

March 10, 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 recited by those present.

MOTION #1

Commissioner Shade brought up one item to be added to this evening's agenda: Item 19 – Purchase of Used 2020 Dodge Durango for the Allegany County Sheriff's Office.

Upon Motion made by Commissioner Caporale, seconded by Commissioner Shade, and duly carried, Item 19 – Purchase of Used 2020 Dodge Durango for the Allegany County Sheriff's Office was added to the Consent Agenda for this 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 24, 2022, public business meeting were approved by the Board of County Commissioners.

STATE OF THE COUNTY ADDRESS

**January 1, 2021 – December 31, 2021
President Jacob C. Shade**

Commissioner Shade read into the record the annual State of the County for calendar year 2021. A copy of the State of the County as read by Commissioner Shade is attached to and made a part of these Minutes.

PUBLIC HEARING

Item 1 – Code Home Rule Bill 1-22 – Public Hearing – Possible Action – “Economic Development Bond Authorization” – Jason M. Bennett, CPA, County Administrator, reminded the Commissioners that Code Home Rule Bill 1-22 was introduced at the last public business meeting held on February 24, 2022. He explained that tonight was the public hearing on the Bill, after which action could potentially be taken on it. Mr. Bennett reminded the Commissioners that this is a \$750,000.00 bond bill, and in reality, a \$500,000.00 loan through Tri-County Council, for the construction of the BSI (Berkley Springs Instruments) Building that was mentioned in the State of County address. He informed the Commissioners that if they did take action on Code Home Rule Bill 1-22 this evening, it would become effective on April 24, 2022 and that the County could close on the loan shortly thereafter.

Commissioner Shade opened the Public Hearing and asked if there was any public comment.

There was no public comment received regarding Code Home Rule Bill 1-22 – “Economic Development Bond Authorization”. Hearing was closed.

Upon Motion made by Commissioner Caporale, seconded by Commissioner Shade, and duly carried, the Board of County Commissioners adopted Code Home Rule Bill 1-22 – “Economic Development Bond Authorization”.

ACTION AGENDA

Item 2 – Public Comment Period for the 2021-2031 Allegany County Solid Waste Management Plan – Board of County Commissioners to approve to open a public comment period for the 2021-2031 Allegany County Solid Waste Management Plan beginning March 11, 2022 and end on March 25, 2022 – Adam Patterson, PE, Director, presented background and details relative to this Item, as set forth on the Staff Report on this subject dated March 4, 2022, a copy of which is attached to and made a part of these Minutes.

Commissioner Caporale moved that the Board of County Commissioners approve the opening of a public comment period for the 2021-2031 Allegany County Solid Waste Management Plan, beginning March 11, 2022 and ending on March 25, 2022. Commissioner Shade seconded the Motion. Motion carried to approve.

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 3 – Resolution 22-2 – Authorizing Resolution for Filing Fiscal Year 2023 Transit Grant Applications – Board of County Commissioners authorized the County Administrator or the President of the County Commissioners to file an application for transit grants.

Item 4 – Scattered Sites Housing Program – Board of County Commissioners approved the acceptance of an offer netting an estimated \$86,600 from Mandy L. Thomas, Cumberland, Maryland, to purchase the property know as 682 Fayette Street, Cumberland, Maryland, Property Tax Account Number 06-005438, and authorized the President of the County Commissioners to sign the closing documents and the deed for the sale of the property.

Item 5 – Allegany County Community Enhancement Program – Board of County Commissioners approved giving the Town of Barton \$8,000 from the Allegany County Community Enhancement Program to demolish a dilapidated building located at 19000 North Railroad Street. When the demolition work is completed, the Town plans to construct a small Community Center at that location.

Item 6 – Allegany County Sheriff's Office American Rescue Plan Funding – Board of County Commissioners authorized the reallocation of \$9,400 in funds previously allocated from the American Rescue Plan Stimulus funding to purchase technology for the patrol division of the Sheriff's Office to ensure their ability to connect to necessary software and databases, and to collaborate virtually ensuring operational efficiency.

Item 7 – Allegany County Narcotics Task Force American Rescue Plan Funding – Board of County Commissioners authorized the use of up to \$21,000 of American Rescue Plan Stimulus Funding to purchase technology and software for the Allegany County Narcotics Task Force unit to improve their operational capacity and investigative efficiency.

Item 8 – Mexico Farms Waterline Replacement Request Permission to Advertise – Board of County Commissioners authorized the Department of Public Works to advertise the Mexico Farms Waterline Replacement project, and authorized the President of the County Commissioners to sign appropriate contract documents.

Item 9 – Corriganville Waterline Replacement Request Permission to Advertise – Board of County Commissioners authorized the Department of Public Works to advertise the Corriganville Waterline Replacement project, and authorized the President of the County Commissioners to sign appropriate contract documents.

Item 10 – Klondike Waterline Replacement Request Permission to Advertise – Board of County Commissioners authorized the Department of Public Works to advertise the Klondike Waterline Replacement project, and authorized the President of the County Commissioners to sign appropriate contract documents.

Item 11 – Purchase of Special Operations Swift Water Boat – Board of County Commissioners authorized the Department of Emergency Services to purchase a swift rescue boat from Cumberland Marine Repair, York, Pennsylvania, in the amount of \$17,360, as allocated through the Fiscal Years 2022-2026 Capital Improvement Program.

Item 12 – Declaration of Surplus Vehicles – Board of County Commissioners authorized the Allegany County Sheriff's Office to declare a 2007 Dodge Charger, VIN# 2B3KA43G97H708325, and a 2013 Ford Explorer, VIN# 1FM5K8AR2DGA80616 as surplus and dispose of them in accordance with county policy.

Item 13 – Declaration of Surplus Vehicles – Board of County Commissioners authorized Allegany County Transit to declare a Fleet #307 International Bus, VIN# 1HVBTAAM2AH263143, and a Fleet #309 International Bus, VIN# 1HVBTAAM6AH263145 as surplus and dispose of them in accordance with county policy.

Item 14 – Declaration of Surplus Vehicles – Board of County Commissioners authorized the Department of Public Works to declare a 2001 Chevrolet 1500 Pickup Truck, VIN# 1GCEK14W91Z305207, and a 2003 Chevrolet Silverado Pickup Truck, VIN# 1GCHK24U93E181340 as surplus and dispose of them in accordance with county policy.

Item 15 – Declaration of Surplus Vehicles – Board of County Commissioners authorized the Department of Public Works to declare the following vehicles/equipment as surplus and dispose of them in accordance with county policy: 2000 GMC C8500 Dump Truck, VIN# 1GD9T7H1C4YJ525176, a 1996 International 4900 Dump Truck, VIN# 1HTSDAAR4TH369064, a 1986 International 1954 Dump Truck, VIN# 1HTLDTVR5GHA54695, a 2005 Chevrolet 1500 Pickup Truck, VIN# 1GCEK14V55Z297913, a 1993 Case/International 895 Tractor/Mower, VIN# JJE0030668, a 1999 GMC T7500 Vacuum Truck, VIN# 1GDM7C1C1XJ512454, and a Scotchlite/Sign Machine Heat Lamp Application 1PH (Type G1036).

Item 16 – Declaration of Surplus Vehicles – Board of County Commissioners authorized the Department of Public Works to declare the following recycle trailers as surplus and dispose of them in accordance with county policy: Trailers with tag numbers LG 55858, LG 75090, LG 05082, LG 68170, LG 14620, LG 84247, LG 05076, LG 10111, and LG 84248.

Item 17 – Declaration of Surplus Property – Board of County Commissioners authorized the Department of Public Works to declare a fence and shed located at 18622 Lower Town Creek Road, Oldtown, Maryland, as surplus and allow them to be left on-site for use by Mr. John Teter in exchange for \$300 rent for January 2022.

Item 18 – Allegany County Board of Zoning Appeals Appointments – Board of County Commissioners approved the appointment of Donald F. White, Cumberland, Maryland, as a member of the Allegany County Board of Zoning Appeals. His term will expire on September 25, 2024. Also, the Board of County Commissioners approved the appointment of Seth D. Bernard as an alternate member to the Board of Zoning Appeals. His term will expire on September 25, 2023.

Item 19 – Purchase of Used 2020 Dodge Durango for the Allegany County Sheriff’s Office - Board of County Commissioners approved the purchase of a used 2020 Dodge Durango for the Allegany County Sheriff’s Office.

County Administrator Jason Bennett had no further comment to make at this evening’s meeting.

County Attorney Lee Beeman had no further comment to make at this evening’s meeting.

Commissioners’ statements, comments, recognition

Commissioner David Caporale acknowledged that this year’s PACE conference was the last one for Senator Edwards, who is retiring. He also congratulated Commissioner Shade on his final State of the County presentation. He thanked Commissioner Shade for his service and friendship and told him that he looked forward to working with him in the future.

Commissioner Jacob Shade thanked Commissioner Caporale and remarked that the last four years have been great.

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, March 24, 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



ALLEGANY COUNTY, MARYLAND

The Board of County Commissioners

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

Jason M. Bennett, *CPA, County Administrator*
T. Lee Beeman, Jr., *County Attorney*

The Board of County Commissioners of Allegany County

State of the County

January 1, 2021 – December 31, 2021

As Allegany County and the nation emerge from this pandemic, we are stronger than ever. Due to 8 years of conservative budgeting, we now have a record \$4.2 million surplus, which we will use for the benefit of our residents. Additionally, we have ensured that our \$13.2 million in ARPA/stimulus funding is used for worthy projects and not wasted.

Allegany County invested \$500,000 to upgrade and expand broadband access and service via the Allconet fixed wireless broadband network. Allconet core network speeds were expanded in some areas by 10 times and the deployment of new CBRS 4G/5G LTE technologies provided much higher speed and power to push through the challenging Allegany County terrain. The CBRS technology coupled with deployment of equipment at 6 new sites and 4 new tower sites has enabled new connectivity options in Cash Valley, Flintstone, Mount Savage and Oldtown. We have also committed an additional \$1,000,000 million with the Connect Allegany program scheduled to launch on March 24, 2022 to further address connectivity needs.

Allegany County Department of Emergency Services secured the largest amount of grant money in the history of the Department, over \$1.1 million. This saves valuable tax dollars and providing state of the art radio and dispatching equipment.

We have more personnel working at the 911 Joint Communications Center than ever before. Working with AFSCME, we secured the largest pay raise for our 911 Dispatchers in the history of the 911 Center. When you call 911, we are getting to residents faster than ever before.

We have more EMS Clinicians working in Allegany County than ever before in the history of Department of Emergency Services. We are now providing 24/7 365 staffing at the Flintstone Fire Department, thus getting to faster now than ever before when you call 911 on the east end of the County.

We have also provided additional staffing at the Cresaptown Fire Department and the Corriganville Fire Department, getting to you faster now than ever before when you call 911. We will be putting a chase car equipped with basic life support 24/7 365 coverage on Route 51 from Cumberland City to Paw Paw.

We are currently conducting a Compensation & Classification Study through Evergreen Solutions, LLC, to ensure all County classifications reflect their duties and responsibilities and salary range assignments are internally equitable and competitive within our employment market

In the Department of Public Works, the second phase of a multiphase drainage improvement project was completed in Bowling Green for \$275,000.

A Georges Creek Stream Restoration Project was completed near Georges Creek School for \$150,000.

A collaborative effort between Public Works and Economic Development successfully completed the Frostburg Tech Building Project for approximately \$3,400,000.

A Safety improvement project on the GAP were made by incorporating a solar powered lighting system in the Borden Tunnel. The project totaled \$183,000.

The county replaced the Oldtown Roads Garage and Solid Waste/Recycling Site for \$1,200,000.

The LaVale Library Renovation/Addition is well underway, the project total is approximately \$4,400,000 with 90% of the funding coming from the State of Maryland.

Allegany High School Asbestos Abatement was completed for approximately \$1,000,000 and the demolition of the building will be underway soon estimated at \$700,000.

A new location in the Bedford Road area is now served by an Allegany County water system. The project totaled approximately \$600,000.

In Economic Development:

Ground is being cleared for construction of a 193,000 square foot FedEx distribution center. This will be the largest new building in the county since 2004.

The construction of 2nd Webstaurant location in Frostburg, MD. We retained 20 jobs and will yield 25-30 new jobs over the next 3 years.

We saw the completion of the new Berkley Springs Instruments (BSI) headquarters in Frostburg. It is a state of the art, 13,000 square foot facility that houses both back office and manufacturing activities.

We gave \$125,000 to the CEDC for the purchase of a property on Messick Road, to be developed by the CEDC at a later date.

An elevating the Outdoor Economy partnership/collaboration with Garrett County and Maryland Department of Commerce, received \$75,000 from ARC to strategically expand upon business attraction specific to outdoor/lifestyle manufacturing. \$25,000 match from Allegany County, Garrett County, and Commerce for \$150,000 total project.

Invest Allegany, a \$2 million matching grant program for capital improvements for businesses located in Allegany County, and our flagship program this year went live on Feb 21st. Grants range from \$20,000 to \$250,000.

The program is designed to encourage direct investment from business owners and to support redevelopment of the downtown sections of Cumberland, Frostburg, and other main streets in Allegany County.

The partnership between Allegany County and the City of Cumberland has never been stronger. Awarded \$365,000 to the CEDC for The Baltimore Street Comprehensive Improvement Program to match \$585,000 of capital grant and DHCD money to inject an additional \$950,000 into downtown Cumberland.

Our P-Tech program is thriving and will graduate first class this year.

The Western Maryland IT Center for Excellence is introducing a new 2 year data analytics program.

To date, out of 24 jurisdictions in the state of Maryland, only six had a flat or positive increase in Tourism Sales and Use Taxes for 2021 vs 2020. Allegany County, was the 2nd highest jurisdiction in state for Tourism Sales and Use Tax growth.

Our Tourism economy continues to be resilient and successful in 2021 as we welcomed:

- Nearly 1 million visitors to Rocky Gap Casino Resort
- 330,000 visitors on our two trail systems – the Great Allegheny Passage and the C&O Canal Towpath
- 47,000 riders on the Western Maryland Scenic Railroad.

We continued to assist our tourism attractions and our hospitality business community through pandemic recovery, while fostering new growth and expansion. Allegany County saw a surge in entrepreneurship in last year:

Tracks and Yaks, Maryland's only rail biking excursion opened in Frostburg.

Wheelzup Adventures, a full-service sporting goods and community and experience focused outfitter, open in Cumberland.

Steam returned to the mountainside, and we are excited for the success of the Western Maryland Scenic Railroad with the fully-restored 1309 steam engine, the largest operating locomotive of its type in the world.

Frostburg's downtown welcomed 9 new businesses and zero closures.

Cumberland's downtown welcomed 13 new businesses.

Our Tourism Department took home two statewide awards, the Leveraging Partnership Award and Cooperative Partnership Award, during the 40th Annual Maryland Travel and Tourism Summit in November.

Great Allegheny Passage Economic Impact Study which revealed the trail system generates \$800,000 in annual economic impact, per mile, equating to \$32 million in Allegany County.

Launched new product development to engage with visitors and create transactional opportunities such as the George Washington Trail 1753 and Donut and Coffee Trail.

Our tourism office continues to work in collaboration with local and regional partners with a focus on product development that will enhance our tourism assets and continue to deliver on quality of life in Allegany County, Maryland.

Allegany County, the City of Cumberland, and Canal Place Preservation and Development Authority have an active agreement to collaborate on the development of the Canal Place River Park Project. The River Park has the potential to transform the downtown, connecting outdoor recreation associated with river usage, generating economic impact while also tackling an environmental cause.

It has been an honor to serve as Allegany County Commissioner over the past 8 years. This is my last State of the County and I want to thank our citizens, county employees, and everyone else that is involved in our community. I can say without a doubt that Allegany County is on the right path and I'm excited to see what comes next. Thank you.



**ALLEGANY COUNTY
DEPARTMENT OF PUBLIC WO.**

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Adam

BOARD OF COUNTY COMMISSIONERS

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

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

STAFF REPORT

TO: Jason Bennett, County Administrator
FROM: Brynn Laird, P.E., Engineer III *BL*
CC: Adam Patterson, P.E., Director of Public Works *AdPa*
Jinny Warn, Recycling Coordinator
DATE: March 4, 2022
RE: **Public Comment Period for the Allegany County Solid Waste Management Plan 2021 - 2031**

For the Agenda of March 10, 2022, Public Meeting

1. BACKGROUND

The Allegany County Solid Waste Management Plan provides a system of resource recovery and solid waste disposal which will handle the County's current and anticipated future volume of solid waste as economically as possible while ensuring that public health, safety, and environmental quality are protected. The Plan follows the MDE requirements per Sections 9-503, 9-505, and 9-1703 of the Environment Article, Annotated Code of Maryland, and Code of Maryland Regulations (COMAR) 26.03.03.

The 2021 revision of the County's Solid Waste Management Plan was prepared by the Department of Public Works with input from the Solid Waste Management Board. Subsequently, the Board approved a draft Plan for submission to the MDE for initial review. The comments received from the MDE have been addressed and the Board has approved a final draft Plan. **Before the Plan can be adopted by the Allegany County Commissioners, a public comment period must be held in order to comply with Section 9-506 (1) of the Environment Article, Annotated Code of Maryland. The public comment period will begin on March 11, 2022 and end on March 25, 2022. The draft Solid Waste Management Plan 2021 - 2031 will be posted on the County's website. Comments and questions can be emailed to the Recycling Coordinator at recycling@alleganygov.org.**

A summary of the 2021 revision of the Plan is as follows:

- I. Items Not Changed
 - a. Reduce, Reuse, Recycle/Compost, and Landfill hierarchy in waste disposal.
 - b. Acknowledgement that a properly sited and permitted Land Clearing Landfill and/or Solid Waste Transfer Station, be it privately- or publicly-owned, is not inconsistent with the County's Solid Waste Management Plan.
- II. Items Added or Changed
 - a. In 2019, the State of Maryland enacted House Bill 929 which includes the requirement that counties include office building recycling to Plan. See Section 3.7.2.
 - b. Mountainview Landfill, Inc. is now owned by Noble Environmental. Noble Environmental has expressed preliminary interest in possibly expanding the landfill beyond its current permitted footprint, which is expected to reach capacity in 2023. Allegany County has entered into an agreement with Western Maryland Waste Systems, LLC, a subsidiary of Waste Management, to haul Allegany County solid waste to the Mostoller Landfill near Somerset, PA, via their recently acquired Transfer Station near Cresaptown, MD, until year 2035.
 - c. Updated references to 2014 Comprehensive Plan and 2018 Zoning.
- III. Key Recommendations
 - a. A consolidation of recycling collection sites should be implemented to collect a more comprehensive suite of materials at each site, better secure sites to minimize contamination and theft, maximize accessibility, and increase participation.
 - b. Allegany County should establish a satellite mulch and yard trimmings collection site at Mountainview Landfill or other location in the western side of the County.
 - c. In the absence of state grant funding, Allegany County should sponsor annual or biennial fee-based resident tire event.
 - d. Allegany County should sponsor annual or biennial Too Toxic to Trash Events, formerly known as Household Hazardous Waste Events. Grant funding and sponsorships from municipalities, solid waste haulers, and other organizations will be sought to keep the event costs down for Allegany County.
 - e. The County should implement a licensing procedure with minimum qualifications for collectors/haulers of commercial and municipal solid waste and recyclables in Allegany County.
 - f. The County Zoning Ordinance and building permit process should be revised to address the following issues:
 - i. Requirement that the building permit application process for all new commercial, industrial, institutional, and multi-family development require the applicant to complete a Construction Site Waste Management Statement to identify the proposed waste collection location, both during and after construction, and any recycling facilities and/or recycling planned for the development.

- ii. Requirement that all new commercial and industrial development provide for the proper allowance and storage of wastes and recyclables to preclude same from becoming a contaminant or nuisance.

2. ISSUES

N/A

3. FINANCIAL IMPACT

N/A

4. ALTERNATIVES

Do not begin the public comment period.

5. OTHER CONSIDERATIONS

N/A

6. CONFORMITY TO COUNTY POLICY

Conforms to County policy.

7. RECOMMENDATION

Open the public comment period for the Allegany County Solid Waste Management Plan 2021 – 2031 on March 11, 2022 for two weeks.