

May 7, 2020

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 Brandon S. Butler; and County Attorney T. Lee Beeman, Jr. The following business was transacted:

The Pledge of Allegiance was recited by all present at this meeting.

The meeting was again available to the public by livestream only.

MOTION

At Commissioner Shade's request, Item 4A – CARES Funding Plan was added to the Action Agenda for this meeting without objection.

There were no further additions or deletions to the Agenda.

MOTION

Upon Motion by Commissioner Caporale, seconded by Commissioner Shade, and Motion carried, the Commissioners approved the Minutes of the April 30, 2020, public business meeting.

Before proceeding with the Agenda, Commissioner Shade explained that Commissioner Brodie was not present at this evening's meeting because of a family medical issue.

Commissioner Shade then announced that the County's CARES Funding Plan was submitted last week as required to the State of Maryland. He explained that the County had to plan for approximately \$12.2 million in expected funding, and that half of that will go through the County Health Department for direct health-related matters. Commissioner Shade reviewed the plan for the remaining funds, starting with the largest expenditure, \$3.5 million in business support, to be in three phases. The rest of the funds would go to the County's municipalities for reimbursable costs, at approximately \$750,000 in total for that expenditure; for Tourism support, technology upgrades, and safety enhancements; and for hazard pay for County employees working on the front lines instead of working from home. Commissioner Shade explained that the hazard pay would be \$3.13 per hour, both retroactive to March 17 (when state of emergency was declared) and going forward, and would be added to the pay of employees working at EMS, 911, Detention Center, Sheriff's Office, Transit, and Utilities. He added that details would be forthcoming.

Regarding funding for business support, Commissioner Shade said that the portal will be back up on Monday (May 11, 2020), and he pointed out that businesses who have already submitted applications for assistance should not do so again at this time; only businesses who have not already applied should do so.

PRESENTATIONS

Item 1 – Psychology and Professional Counseling Month Proclamation – Brandon S. Butler, County Administrator, offered brief remarks, then read the Commissioners Proclamation of May 2020 as Psychology and Professional Counseling Month in Allegany County.

Item 2 – Five Year Capital Improvement Program (CIP) Budget Fiscal Year 2021 – 2025 – Daniel S. DeWitt, PE, County Engineer, presented the County's Five-Year Capital Improvement Program (CIP) for Fiscal Years 2021 - 2025. Mr. DeWitt pointed out that the projects included in the CIP are those that are over \$25,000 in cost and have a life expectancy of 10 years. He said that the CIP would be on the May 28, 2020 public business meeting agenda for adoption. A copy of the CIP, as presented by Mr. DeWitt, is available on the County's website and is attached to and made a part of these Minutes by reference.

At the conclusion of his presentation, Mr. DeWitt asked that anyone having any comments on the CIP direct them to him, using his contact information as included on the presentation.

Commissioner Shade asked if there were any current Allegany High School projects. Mr. DeWitt told him that there were no new projects for Allegany High School at this time.

Item 3 – Fiscal Year 2021 Allegany County Sanitary Commission Recommendations – Adam Patterson, PE, Deputy Director of Public Works, presented the FY-2021 Allegany County Sanitary Commission Recommendations for proposed utility rates for FY-2021. A copy of his presentation is attached to and made a part of these Minutes.

At the beginning of his presentation, Mr. Patterson commended County Engineer Dan DeWitt for his work, remarking that Mr. DeWitt is great to work with, as well as very organized. Mr. Patterson explained that this was his first time putting together the CIP, and he thanked Jason Bennett, Paul Kahl, and Amy Williams for all the assistance they provided to him during the process. He then presented the recommended proposed Allegany County Utility Rates (Water and Sewer) for Fiscal Year 2021, as set forth on the copy of his presentation attached to and made a part of these Minutes. Mr. Patterson announced that the rates as presented would be available on the County's website for public viewing.

PUBLIC HEARING

Item 4 – Fiscal Year 2021 Second Preliminary Budget Public Hearing – Jason M. Bennett, CPA, Director of Finance, announced this was the second public hearing on the County's Fiscal Year 2021 Preliminary Budget as presented by him at the previous Commissioners Public Business Meeting (on April 30, 2020). He reported that no public comment was received on the preliminary budget, which was posted on the County's website for public review. As he had done at the previous meeting, Mr. Bennett pointed out that because of the ongoing COVID-19 situation, changes will need to be made to the budget later.

Commissioner Shade thanked Mr. Bennett for his work on the budget, and he also pointed out that this preliminary budget includes no tax increases to County taxpayers. He invited public comment by e-mail and announced that the Fiscal Year 2021 Preliminary Budget will be on the agenda for the May 28, 2020 public business meeting for approval.

Mr. Bennett explained that he had no plan to present this evening for further borrowing, because everything is included on the CIP, with funding already in place for the projects presented.

ACTION AGENDA

Item 4A – CARES Funding Plan – Commissioner Jake Shade asked the Commissioners for their approval and agreement to sign the State-required provision for the CARES Funding Plan for Allegany County, and to forward the provision to the State of Maryland.

Upon Motion by Commissioner Caporale, seconded by Commissioner Shade, and duly carried, the Board of County Commissioners approved and agreed to sign the State-required provision for the CARES Funding Plan for Allegany County, and forward the provision to the State of Maryland.

Item 5 – Department of Economic & Community Development Appalachian Regional Commission (ARC) Federal Fiscal Year 2021 Priorities – Authorize the County Commissioners to approve the transmittal of a recommended priority list of seven Area Development projects and two Access Road projects to Tri-County Council for Western Maryland for consideration for ARC funding in Federal Fiscal Year 2021 – Brandon S. Butler, County Administrator, presented the list of projects to be considered for ARC Funding for Fiscal Year 2021, as prepared by David Nedved of the County's Department of Economic & Community Development. He pointed out that the following Area Development Projects were listed from highest priority to lowest, and read the list:

1. City of Cumberland - Decatur Street Crosstown Water Main Replacement (\$300,000 project cost)
2. Allegany College of Maryland – Allied Health Patient Simulators
3. Allegany County Board of Education – Robotics Kits for Elementary and Secondary Schools
4. Archway (new applicant) – Allegany Oxford House Residential Recovery
5. Humpty Dumpty School – Building Renovation for New Learning Center
6. Allegany College of Maryland – Allegany County Board of Education – Automotive Technology Training – Inventory of Late Model Vehicles
7. Allegany College of Maryland – Workforce Training – Theater Enhancement Program Project

Mr. Butler reported the total cost of the listed projects at about \$1.2 million. He also pointed out that because of the limited pot of ARC funding, not all of the listed projects would be funded. He added that there were also two Access Road projects to be considered for funding: one from Allegany County for the Cumberland Chase Access Road (\$1 million), and the other from the City of Frostburg for Gateway Enhancement at Braddock Road, Phase 4 (completion phase) (\$1.5 million).

Mr. Butler asked the Commissioners for their approval of the ranking of the projects to be submitted for consideration for ARC funding and to authorize transmittal of the Priority List to Tri-County Council for Western Maryland.

Commissioner Caporale moved that the Board of County Commissioners approve the transmittal of the recommended priority list of seven Area Development projects and two Access Road projects to Tri-County Council for Western Maryland for consideration for ARC funding in Federal Fiscal Year 2021. 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 adopted the Consent Agenda as recommended by the County Administrator.

Item 6 – Resolution 20-4 – Fiscal Year 2021 Cumberland Area Unified Planning Work Program – Board of County Commissioners, acting as the Metropolitan Planning Organization, approved the adoption of Resolution 20-4 endorsing the Fiscal Year 2021 Unified Planning Work Program.

Item 7 – Holly Avenue Recreation Area and LaVale Lions Field Operations and Maintenance Agreement – Board of County Commissioners approved the O&M Agreement between the Board of Allegany County Commissioners and the LaVale Athletic Association for a period of three years until December 31, 2022. Holly Avenue Recreation Area and LaVale Lions Field were purchased by the County with State of Maryland Program Open Space Funds.

Item 8 – Allegany County Courthouse Boilers – Board of County Commissioners approved the award for refurbishment with a ten-year warranty for the Allegany County Courthouse Boilers to James S. Gunst Company, Inc. in the amount of \$123,380.

Item 9 – Request for Tax Abatement – Board of County Commissioners approved the abatement of taxes in the amount of \$19,452.40. This request is for tax years 2000 to 2020 and represents old real and personal property accounts that have become uncollectible for various reasons.

Item 10 – Allegany County Coronavirus Emergency Response – Board of County Commissioners authorized the acceptance of the Bureau of Justice Assistance (BJA) Fiscal Year 2020 Coronavirus Emergency Supplemental Funding Program in the amount of \$58,008 for costs associated with the Allegany County Sheriff's Office and the Detention Center.

Item 11 – Great Allegheny Passage Maintenance Equipment Lease – Board of County Commissioners approved the award for a Great Allegheny Passage Maintenance Equipment Lease Agreement to Bill Miller Equipment Sales, Inc., to maintain the 21 miles of the GAP from Cumberland to the Pennsylvania State Line for proper maintenance and safety of the trail for recreational use.

County Attorney T. Lee Beeman, Jr. had no comments to offer at this evening's meeting.

County Administrator Brandon S. Butler announced his resignation from the County effective May 31, 2020, and read from a prepared statement which included highlights during his time as County Administrator. The Commissioners all wished Mr. Butler the best.

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

Commissioner Jacob C. Shade reported that earlier in the afternoon, Maryland Governor Larry Hogan vetoed the Kirwan Commission Bill. Commissioner Shade expressed his gratitude to the Governor for taking this action.

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, May 28, 2020, 5:00 p.m.

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:45 p.m.

Jacob C. Shade, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary

Closing Remarks Delivered May 7, 2020

Commissioners, thank you for allowing me to make a personal statement this evening.

On March 1, 2018, I was fortunate to take my seat with two of you gentlemen for the first time as County Administrator. Effective May 31, 2020, I will be resigning from that position. I am grateful to all three of you for the opportunity to serve the community that I love for the past 25 months, and for the opportunity to be a part of a team of dedicated county employees that you gentlemen have assembled.

If you wouldn't mind, I would like to take an opportunity to highlight some of the things that we have been able to do together since March 2018.

- (1) We were able to establish two youth employment opportunities through the Youth Apprenticeship Program and the Commissioners Fellowship Program, both of which defy the premise that our kids have to leave this community in order to get a good paying job.
- (2) We were successful in telling the story of a community – that may sometimes be down, but is never out. Through our successful launch of the InAllegany social media campaign we have been able to change the narrative and get our community to believe in itself again. More recently through the County's COVID-19 resources page we were able to reach directly to the community like never before.
- (3) We began to undertake the largest public-private partnership that this community has ever seen by embarking on the development of the Cumberland Chase property.
- (4) We've spurred expansions of key businesses such as Berkley Springs Instruments, Schroder Industries, Manicorp/Grow West, and many more.
- (5) We were, and continue to be, responsive to the needs of our community in the face of difficult times. With the closure of the Luke Paper Mill, County Government led a team of state and federal partners to provide a first of its kind job fair -- rapidly responding to the immediate needs of the families displaced by that closure. Now, in the middle of this crisis, County government within the span of a few hours developed and launched a small business micro-grant aimed solely at keeping the lights on for our small businesses.
- (6) We welcomed new businesses in our community – Aeon Technologies headed by Dr. Kimberly Brown and others.

- (7) We've been innovative under your leadership by establishing a makerspace/training center in partnership with Allegany College of Maryland that is unlike any facility in any Appalachian community.
- (8) The County's relationship with DelFest and the McCoury family is stronger than it has ever been.
- (9) We are looking to the future of emerging technologies with the Advanced Technology Center in Frostburg for the operation and maintenance of the autonomous vehicle industry.
- (10) Again, under your leadership, we've reorganized local government to be more responsive to the needs of our community and businesses by establishing the Department of Planning and Growth, hiring a county grants writer (who brought in over \$3 million last year), creating the first ever workforce development specialist, and establishing a Regulatory Reform Commission.

Again, this could not have taken place without your leadership. I want to particularly thank Commissioner Shade and Commissioner Brodie for taking the chance on the youngest guy in the state of Maryland to hold the position of administrator. I would also like to thank the team of dedicated professionals we have here. I would like to thank our Management Team for their leadership as well. Jason Bennett, James Pyles, Angela Paterson, Jeff Barclay, Beth Thomas-Tanner, Bretta Reinhart, Kristi Liller, Paul Kahl and our County Attorney Lee Beeman.

I'd like to thank Sheriff Craig Robertson – if for no other reason than he didn't think I would include him in my speech.

I would be remiss if I also didn't thank my wife Lindsay and two wonderful children for coming on this adventure with me, for loving and supporting me even when dad came home a little grouchy some nights. To my mom and dad (Kim and Randy Butler) and my adopted Italian Mother Adrienne Ottaviani for being a sounding board and for smacking me around when I needed it. There are also countless friends that have welcomed my family with open arms, and for that I am grateful.

Finally, I would also like to thank two very special ladies in our offices – Mrs. Keli Mason, who is truly the glue that holds the Department of Economic and Community Development together and my assistant Mrs. Linda Simpson, who can unequivocally say that I don't know where I would be without Linda's help, guidance, and ear.

I can say without a doubt that I have never had the joy of a true support staff before this position. Both of these ladies have (and I'm certain will continue) to handle all of the craziness that this job throws at you with a great level of grace.

My barometer on whether it is right to leave a position has always centered on one question: can I leave an organization better off than how I found it. In this case, I believe we've accomplished that.

Gentlemen, as you know, my departure has been in the works for a little while now and as we are starting to see light at the end of the tunnel, I believe that the time is right to make this announcement. I look forward to continuing to serve you as you serve the citizens of Allegany County.

Proposed Allegany County Utility Rates Fiscal Year 2021

1. Hold all residential water and sewer rates matching our current fiscal year.
2. Any water rate increases from the City of Cumberland, Frostburg, or Keyser will be passed onto the County customers.
3. Current commercial sewer rates are \$3.77 per 1,000 gallon in Mexico Farms District and \$3.26 per 1,000 gallon in all other Districts.
 - Proposed increase of 5% in all Districts except Mexico Farms. Proposed rate would be \$3.42 in all Districts and Mexico Farms would remain at \$3.77.
4. Water and sewer budgets will be very tight for fiscal year 2021.
5. Biggest contributing factors to our budgets are:
 - Weather (above average rainfall) and
 - Water loss (aging infrastructure)
6. Current active projects improving our infrastructure are:
 - North Branch Pump Station (Mexico Farms District - \$2 million)
 - Brant Road Water Replacement (Cresaptown District - \$600K)
 - Locust Grove PS and Force main (Braddock and Jennings Districts - \$30 million)

Presented by Adam Patterson on 5-7-2020 at Commissioner Business Meeting

Proposed Allegany County Utility FY 2021 Water Rates

District	Service Area	Minimum	Surcharge	Usage Rate* (per 1,000 Gal.)	Annual Cost
Bedford Road	Bedford Road	\$92.00	\$0.00	\$6.72	\$704.00
	Bowmans Addition/ Valley Road	\$92.00	\$0.00	\$5.61	\$643.50
Borden/Mt. Savage	Borden/Morantown/ Mt. Savage/Zihlman	\$80.00	\$26.75	\$4.03	\$628.50
Bowling Green	Bowling Green	\$80.00	\$0.00	\$5.61	\$600.50
Braddock Run	Clarysville	\$91.00	\$18.45	\$4.03	\$639.30
	Consol/Grahamtown/ Wrights Crossing	\$80.00	\$26.75	\$4.03	\$628.50
	Eckhart	\$80.00	\$18.45	\$4.03	\$595.30
Cresaptown	Cresaptown (In District)	\$70.00 First 3,000 gal.	\$0.00	\$5.61 (over 3,000 gal.)	\$493.18
	(Out of District)	\$88.00 First 3,000 gal.	\$0.00	\$5.61 (over 3,000 gal.)	\$565.18
Franklin/Brophytown	Brophytown/Franklin	\$80.00	\$0.00	\$8.83	\$761.50
Georges Creek	Carlos/Klondike/Shaft	\$80.00	\$26.75	\$4.03	\$628.50
Jennings Run	Cash Valley Road/ Corriganville/Ellerslie	\$80.00	\$0.00	\$5.61	\$600.50
McCoole	McCoole	\$92.00	\$0.00	\$3.89	\$562.50
Mexico Farms	Mexico Farms	\$80.00	\$0.00	\$5.61	\$600.50
Oldtown Road	Uhl Highway	\$86.00	\$0.00	\$5.61	\$624.50
Rawlings	Rawlings	\$92.00	\$0.00	\$5.61	\$648.50
Route 36	Hoffman/Route 36/ Vale Summit	\$80.00	\$26.75	\$4.03	\$628.50

Based on 50,000 gallons/year

Water Tap Fee = \$750

Shut-off Fee = \$100

Tamper Fee = \$250

* Rate varies based on purchase cost of water from Cumberland, Frostburg, and Keyser

Proposed Allegany County Utility FY 2021 Sewer Rates

District	Service Area	Minimum	County Surcharge	Front Footage Per Foot (Annually)	Ad Valorem per \$100 (Annually)	Annual Cost
Bedford Road	Bedford Road/Bowmans Addition/Valley Road	\$96.00	\$0.00	\$0.00	0.100	\$484.00
Biers Lane	Biers Lane	\$96.00	\$7.25	\$0.00	0.000	\$413.00
Bowling Green	Bowling Green	75% of Water charge	\$4.00	\$0.00	0.250	\$716.38
Braddock Run	Clarysville/Consol/Eckhart/Grahamtown/Wrights Crossing	\$96.00	\$6.00	\$0.00	0.042	\$450.00
Cresaptown	Cresaptown	\$90.00	\$4.00	\$0.00	0.250	\$626.00
Flintstone	Flintstone	\$96.00	\$0.00	\$0.00	0.016	\$400.00
Franklin/Brophytown	Brophytown/Franklin	\$96.00	\$0.00	\$0.00	0.019	\$403.00
	Grinder Pump - Town	\$124.50	\$0.00	\$0.00	0.000	\$498.00
Georges Creek	Carlos/Georges Creek/Klondike/Shaft	\$90.00	\$28.00	\$0.00	0.210	\$682.00
Jennings Run/Wills Creek	Cash Valley Road	\$90.00	\$16.00	\$0.00	0.186	\$610.00
	Corriganville/Ellerslie/Mt. Savage	\$96.00	\$16.00	\$0.13	0.052	\$514.03
McCoole	McCoole	\$96.00	\$0.00	\$0.00	0.031	\$415.00
Mexico Farms	Mexico Farms	\$96.00	\$0.00	\$0.00	0.051	\$435.00
Oldtown	Oldtown	\$96.00	\$0.00	\$0.00	0.033	\$417.00
Oldtown Road	Uhl Highway	\$96.00	\$0.00	\$0.00	0.130	\$514.00

Based on \$100,000 assessed value

\$15.00 per quarter Bay Restoration Fee assessed to all sewer customers by State of MD

Sewer Tap Fee = \$750