

February 24, 2022

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 David J. Caporale; County Administrator Jason M. Bennett; and County Attorney T. Lee Beeman, Jr.

Commissioner Creade V. Brodie, Jr. was unable to attend this evening's meeting.

The Pledge of Allegiance was led by David Nedved and recited by those present.

MOTION

Commissioner Shade read two items to be added to this evening's agenda, as follows:

Item 12 – Request for Proposals for Cumberland Raceway – Board of County Commissioners authorized the release of an RFP for sealed proposals to establish a contract through competitive negotiation for the promotion of dirt track racing at the Allegany County Fairgrounds.

Item 13 – Purchase of Used Ram 550 Truck – Board of County Commissioners authorized the Department of Public Works to purchase one used 2022 Dodge Ram 550 truck from Country Chevrolet, Inc., Warrenton, Virginia, in the amount of \$75,156.47.

Upon Motion made by Commissioner Caporale and seconded by Commissioner Shade, and duly carried, the Board of County Commissioners agreed to add Item 12 – Request for Proposals for Cumberland Raceway, and Item 13 – Purchase of Used Ram 550 Truck, to the Consent Agenda for this evening's meeting.

There were no further additions or deletions to the agenda.

MOTION

Upon Motion by Commissioner Caporale, and seconded by Commissioner Shade, the Minutes of the February 10, 2022, public business meeting were approved by the Board of County Commissioners.

ACTION AGENDA

Item 1 – Code Home Rule Bill 1-22 – Introduction – “Economic Development Bond Authorization” – Jason M. Bennett, CPA, County Administrator, presented background and details regarding Code Home Rule Bill No. 1-22 – “Economic Development Bond Authorization” as set forth on the Bill, a copy of which is attached to and made a part of these Minutes. Mr. Bennett explained that this evening was the introduction of Code Home Rule Bill 1-22, with hearing to be held on the Bill on March 10, 2022. He pointed out that if there is no comment on the Bill at the hearing and the Commissioners can take action on it on March 10, the Bill will become effective April 24, 2022, with closing to be soon after that.

Commissioner Shade confirmed with Mr. Bennett that no action was needed on this Item this evening, that it was just introduction of Code Home Rule Bill 1-22.

Item 2 – Great Allegheny Passage – Patty Baker Road Slide Repair Project Request to Award – Board of County Commissioners to approve the award for the Great Allegheny Passage – Patty Baker Road Slide Repair project to GeoStabilization International, Inc. in the amount of \$169,339 to complete necessary stabilization activities along the Great Allegheny Passage – Daniel S. DeWitt, PE, County Engineer. Adam Patterson, P.E., Director of Public Works, presented background and information about the Patty Baker Road Slide Repair Project, as set forth in the County Engineer's Staff Report on the subject dated February 18, 2022, a copy of which is attached to and made a part of these Minutes. Mr. Patterson asked the County Commissioners for their approval to award the contract for this Project to GeoStabilization International, Inc.

Upon Motion made by Commissioner Shade, seconded by Commissioner Caporale, and duly carried, the Board of County Commissioners approved the award for the Great Allegheny Passage – Patty Baker Road Slide Repair project to GeoStabilization International, Inc. in the amount of \$169,339 to complete necessary stabilization activities along the Great Allegheny Passage

Item 3 – Baltimore Street Comprehensive Investment Program – Board of County Commissioners to approve a \$200,000 match for a downtown facade improvement grant, \$150,000 match for a downtown residential improvement grant, and a \$15,000 match for a downtown business attraction grant totaling \$365,000 from the Community Enhancement Fund to

be awarded to the Cumberland Economic Development Corporation – Jeffrey S. Barclay, Director of Economic and Community Development, and Matthew B. Miller, Director of Cumberland Economic Development Corporation. Jeffrey S. Barclay, Director of Economic and Community Development for Allegany County, talked about applications received for funding from the Invest Allegany Program, and also about a discussion he had with Matthew Miller, Director of the Cumberland Economic Development Corporation, regarding the Baltimore Street Comprehensive Investment Program as to how the two programs could complement each other. Mr. Barclay explained that he was present at this meeting to ask the Commissioners for their approval of County matches for Baltimore Street Comprehensive Investment Program grants as set forth on the list which is attached to and made a part of these Minutes.

Cumberland Mayor Ray Morriss made brief comments regarding the Baltimore Street Comprehensive Investment Program.

Upon Motion made by Commissioner Caporale and seconded by Commissioner Shade, the Board of County Commissioners approved a \$200,000 match for a downtown facade improvement grant, \$150,000 match for a downtown residential improvement grant, and a \$15,000 match for a downtown business attraction grant, totaling \$365,000 from the Community Enhancement Fund, to be awarded to the Cumberland Economic Development Corporation.

CONSENT AGENDA

As recommended by the County Administrator

Upon Motion by Commissioner Caporale, seconded by Commissioner Shade, and Motion carried, the Board of County Commissioners approved and adopted the Consent Agenda as recommended by the County Administrator.

Item 4 – Request for Proposals – A Regional Approach to Growing Western Maryland’s Outdoor Economy – Board of County Commissioners approved the RFP to solicit companies to bid on a strategic and recruitment plan for Elevating the Outdoors: A Regional Approach to Growing Western Maryland’s Outdoor Economy, a collaborative regional project with Garrett County Government and the State’s Maryland Department of Commerce.

Item 5 – Garden City Mobile Home Park Partial Acquisition Bid Acceptance – Board of County Commissioners approved the award for building new decks/porches for seven occupied mobile homes at their new location for the Garden City Mobile Home Park Partial Acquisition project to Mullan Homes, Inc, Cumberland, Maryland for an estimated amount of \$83,650, and authorized change orders in the contract for any additional residential construction that may be needed for the mobile home relocations.

Item 6 – Appointment to the Rocky Gap Local Development Council – Board of County Commissioners approved the appointment of Brian Kurtz to the Rocky Gap Local Development Council for Allegany County to fulfill the remaining term of Skylar Dice as the Council’s representative from Rocky Gap Casino. His term will expire in March 2023.

Item 7 – Governor’s Office of Crime Control and Prevention Grant Award – Board of County Commissioners approved a grant agreement with the Governor’s Office of Crime Control and Prevention to accept funding in the amount of \$102,000 for the Performance Incentive Grant Fund dedicated to the County Sheriff’s Office Pretrial Services, and authorized the President of the County Commissioners to sign the grant.

Item 8 – Eilerslie Community Park Operations and Maintenance Agreement – Board of County Commissioners authorized the President of the County Commissioners to sign the three-year Operations and Maintenance Agreement for the Eilerslie Community Park with the Eilerslie Athletic Association.

Item 9 – Oldtown Lions Club Field Operations and Maintenance Agreement – Board of County Commissioners authorized the President of the County Commissioners to sign the three-year Operations and Maintenance Agreement for the Oldtown Lions Club Field with the Oldtown Youth Sports Commission.

Item 10 – Rawlings Community Park Operations and Maintenance Agreement – Board of County Commissioners authorized the President of the County Commissioners to sign the three-year Operations and Maintenance Agreement for the Rawlings Community Park with the Potomac Valley Lions Club.

Item 11 – 60th Annual Alhambra Catholic Invitational Tournament – Board of County Commissioners authorized the County Finance Department to remit \$3,000 budgeted from the Community Promotions Account to support the 60th Annual Alhambra Catholic Invitational Tournament, Frostburg, Maryland, March 10-12, 2022.

Item 12 – Request for Proposals for Cumberland Raceway – Board of County Commissioners authorized the release of an RFP for sealed proposals to establish a contract through competitive negotiation for the promotion of dirt track racing at the Allegany County Fairgrounds.

Item 13 – Purchase of Used Ram 550 Truck – Board of County Commissioners authorized the Department of Public Works to purchase one used 2022 Dodge Ram 550 truck from Country Chevrolet, Inc., Warrenton, Virginia, in the amount of \$75,156.47.

Constituents – In order of sign-up sheet –

Mrs. Nancy Brant spoke again of her concerns regarding the siren going off at the Bedford Road Fire Department.

County Administrator Jason Bennett had no further comments to make at this evening's meeting.

County Attorney Lee Beeman had no further comments to make at this evening's meeting.

Commissioners' statements, comments, recognition –

Commissioner David Caporale had no further comments to make at this evening's meeting.

Commissioner Jacob Shade had no further comments to make at this evening's meeting.

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, March 10, 2022, 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

BILL NO. 1-22

A BILL ENTITLED

“ECONOMIC DEVELOPMENT BOND AUTHORIZATION”

A PUBLIC LOCAL LAW TO AUTHORIZE AND EMPOWER COUNTY COMMISSIONERS OF ALLEGANY COUNTY, FROM TIME TO TIME, TO BORROW NOT MORE THAN SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000), OR SUCH LESSER AMOUNT AS MAY BE AUTHORIZED BY SUBSEQUENT RESOLUTION OR RESOLUTIONS OF THE COUNTY, FOR THE PUBLIC PURPOSE OF FINANCING OR REFINANCING ALL OR A PORTION OF THE COSTS OF ONE OR MORE ECONOMIC DEVELOPMENT BUILDINGS, AND TO EVIDENCE SUCH BORROWING BY THE ISSUANCE AND SALE, UPON ITS FULL FAITH AND CREDIT, OF ITS GENERAL OBLIGATION BOND OR BONDS, IN LIKE PAR AMOUNT; EMPOWERING AND DIRECTING THE COUNTY TO ADOPT A RESOLUTION OR RESOLUTIONS IN ACCORDANCE WITH SECTION 19-504(D) OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND PRIOR TO ISSUING ALL OR ANY PART OF SUCH BOND OR BONDS; EMPOWERING AND DIRECTING THE COUNTY TO LEVY AD VALOREM TAXES IN RATE AND AMOUNT SUFFICIENT TO PROVIDE FUNDS FOR THE PAYMENT OF THE MATURING PRINCIPAL OF AND INTEREST ON THE BOND OR BONDS AS AND WHEN ANY OTHER REVENUES PROVIDED FOR THE PAYMENT THEREOF ARE OR WILL BE INSUFFICIENT FOR SUCH PURPOSES, AND PLEDGING THE COUNTY’S FULL FAITH AND CREDIT AND UNLIMITED TAXING POWER; EXEMPTING THE BONDS FROM THE PROVISIONS OF SECTIONS 19-205 AND 19-206, INCLUSIVE, OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF

MARYLAND; AND RELATING GENERALLY TO THE ISSUANCE AND SALE OF SUCH BOND OR BONDS.

BE IT ENACTED BY COUNTY COMMISSIONERS OF ALLEGANY COUNTY:

Section 1. The County is hereby authorized and empowered to borrow money and incur indebtedness for the public purpose described in Section 2 hereof, at one time or from time to time, in an aggregate principal amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000), or such lesser amount as may be authorized by subsequent resolution or resolutions of the County, and to evidence such borrowing by the issuance and sale, at public or private sale, upon its full faith and credit, of its taxable or tax-exempt general obligation bond or bonds (the "Bonds") in like par amount, which may be issued at one time or from time to time, in one or more transactions or series, as the County may determine.

Section 2. The proceeds of the Bonds shall be expended for the public purpose of financing or refinancing, in whole or in part, the costs of one or more economic development buildings, including design, engineering, planning, fiscal and legal expenses related thereto, whether or not specifically stated.

Section 3. Prior to issuing all or any part of the Bonds, the Board of County Commissioners of Allegany County (the "Board") shall adopt one or more resolutions containing all of the provisions required under Section 19-504(d) of the Local Government Article of the Annotated Code of Maryland. Such resolution(s) may also contain such other provisions as the Board may deem appropriate. Such resolution(s) may be adopted by the Board from time to time and at any time after the enactment of this public local law and the appropriate officers of the County may take any action deemed appropriate to effect the timely issuance and sale of the Bonds pursuant to such resolution(s) at any time after the enactment of this public local law, provided only that no

such resolution may become finally effective until the effective date of this public local law. The Bonds may be sold on any date or dates after the effective date of this public local law and may be issued in one or more series, and at one time or from time to time, as the Board in the resolutions(s) may determine.

Section 4. The debt service on the Bonds may be made payable in the first instance from any user fees or other revenues of the County specified and described in the resolution(s) of the Board adopted in accordance with Section 3 hereof. For the purpose of meeting the debt service requirements on the Bonds, if and when any such revenues provided for the payment thereof are or will be insufficient for such purposes, the County shall levy for each and every fiscal year during which any of the Bonds may be outstanding ad valorem taxes upon all real and tangible personal property within its boundaries subject to assessment for unlimited County taxation in rate and amount sufficient to provide for the prompt payment of the principal of and the interest on the Bonds maturing in each fiscal year; and, in the event the proceeds from the collection of the taxes so levied in any such fiscal year may prove inadequate for such purpose, additional taxes shall be levied in the subsequent fiscal year to make up any such deficiency.

The full faith and credit and unlimited taxing power of the County are hereby irrevocably pledged to the prompt payment of the maturing principal of and interest on the Bonds as and when the same become due, and to the levy and collection of the taxes hereinabove described as and when such taxes may become necessary in order to provide sufficient funds to meet the debt service requirements of the Bonds. The County hereby covenants with each holder of any of the Bonds to take any action that may be appropriate from time to time during the period that any of the Bonds remain outstanding and unpaid to provide the funds necessary to make the principal and

interest payments due thereon and further covenants and agrees to levy and collect the taxes hereinabove described.

Section 5. The Bonds authorized to be issued hereunder are hereby specifically exempted from the provisions of Sections 19-205 and 19-206, inclusive, of the Local Government Article of the Annotated Code of Maryland.

Section 6. This public local law shall take effect forty-five days after it is enacted.

COUNTY COMMISSIONERS OF ALLEGANY COUNTY, MARYLAND

Jacob C. Shade, President

Creade V. Brodie, Jr., Commissioner

David J. Caporale, Commissioner

Introduced: [], 2022
Heard: [], 2022
Enacted: [], 2022

The Cumberland Times-News: _____, 2022; _____, 2022, and _____, 2022



BOARD OF COUNTY COMMISSIONERS

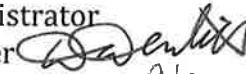

Jacob C. Shade, *President*
Creade V. Brodie, Jr.
David J. Caporale

ALLEGANY COUNTY
DEPARTMENT OF PUBLIC WORKS

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

Adam Patterson, P.E.
Director of Public Works
Daniel S. DeWitt, P.E.
County Engineer

STAFF REPORT

TO: Jason M. Bennett, CPA, County Administrator
FROM: Daniel S. DeWitt, P.E., County Engineer 
CC: Adam Patterson, P.E., Director of Public Works 
DATE: February 18, 2022
RE: **Great Allegheny Passage - Patty Baker Rd (MP11.5) Slide Repair Request to Award Project**

For the Agenda of February 24, 2022 Public Meeting

1. BACKGROUND

As part of the regular and ongoing maintenance activities for the Great Allegheny Passage (GAP), an area of concern was identified near mile point 11.5 (MP11.5), just below Patty Baker Rd crossing west of Mount Savage.

County crews attempted to repair and stabilize an area of active subsidence immediately adjacent to the GAP. Recognizing the safety concern caused by the subsidence to the trail users along the GAP, Allegany County reached out to GeoStabilization International (GSI) to conduct a site visit.

GSI performed the specialty work for slide repair/stabilization under a contract Allegany County awarded to Carl Belt, Inc. in 2017. GSI visited the MP11.5 site in Spring 2021 to obtain field measurements and provide a price quotation.

GSI made known the availability of a unit-price contract bid publicly through Delaware County, NY that other County government units in Maryland (Baltimore and Harford, specifically) had recently utilized to complete repairs in a timely manner.

Allegany County DPW consulted with the County Attorney to provide documentation and details of the Delaware County, NY contract. The County Attorney indicated DPW could proceed with award of a contract to GSI under the Delaware County, NY unit-price contract.

GSI provided a price quotation in accordance with this unit-price contract. Total anticipated project costs are \$169,339.00. This covers mobilization, ninety self-drilling soil nails (up to 30LF each), galvanized plates for each nail, 6" thick layer of shotcrete facing, and associated drainage.

In-kind assistance will be provided through labor and equipment by the Allegany County Sheriff's Office – Alternative Sentencing Division and the Allegany County Department of Public Works – Roads Division.

Request is to award contract to GeoStabilization International, Inc. in the amount of \$169,339.00 to complete necessary stabilization activities along the Great Allegheny Passage.

2. ISSUES

GSI will coordinate with the Western Maryland Scenic Railroad (WMSR) to ensure construction activities do not interfere with planned train operations and vice versa.

3. FINANCIAL IMPACT

At the October 7, 2021 Public Business Meeting, the County Commissioners authorized use of American Rescue Plan (ARP) funds for this project.

4. ALTERNATIVES

Do not proceed with project award. This may lead to continued safety concerns with trail integrity and stability.

5. OTHER CONSIDERATIONS

N/A

6. CONFORMITY TO COUNTY POLICY

Conforms to County policy.

7. RECOMMENDATION

Award contract to GeoStabilization International, Inc. in the amount of \$169,339.00 to complete necessary stabilization activities along the Great Allegheny Passage.

cc: GSI Price Proposal
Delaware County, NY Unit Price Contract Information

Baltimore Street Comprehensive Investment Pro

Downtown Façade Improvement Grant

Allocation: \$200,000 CEDC Contribution, \$200,000 match from County = \$400,000

Purpose: to provide funding to improve the aesthetic appearance of the buildings located along the Baltimore Street corridor. The program will be designed to assist property owners with rehabilitating the facades of storefronts, businesses and mixed-use properties to create a positive visual impact, stimulate private investment, and complement the overall revitalization efforts of the downtown district.

Applicant Match: No match requirement up to \$7,500. 1:1 match for every dollar after \$7,500 (\$20,000 would require a \$12,500 match = \$32,500 project)

Grant Limits: Minimum \$2,500, Maximum \$100,000 per application (1 application per address)

Downtown Infrastructure Upgrade Grant

Allocation: \$150,000 from DHCD's Strategic Demolition Fund = \$150,000

Purpose: to provide sufficient funding for building owners to take advantage of the infrastructure upgrades (Water and Fiber Internet) that will be taking place during the Baltimore Street Access project. This will prevent future disruption to the new street façade after completion of the project and will encourage upper story development with adequate water capacity for fire suppression systems allowing more flexibility in terms of usage.

Applicant Match: None

Grant Limits: \$5,000 grant per applicant (30 grants)

Downtown Residential Development Grant

Allocation: \$200,000 CEDC Contribution, \$150,000 match from County = \$350,000

Purpose: to provide financial assistance for projects that include the development of market rate residential units along the Baltimore Street corridor. The program will further encourage building owners to activate unused/underutilized space with market rate housing. The increase in resident's downtown will promote the sustainability of downtown businesses, attract new businesses to the area, and increase revenue streams to property owners – leading to future investment/reinvestment back into the buildings.

Applicant Match: 1:1 Match requirement for all projects

Grant limits: \$5,000 minimum, \$100,000 maximum per application (1 application per address)



Downtown Technical Assistance Grant

Allocation: \$20,000 CEDC Contribution = \$20,000

Purpose: to provide financial assistance to downtown building owners to support the necessary investment needed to investigate potential development or activation of unused space in buildings along Baltimore Street. The grant can be used for planning, architectural/engineering design, feasibility studies or any other predevelopment support that enables a project to be conducted more efficiently.

Applicant Match: 1:1 Match requirement for all eligible projects

Grant Limits: \$5,000 Maximum per application (1 application per address)

Business Attraction Grant for Downtown

Allocation: \$15,000 City of Cumberland Contribution, \$15,000 match from County = \$30,000

Purpose: to assist new and expanding businesses with rental reimbursement in return for locating their business or service in our downtown district. The program will serve multiple needs including, but not limited to:

- New Job Creation (a minimum of 40 FTEs if 100% successful)
- Activating Empty Store Fronts and/or Office Space
- Supplementing Private Capital for other Start-up costs
- Increase foot traffic downtown

Amount: Primary District: \$500/month – fixed amount - for 6 months (\$3,000)

Secondary District: \$400/Month – fixed amount – for 6 months (\$2,400)

Eligibility (Generally):

- Must be at least a 1-year lease for \$800 or more/month
- Business must be open for 40 hours/week
- Must be commercial space – retail, office, restaurant etc. (for non-residential purposes)
- Must be located in the primary or secondary taxing district
- Must be a new or expanding business (cannot be relocating from an existing office in Cumberland unless for expansion purposes)
- Must show proof of rental payment – funds will be reimbursed upon providing proof of payment
- Must consist of at least 4 FTEs or 7 PTEs (NEW Jobs)
- Other requirements TBD

Administration: The Program will be executed, marketed and administered by CEDC Staff in collaboration with DDC Director.