

March 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 Creade V. Brodie, Jr.; Commissioner David J. Caporale; County Administrator Jason M. Bennett; and County Attorney T. Lee Beeman, Jr.

The Pledge of Allegiance was led Mr. Ed Taylor and recited by those present.

MOTION

There were no additions or deletions to the Agenda.

MOTION

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

PUBLIC HEARING

Item 1 – Road Opening Petition – Gregory P. Nicol – The road opening petition is with the intent of closing a ten-foot unnamed lane or alley lying immediately adjacent to the property of Gregory P. Nicol between Upper Rockville Street and St. Mary's Church Terrace, near the Town of Lonaconing, Allegany County, Maryland – Gorman E. Getty, III, Esquire, provided background and details about the proposed road opening with intent of closing. Attorney Getty pointed out that the road to be opened, then closed, is an unnamed ten-foot alley that borders his client, Gregory Nicol's property. He asked for the Board of County Commissioners' consideration of the petition submitted to the County on Mr. Nicol's behalf. Attorney Getty told the Commissioners that he has received no negative comment regarding the proposed road opening/closing. He also confirmed that if the Commissioners sign the Order to open the ten-foot alley, he and his client will then file a petition to permanently close it.

Commissioner Shade opened the Public Hearing on the road opening petition of Gregory P. Nicol, and asked if there was any public comment. There being no public comment received, he then closed the hearing.

Item 2 – Constant Yield Hearing – Jason M. Bennett, CPA, County Administrator, reminded the Commissioners that each year, as part of the budget process, a constant yield hearing is held. Mr. Bennett explained that an advertisement was run in the Cumberland Times-News back on March 14, 2022, to display the constant yield message and rates. Copies of the advertisement and rates as discussed by Mr. Bennett are attached to and made a part of these Minutes. Mr. Bennett pointed out that State law provides that it may calculate the "constant yield", which is the tax rate necessary for the County to collect the exact same tax as collected last year. He explained that the constant yield is sent to every County as the State starts the budget process. Mr. Bennett then announced that this evening was the Public Hearing on the Constant Yield. He then presented information as set forth on the attached tax rate information sheet.

Mr. Bennett also pointed out that not one of the proposed tax rates is in excess of the current tax rate, and that, in fact, all of the municipality rates are actually lower than last year's rate. He added that the unincorporated (excluding towns) rate is the same as last year's rate.

Mr. Bennett repeated that this evening was the Public Hearing, the chance for any public comment on the rates that will be moving forward with the budget. He asked the Commissioners for any comment they had before opening the public hearing and taking public comment.

Commissioner Caporale asked for clarification that, even though the rates have not changed, numerous properties in the County may or may not be affected by change in assessments. Mr. Bennett explained that the State does three different zones of reassessments, one each year, and that this year they did the eastern end of Allegany County. He said that those rates did rise by about eleven percent (11%). He said that assessments on some properties in the County may dip.

Commissioner Brodie asked Mr. Bennett who does the assessments, and Mr. Bennett replied that the State of Maryland does them and sends the County the information. He mentioned that there is an appeal process to the State if a property owner disagrees with the assessment of a property. Mr. Bennett explained, in answer to a question from Commissioner Caporale, that a property owner could go to the State Department of Assessments and Taxation website to access forms to fill out to file an appeal to an assessment.

Commissioner Shade asked Mr. Bennett about whether taxes would be higher or lower this year on various municipalities, and in each instance, they would be lower, except for “excluding towns”, which would be the same.

Commissioner Shade opened the Public Hearing, and said that there were two people signed up to speak.

Mr. Larry Trenum started off by voicing his concerns about the County’s abatement process. Commissioner Shade told Mr. Trenum that a public hearing was being held at this time and that only comments on the constant yield were to be heard during the public hearing.

Mr. Trenum then briefly commented on tax rates in Allegany County.

Mrs. Nancy Brant spoke next and discussed her concerns regarding the constant yield and tax rates in Allegany County.

Hearing closed. Administrator Bennett and Commissioners Shade and Caporale made brief comments before moving on to the Consent Agenda.

CONSENT AGENDA

As recommended by the County Administrator

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

Item 3 – Resolution 22-3 – Fiscal Year 2023 Cumberland Area Unified Planning Work Program – Board of County Commissioners, acting as the Metropolitan Planning Organization, approved the adoption of Resolution 22-3 endorsing the Fiscal Year 2023 Unified Planning Work Program.

Item 4 – Allegany County 2022 Priority Letter to Maryland Department of Transportation – Board of County Commissioners approved and agreed to sign the Allegany County 2022 Priority Letter and submit it to the Secretary of Maryland Department of Transportation.

Item 5 – George’s Creek Wastewater Treatment Plant Grinding System Bid Award – Board of County Commissioners approved the award for the Georges Creek Wastewater Treatment Plant Grinding System to JWC Environmental, Inc., in the amount of \$67,190, and authorized the President of the County Commissioners to sign any necessary award documents and agreements associated with the project.

Item 6 – Solid Waste Management Board Appointment and Membership Renewals – Board of County Commissioners approved the appointment of Matthew Furman to serve as an alternate member of the Solid Waste Management Board in the Solid Waste Hauler/Recycler position for a two-year term, and renewal of the memberships of Woody Getz and Dick Soderman as representatives for the Environmental Group and Citizen-at-Large for two-year terms.

Item 7 – Maryland Arts & Entertainment Districts Redesignation – Board of County Commissioners approved an acknowledgement letter that the income tax subtraction modification will continue to be offered in the Arts & Entertainment district, and confirmed the continued provision of a property tax credit and an exemption from the admissions and amusement tax.

Item 8 – Allegany County Sheriff’s Office American Rescue Plan Funding – Board of County Commissioners approved allocating \$67,802 from the American Rescue Plan Stimulus funding to purchase two TruNarc devices for the Allegany County Sheriff’s Office to improve officer safety when dealing with unidentified substances, increase our advantage against new synthetic drugs that enter the community, and improve the operational capacity of our agency in this global drug problem.

Item 9 – Fitness Equipment for the Maryland State Police Cumberland Barrack – Board of County Commissioners approved the request for fitness equipment for the new Maryland State Police Cumberland barrack in the amount of \$13,387, to come from our ARPA funding. This equipment will be utilized by troopers to maintain their health, fitness, and well-being in order to better serve our community.

Item 10 – Community Promotions – Board of County Commissioners authorized the County Finance Department to remit \$1,000 budgeted from the Community Promotions Account for the 2022 Oldtown Summer Fest Community event to be held on Saturday, June 25, 2022.

Item 11 – Community Promotions – Board of County Commissioners authorized the County Finance Department to remit \$1,000 budgeted from the Community Promotions Account for the 2022 Thomas Cumberland Tri-State Wing-Off, hosted by the Western Maryland Jaycees, to be held at the Allegany County Fairgrounds.

Item 12 – Request for Tax Abatement – Board of County Commissioners approved the abatement of taxes in the total amount of \$1,815.58 for two properties located at 45 Ormand Street, Frostburg, and 42 N. Water Street, Frostburg. These properties have been acquired by the City of Frostburg and will be demolished for future development.

Item 13 – Purchase of a 2015 Jeep Cherokee – Board of County Commissioners approved the purchase of a 2015 Jeep Cherokee, VIN# 1C4PJMAB1FW524069, from Timbrook Chrysler Dodge Jeep Ram, in the amount of \$22,550.

Item 14 – Resolution 22-4 – Rules & Regulations Governing Employees of Allegany County, Maryland Amendments – Board of County Commissioners approved Resolution 22-4, the amendments to the Rules & Regulations Governing Employees of Allegany County, Maryland.

Item 15 – Request for Proposal for a new Department of Economic and Community Development Responsive Website Redesign and Content Management System Rebuild – Board of County Commissioners approved an RFP for a new DECD responsive website redesign and CMS rebuild to be published on March 25, 2022 on the County's website and eMarylandplace website to encourage the competitive bid process on a regional scale.

County Administrator Jason Bennett read two letters into the record; copies of the letters as read by Mr. Bennett are attached to and made a part of these Minutes. The letters were signed by the County Commissioners.

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

Commissioners' statements, comments, recognition –

Commissioner David Caporale talked about the budget and addressed untrue speculations that federal funds were used to prop up the County's budget. Commissioner Caporale said that the Commissioners can state and show that was not the case. He also expressed his concerns with cutting the piggyback income tax.

Commissioner Creade Brodie had no further comments to make at this evening's meeting.

Commissioner Jacob Shade announced that budget sessions will continue in two weeks, and he also talked about the Invest Allegany Program and announced that the deadline for applications will now be May 6, 2022.

Additionally, Commissioner Shade also let everyone know that Connect Allegany broadband funding has gone live and is on the County's website. He provided brief details about the Connect Allegany program.

Constituents – In order of sign-up sheet –

Mr. Larry Trenum, 19114 South Railroad Street, Barton, expressed issues he has with the County's abatement process. County Attorney Lee Beeman addressed Mr. Trenum's remarks.

Mr. Edward Taylor, 400 South Allegany Street, Cumberland, voiced concerns regarding the Heritage Days Festival. Commissioner Caporale asked Mr. Taylor if he has spoken with the City of Cumberland about the Festival and pointed out that the County cannot ask to realign the Heritage Days Festival because the County does not put it on. Mr. Taylor confirmed that he has.

Ms. Peggy Kean, 309 Skyview Lane, LaVale, first expressed her agreement with Mr. Taylor's remarks. She then presented some information about the DAR (Daughters of the American Revolution) and spoke about an issue they are having regarding the George Washington Headquarters in Cumberland, which the DAR maintains.

Ms. Michelle Miller, 11305 Featherbed Lane, Corriganville, thanked the Commissioners for allowing her to speak at this meeting, then brought to the Commissioners' attention the poor condition of a property adjacent to hers. Ms. Miller explained that the property owner has died and that apparently the property is being used as a place to dump and then burn debris and garbage. This has happened on numerous occasions. She attempted to report this but the County is currently without a Code Enforcement Officer.

Commissioner Shade asked Ms. Miller to speak with County Attorney Beeman after the meeting. Administrator Bennett updated Ms. Miller on the status of a new Code Enforcement Officer for the County.

Ms. Kecia Coleman, 15700 Warnick Road, Frostburg, talked about issues she has with the County's employment process.

Mr. John Brant, 15708 Warnick Road, Frostburg, identified himself as Ms. Coleman's father and spoke in agreement with her concerns about the County's employment process.

Commissioner Brodie commented on Ms. Coleman's and Mr. Brant's remarks.

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, April 7, 2022, 5:00 p.m.

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 6:10 p.m.

Jacob C. Shade, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary



ALLEGANY COUNTY, MARYLAND

The Board of County Commissioners

701 Kelly Road
Cumberland, MD 21502
T 301 777-5911 F 301 724-6970
www.alleganygov.org

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

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

March 22, 2022

To Whom It May Concern:

The County Commissioners of Allegany County, Maryland extends their support for the application from the Barton Hose Company for a Community Project Fund request through Congressman Trone.

The Barton Hose Company provides exemplary service to the citizens of the community of Barton, as well as in surrounding areas in Allegany and Garrett Counties. The Barton volunteers work tirelessly raising necessary funds to provide this service. However, with skyrocketing prices, traditional fundraising methods often come up short.

The Board of Commissioners strongly supports this request as an effort to provide adequate and effective fire and rescue protection for Allegany County. We thank you for your consideration of this project and encourage you to join us in our efforts to further support the residents of Allegany County, Maryland.

Sincerely,

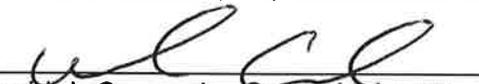
The Board of County Commissioners



Jacob C. Shade, President



Creade V. Brodie, Jr., Commissioner



David J. Caporale, Commissioner



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March 24, 2022

Mr. Andrew Arvizu
Acting Administrator
Maryland Heritage Areas Authority
100 Community Place, 3rd Floor
Crownsville, MD 21032

Dear Mr. Arvizu:

I am writing to convey the support of the Board of County Commissioners of Allegany County for the Canal Place Preservation and Development Authority's (CPPDA) application for a Fiscal Year 2023 Management Grant and Block Grant from the Maryland Heritage Areas Authority (MHAA).

Canal Place utilizes the Management grant not only to operate and maintain Canal Place and its properties and events, but also to administer and support initiatives in the Passages of the Western Potomac Heritage Area (PWPHA). Examples of this year's initiatives include:

- Continuing to move forward with the River Park at Canal Place project
- Providing technical assistance to the existing and newly expanded heritage area
- Nurture existing partnerships and build new partnerships
- Encourage use of heritage tourism-related facilities within the heritage area
- Create additional physical and programmatic links between the City of Frostburg and the City of Cumberland
- Continue to develop appropriate recreational and special event facilities and programs
- Educate the public on historic preservation
- Encourage heritage tourism business opportunities through workforce development, funding opportunities, and workshops
- Adequately market the heritage area working cooperatively with local heritage tourism organizations
- Advertise and administer block grants for heritage tourism-related projects
- Fulfill the reporting requirement of the MHAA

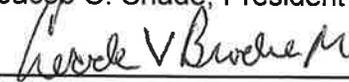
It is our hope that you will favorably consider this Management Grant and Block Grant request. If you have any questions or comments regarding our support, please do not hesitate to contact us.

Sincerely,

The Board of County Commissioners



Jacob C. Shade, President



Creade V. Brodie, Jr., Commissioner



David J. Caporale, Commissioner

cc: Deidra Ritchie

ALLEGANY COUNTY NOTICE OF A PROPOSED REAL PROPERTY TAX INCREASE

The County Commissioners of Allegany County propose to increase real property taxes.

1. For the tax year beginning July 1, 2022, the estimated real property assessable base will increase by 1.7% from \$2,264,165,192 to \$2,302,427,168.
2. If Allegany County maintains the current tax rate of \$.9750 per \$100 of assessment, real property tax revenues will increase by 1.7% resulting in \$373,054 of new real property tax revenues.
3. In order to fully offset the effect of increasing assessments, the real property tax rate should be reduced to \$0.9588, the constant yield tax rate.
4. The County is considering not reducing its real property tax rate enough to fully offset increasing assessments. The County proposes to adopt a real property tax rate of \$.9750 per \$100 of assessment. This tax rate is 1.7% higher than the constant yield tax rate and will generate \$373,054 in additional property tax revenues.

A public hearing on the proposed real property tax rate increase will be held at 5:00 pm on March 24, 2022 in the County Commissioners' Meeting Room, County Office Complex, 701 Kelly Road, Cumberland, Maryland.

The hearing is open to the public and public testimony is encouraged. Persons with questions regarding this hearing may call (301) 777-5911 for further information.

There are certain municipalities within the County which have different tax rates. The above revenues and tax rates are county wide, excluding municipalities with different tax rates. The following chart provides the corresponding information and tax rates for those municipalities.

ALLEGANY COUNTY NOTICE OF A PROPOSED PROPERTY TAX INCREASE

JURISDICTION	PERCENTAGE	PREVIOUS	NEW	CURRENT	PERCENTAGE	INCREASE
	INCREASE IN	ASSESSABLE	ASSESSABLE		INCREASE IN	IN
	BASE	BASE	BASE	TAX RATE	REVENUES	REVENUES
EXCLUDING TOWNS	1.7%	\$2,264,165,192	\$2,302,427,168	\$0.9750	1.7%	\$373,054
BARTON	1.9%	12,010,344	12,240,170	0.9094	1.9%	2,090
CUMBERLAND	2.3%	900,150,159	921,064,787	0.8316	2.3%	173,905
FROSTBURG	1.9%	358,053,229	364,851,656	0.8627	1.9%	68,650
LONACONING	3.1%	28,294,575	29,161,349	0.8773	3.1%	7,604
LUKE	0.1%	28,723,739	28,742,931	0.8753	0.1%	168
MIDLAND	3.0%	12,132,805	12,498,206	0.9094	3.0%	3,323
WESTERNPORT	0.9%	54,204,060	54,870,372	0.9094	0.9%	4,241
		\$3,657,734,103	\$3,725,656,639			\$623,035
JURISDICTION	CONSTANT	PROPOSED	PERCENTAGE	ADDITIONAL		
	YIELD	TAX	HIGHER THAN	PROPERTY TAX		
	TAX RATE	RATE	CONSTANT YIELD	REVENUES		
EXCLUDING TOWNS	\$0.9588	\$0.9750	1.7%	\$373,054		
BARTON	0.8923	0.8963	0.3%	367		
CUMBERLAND	0.8128	0.8161	0.4%	32,237		
FROSTBURG	0.8466	0.8474	0.1%	2,919		
LONACONING	0.8512	0.8632	1.4%	3,499		
LUKE	0.8747	0.8609	-1.6%	(3,967)		
MIDLAND	0.8828	0.8953	1.4%	1,562		
WESTERNPORT	0.9016	0.8953	-0.7%	(3,444)		
				\$406,227		

Allegany County
 Property Tax Estimate, Using Current Tax Rate
 FY2023
 24-Mar-22

Tax Rate Remains at .9750

Taxing Area	Real Estate		Personal Property		Public Utilities		FY2018 Total Estimated Tax Revenues
	Constant Yield Assessment	Current Tax Rate	Estimated Assessable Base	Current Tax Rate	Estimated Assessable Base	Current Tax Rate	
Allegany County	\$2,302,427,168	\$0.9750	\$129,526,475	\$2.4375	\$121,379,856	\$2.4375	\$28,564,507
Barton	12,240,170	0.8953	834,668	\$2.2382	750,284	\$2.2382	145,060
Cumberland (Gross without Rebate)	921,064,787	0.8161	41,254,061	\$2.0403	46,435,513	\$2.0403	9,305,859
Frostburg	364,851,656	0.8474	9,262,850	\$2.1185	11,160,478	\$2.1184	3,524,411
Lonaconing	29,161,349	0.8632	1,941,443	\$2.1580	2,744,668	\$2.1580	352,853
Luke	28,742,931	0.8609	2,253,076	\$2.1522	1,070,123	\$2.1522	318,967
Midland	12,498,206	0.8953	287,918	\$2.2382	804,293	\$2.2382	136,341
Westport	54,670,372	0.8953	1,047,994	\$2.2382	3,319,831	\$2.2382	567,225
Total C. Y. Assess.	\$3,725,656,639		\$186,408,485		\$187,665,046		\$42,935,223
Add: Public Utility R/E	11,292,510	0.8161					\$92,158
Grand Total	\$3,736,949,149						\$43,027,386

Assessment Comparison

	Real Estate	Personal Property	Public Utilities	Total Assessment
FY2023 Total Assessment	\$3,736,949,149	\$186,408,485	\$187,665,046	\$4,111,022,680
FY2022 Total Assessment	\$3,640,466,421	\$186,408,485	\$146,078,506	\$3,972,953,412
Increase/(Decrease)	\$96,482,728	\$0	\$41,586,540	\$138,069,268

Comparison of Property Tax Revenues

	R/E Tax	PIP Tax	P/U Tax	Total Tax
FY2023 Estimated Gross Tax Revenue*	\$34,359,501	\$4,334,063	\$4,333,817	\$43,027,381
FY2022 Budgeted Gross Property Tax Revenue*	\$33,705,872	\$4,355,750	\$3,398,295	\$41,459,917
Increase/(Decrease)	\$653,629	(\$21,687)	\$935,522	\$1,567,464
% Increase (Decrease)	1.94%	-0.50%	27.53%	3.78%