by the title owners and other parties with interest in said properties.

Item 12 – Declaration of Surplus Vehicle – Board of County Commissioners authorized the Allegany County Sheriff's Office to declare a 2010 Honda Pilot surplus and authorize its disposal in accordance with county policy.

Item 13 – 2019 West Virginia Statewide Interoperable Radio Network (SIRN) Conference – Board of County Commissioners authorized Emergency Services to send their Communications Technician to the 2019 SIRN Conference to be held at the Canaan Valley Resort in Davis, West Virginia from September 22 - 25, 2019.

Item 14 – Purchase of Bleachers and Team Benches Request to Advertise – Board of County Commissioners authorized the Department of Public Works to advertise the request to bid for the purchase of bleachers and team benches. This project is on the Fiscal Year 2020 Program Open Space Annual Plan.

Item 15 – North Branch Pump Station Upgrade Bid Award – Board of County Commissioners awarded the North Branch Pump Station Upgrades project to Carl Belt, Inc., in the amount of \$1,879,446, and authorized the President of the County Commissioners to sign any and all necessary contract agreements and funding documents.

Item 16 – Engineering Services Contract and Funding Documents for Locust Grove Pump Station Program and Waterline Replacement – Board of County Commissioners authorized the Utilities Division Project Manager to sign the contracts for the engineering services with GHD Engineering for the Locust Grove Pump Station Floodplain Study and the LaVale 12" Waterline Replacement final design, subject to funding agency approval; and authorized the President of the County Commissioners to sign applications and funding documents for the projects.

Item 17 – Professional Engineering Services – 2019-2020 National Bridge Inspection Program – Board of County Commissioners awarded the contract for field inspection and preparation of inspection reports in accordance with the National Bridge Inspection Program for 73 county and municipality maintained structures meeting federal criteria to the joint venture of Johnson, Mirmiran & Thompson, Inc., and Rummel, Klepper & Kahl, LLC, pending approval by the

Maryland State Highway Administration Bridge Inspection and Remedial Engineering Division.

Item 18 – General Services Administration Public Buildings Lease Amendment – Board of County Commissioners authorized the President of the Board of County Commissioners to execute a Lease Amendment No. 5 to extend the terms of the agreement an additional five years, with a two-year firm commitment for the FEMA building located at the North Branch Industrial Park.

County Administrator Butler remarked that this Lease Amendment to extend the terms an addition five years would not have been possible without the work of Matt Diaz of the County's Department of Economic & Community Development.

Item 19 – Community Promotions – Board of County Commissioners authorized the County Finance Office to remit \$500 budgeted from the Community Promotions Account to support the Joe Howser Memory Walk to be held on Saturday, October 12, 2019 at the Cresaptown PVAA Sports Complex Track, Darrow's Lane, Cresaptown.

Item 20 – State Homeland Security Grant Program – Board of County Commissioners approved the State Homeland Security Grant Program issued by the Maryland Institute for Emergency Medical Services Systems in the amount of \$23,699.50, for the acquisition of communications equipment and Stop the Bleed equipment in support of EMS response capability for active assailant incidents.

County Attorney William M. Rudd commented on the real property just declared surplus at this meeting (as Item 11 of the Consent Agenda). He told the Commissioners that the Legal Office has been in the process of getting rid of some of the County's surplus property, which is usually property acquired at tax sale because nobody bid on it. Attorney Rudd reported that sale of one such property closed today, and that a business owner has put in a bid on another piece of property and is interested in possibly acquiring more property on which to put electronic equipment. He added that some purchasers come back and ask for the County's list to see if they are interested in buying any of it, and get it back on the tax rolls.

Commissioners' statements, comments, recognition –

Commissioner Brodie congratulated Mr. Dale Dickerhoof on his appointment to the Board of Zoning Appeals and wished him the best. Commissioner Brodie also recognized Wayne Rounds from Barton Hose Company, present in the audience at this meeting. He thanked Chief Rounds for attending the meeting.

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

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, September 26, 2019, 5:00 p.m.

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:30 p.m.

Jacob C. Shade, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary



ALLEGANY COUNTY DEPARTMENT OF PUBLIC WORKS

701 Kelly Road, Suite 300
Cumberland, MD 21502
301-777-5933 FAX 301-777-2001
alleganygov.org

Item 3

BOARD OF COUNTY COMMISSIONERS

Jacob C. Shade, *President*
Creade V. Brodie, Jr.
David J. Caporale

Paul F. Kahl, P.E.
Director of Public Works
Adam Patterson, P.E.
Deputy Director

STAFF REPORT

TO: Brandon S. Butler, County Administrator
FROM: Paul Kahl, P.E., Director of Public Works,
Siera Wigfield, Transportation Planner *SW*
DATE: September 3, 2019
RE: Household Hazardous Waste Collection and Disposal Intergovernmental
Agreement with Maryland Environmental Services No. 2-16-4-12

For the Agenda of September 12, 2019

1. BACKGROUND

On Saturday, October 10, 2015 from 9 am to 2 pm at the Allegany County Fairgrounds. Allegany County will be holding its biennial Too Toxic To Trash Event to dispose of residential household hazardous waste. The recycling office as scheduled the event with ACVEnviro (formerly Clean Ventures) via a Maryland Environmental Services (MES) contract to provide hazardous material collection and disposal service.

2. ISSUES

a. ACVEnviro an environmental services provider and hazardous/industrial waste transportation company has been in business for over 35 years and operates a waste processing and disposal facility in Baltimore, Maryland. This facility is fully permitted by the Maryland Department of Environmental to process and dispose of HHW. Material from events held by Frederick, Worchester, Harford and Carol Counties' HHW Day collections have been transported to this disposal facility.

b. Under Federal Law, only residentially generated hazardous materials may be collected. Businesses and industries cannot legally participate in the County's HHW Collection Day.

3. FINANCIAL IMPACT

\$17,000 County funds have been designated for this event in the FY 2019 Budget. This includes costs for advertising, disposal service, and miscellaneous expenditures. In addition, contributions have been sponsored by the City of Cumberland, City of Frostburg, and NEFCO.

4. ALTERNATIVES

No action whereby Allegany County does not offer a Household Hazardous Waste Day collection event in 2019.

5. OTHER CONSIDERATIONS

Yuck Old Paint will be contracted to collect paint from the public. This is due to the high cost of HHW disposal and the fact that paint can be readily dried and disposed with normal waste. This allows available funds to be used to collect more hazardous waste.

6. CONFORMITY TO COUNTY POLICY

The procedure for establishing and holding the HHW Collection Day conforms to that used in the past.

7. RECOMMENDATION

I recommend that the County Commissioners sign the Household Hazardous Waste Collection and Disposal Intergovernmental Agreement with Maryland Environmental Services in order to hold the October 5, 2015 Too Toxic To Trash Collection Event.