

June 11, 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 Creade V. Brodie, Jr.; Commissioner David J. Caporale; Interim County Administrator Jason M. Bennett; 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, and without objection, Item 5A – Sale of 11.217 acres of land in Riverside Industrial Park to Manticorp, LLC, for the purchase price of \$383,584.00.

There were no further additions or deletions to the Agenda.

MOTION

Upon Motion by Commissioner Brodie, seconded by Commissioner Caporale, and Motion carried, the Commissioners approved the Minutes of the May 28, 2020, public business meeting.

PRESENTATION

Item 1 – Elder Abuse Awareness Month Proclamation – Courtney Thomas-Winterberg, Director, Allegany County Department of Social Services. Commissioner Shade read an official Proclamation of the month of June 2020 as Elder Abuse Awareness Month in Allegany County.

ACTION AGENDA

Item 2 – Contract with CONXX for Emergency Upgrades to Allconet to Expand Capacity for COVID 19 Response – Board of County Commissioners to approve a \$269,700 contract with CONXX to provide expanded service to existing towers to increase both speed and access with funding to be provided by the CARES Act – Jason M. Bennett, CPA, County Administrator, and T. Lee Beeman, Esq., County Attorney. County Administrator Jason M. Bennett presented background and information regarding this Item, as set forth on his staff report on the subject dated June 8, 2020, a copy of which is attached to and made a part of these Minutes. Mr. Bennett asked the Commissioners for their approval of the Contract with CONXX for Emergency Upgrades to Allconet to Expand Capacity for COVID 19 Response.

Upon Motion made by Commissioner Brodie, seconded by Commissioner Caporale, and duly carried, the Board of County Commissioners unanimously approved a \$269,700 contract with CONXX to provide expanded service to existing towers to increase both speed and access with funding to be provided by the CARES Act.

Item 3 – Proposed Sale of Acreage to the State of Maryland – Board of County Commissioners to approve the sale of a 329.7-acre parcel located at Dan's Mountain Road near McCoole that the Maryland Department of Natural Resources Wildlife and Heritage Service is interested in purchasing to enhance outdoor recreation opportunities, increase public access to the Wildlife Management Area, and provide improved opportunity to quickly respond to wildfire emergencies and other management issues on the WMA – Jennifer M. Walsh, Esq., Geppert, McMullen, Paye and Getty, explained that she was present on behalf of one of her clients, seeking approval for sale of property to the State of Maryland. She explained that the property is a 329.7-acre parcel located on the McCoole side of Dan's Mountain, and talked about the Maryland Department of Natural Resources' interest in the property because it enhances outdoor recreational opportunities, increases public access to this part of the Wildlife Management Area, and also provides an opportunity to quickly respond to wildfire emergencies in that area. She also presented a survey of the property.

Upon Motion by Commissioner Shade, and seconded by Commissioner Caporale, the Board of County Commissioners, by a vote of two to one, approved the sale of a 329.7-acre parcel located at Dan's Mountain Road near McCoole.

VOTE:

Commissioner Caporale: Approve
Commissioner Brodie: Oppose
Commissioner Shade: Approve

Item 4 – Enacting Reforms Regarding Beijing’s Conduct and Actions During the COVID-19 Pandemic – Board of County Commissioners to send a letter to the Maryland State Retirement and Pension Board, regarding technology, bid process preferences addendum, and expressing support for the people of Hong Kong – Jacob C. Shade, President, Board of Commissioners, read a letter into the record. A copy of this letter is attached to and made a part of these Minutes. He also read a list of four proposals attached to the letter, which is also attached to and made a part of these Minutes. He asked the Commissioners for their approval to send a letter to the Maryland State Pension Board asking them to review their practice of having two Chinese companies in their top ten holdings in their portfolio, as well as the other three proposals.

Commissioner Brodie moved that the Board of County Commissioners approve, sign and send a letter to the Maryland State Retirement and Pension Board, regarding technology, bid process preferences addendum, and expressing support for the people of Hong Kong. Commissioner Caporale seconded the Motion. Motion carried unanimously.

CONSENT AGENDA

As recommended by the County Administrator

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

Item 5 – Resolution 20-6 Maryland Department of Housing and Community Development (DHCD) and Community Development Block Grant (CDBG) Application for COVID Funding – Board of County Commissioners approved Resolutions 20-6 authorizing the signing and submission of an application for Community Block Grant funds awarded through the federal CARES Act in an amount up to \$1,000,000 for projects listed in the application, and authorize the President to sign the CDBG Grant Agreement.

Item 5A – Proposed Sale of 11.217 acres of land in Riverside Industrial Park to Manticorp, LLC, for the purchase price of \$383,584.00. Board of County Commissioners approved the sale of 11.217 acres of land and the improvements thereon to Manticorp, LLC, for the amount of \$383,584, to include the reclamation of the land, and authorized the President to sign two real estate sales contracts and a promissory note.

Item 6 – Resolution 20-7 – Keep Allegany Beautiful Affiliate for Allegany County – Board of County Commissioners approved Resolution 20-7 establishing the Keep Allegany Beautiful Board as a Keep America Beautiful Affiliate for Allegany County.

Item 7 – Resolution 20-8 – Fiscal Year 2021 Maryland Agricultural Land Preservation Easement Applications – Board of County Commissioners approved Resolution 20-8 with the submission of a list of candidates for Maryland Agricultural Land Preservation Easements for the proposed sale of development rights to the Maryland Agricultural Land Preservation Foundation.

Item 8 – Memorandum of Agreement for George’s Creek Multi-Stream Sealing Project Design with the State of Maryland – Board of County Commissioners authorized the President of the County Commissioners to execute the MOA between Allegany County and the State of Maryland and proceed with development and advertisement for request for proposals for the George’s Creek Multi-Stream Sealing Project.

Item 9 – Fiscal Year 2021 Program Open Space Annual Plan – Board of County Commissioners approved the proposed Program Open Space projects for Fiscal Year 2021.

Item 10 – Appalachian Regional Commission Grant Agreement – Board of County Commissioners authorized the County Administrator to execute the ARC Grant Agreement for \$200,000 and initiate Requests for Bids for a Mitsubishi FX20 Wire Electrical Discharge Machine, and a Mitsubishi EX8 Computer Numerical Control Sinker Electrical Discharge Machine.

Item 11 – Allegany County Grants Policy – Board of County Commissioners approved and adopted a County Grants Policy to promote stability and continuity in our financial practices. This policy will define the framework for grant and grant management that supports the county’s goals for fiscal responsibility, and ensure compliance from all departments and divisions within Allegany County Government.

Item 12 – Emergency Broadband Education Assistance Grant – Board of County Commissioners authorized the County Administrator to execute the Department of Housing and Community Development, Office of Rural Broadband, Emergency Broadband Education Assistance Grant Agreement to request an estimated \$50,000 in funding to support Allegany County Public Schools in providing broadband to designated low-income housing units in Frostburg and Cumberland.

Item 13 – Service Agreement First Amendment with UPMC Western Maryland Corporation – Board of County Commissioners approved a three-month extension to the Service Agreement with UPMC Western Maryland Corporation.

Item 14 – First Amendment to The Greater Cumberland Raceway Lease Agreement – Board of County Commissioners approved the first amendment to the lease agreement with The Greater Cumberland Raceway to allow limited racing activities due to COVID-19.

Item 15 – Bid Award for Emulsified Asphalt – Board of County Commissioners awarded the purchase of emulsified asphalt for use by the Department of Public Works County Roads Division from July 1, 2020 through June 30, 2021 to Hammaker East, Ltd., Chambersburg, Pennsylvania, in the amount of \$1.94 per gallon (July 1, 2020 to October 31, 2020) and \$1.94 per gallon (April 1, 2021 to June 30, 2021) for CRS2-PM.

Item 16 – Bid Award for Delivered Cleaned-Washed Crushed Stone – Board of County Commissioners awarded the purchase of delivered cleaned-washed crushed stone for use by the Department of Public Works Roads Division from July 1, 2020 through June 30, 2021, to Allegany Aggregates, Cumberland, Maryland, in the amount of \$266,950.85.

Item 17 – 2020 Polish Mountain Hill Climb – Sports Car Event – Board of County Commissioners provided a letter of authorization for the Polish Mountain Hill Climb planned for August 1 and 2, 2020. The Western Maryland Chapter Washington, DC Region of the Sports Car Club of America (WDCR-SCCA) has presented a plan to partner with the Flintstone Volunteer Fire Company to support this unique motorsport activity.

Item 18 – Ratification of Labor Management Agreement with FOP Lodge #144 Allegany County Sheriff's Patrol and Judicial Division – Board of County Commissioners approved the final Labor Management Agreement between Allegany County and the Sheriff's Road Patrol, and Judicial Division
FOP Lodge #144.

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

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

Commissioners' statements, comments, recognition –

Commissioner Creade V. Brodie, Jr. expressed his appreciation for the upgrade to the sound system. He encouraged everyone to stay safe and enjoy what the Governor has reopened.

Commissioner David J. Caporale had no further comments to offer at this evening's meeting, other than being glad about things getting back to normal.

Commissioner Jacob C. Shade remarked on how the community has remained united. He mentioned the many thank-you letters the Commissioners received for COVID relief funds sent out. He added that there is still money available for businesses which have not yet applied for assistance.

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, June, 25, 2020, 5:00 p.m.

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:20 p.m.

Jacob C. Shade, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary



ALLEGANY COUNTY, MAR

Finance Office

701 Kelly Road, Suite 205, Cumberland, Maryland 215
(301) 777-5916 FAX (301) 777-2072
finance@alleganygov.org www.gov.allconet.org

J. Bennett

BOARD OF COMMISSIONERS

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

Jason M. Bennett, CPA, *Director of Finance*

STAFF REPORT

TO: Jason M Bennett, County Administrator
FROM: Jason M. Bennett, CPA – Director of Finance 
DATE: June 8, 2020
RE: \$269,700 contract with CONXX to increase Allconet Service for CARES Act

For the Consent Agenda on: June 11, 2020

1. BACKGROUND

The COVID-19 crisis has transformed the way business is conducted and the way schoolwork is completed. Most people are now working remotely for both business and school, which creates an expanded need for reliable internet service. Even before this crisis, rural broadband expansion has been an important goal for small localities. We now have dollars in hand to be able to expand the services that ISPs can provide.

2. ISSUES

The current COVID-19 pandemic has resulted in substantial network traffic growth and demand for broadband services in underserved and rural sections of the County. The proposed core upgrades benefit all ISP's partnering (Fiber creek, TWR, Skypacket as well as future ISP's) with AllCoNet to provide high-speed connectivity throughout the County. The investment will double the backbone capacity (benefits the entire service area), upgrade connections at last-mile tower and microcells to upgrade reliability and relieve congestion points and expand coverage to communities from the recently completed Patterson Creek Tower. We now have a proposal in hand for this work from our Allconet partner, CONXX.

3. FINANCIAL IMPACT

With the Federal CARES Act funding we have received, one of the intended uses is to make technology more accessible and powerful to the public. We are fortunate to be able to 100% utilize our CARES Act funding in the amount of \$269,700.00 to cover this project.

4. ALTERNATIVES

Since this is a sole source project and time is of the essence, there are no bidding alternatives to this project.

5. OTHER CONSIDERATIONS

None.

6. CONFORMITY TO COUNTY POLICY

Conforms with County policy.

7. RECOMMENDATION

The Finance Department recommends approving the quote from CONXX to expand our service.



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*

June 11, 2020

Dear County Leader:

As our communities begin to reopen, we must reflect on what we have learned during of pandemic. We have seen the economic destruction of COVID-19; our small businesses have borne a heavy burden. We have seen the incredible loss of life in high risk populations; our nursing homes and long-term care facilities have become the front lines. We have learned to work from home, to study from home, to hold and attend virtual meetings. We have agreed to wear masks in public, to stand six feet away from others, including, in some cases, our loved ones. And while there has been some debate over the pace of reopening, our communities have gone through this together, united as a front. We agreed that drastic measures were required, and we agreed that China had been irresponsible in its handling and reporting of COVID-19 early on. Rarely do we find ourselves so united and our communities so engaged with local officials. Now we must be ready to act to ensure the safety of our communities.

Outlined below are four proposals whose implementation would improve American national security while ensuring economic fairness for our citizens and their businesses. The first proposal suggests a statewide change in Maryland, while the others can be performed by all local jurisdictions.

Our hope is that every county in Maryland will take action to approve the proposals and send the attached letter to the Maryland State Retirement and Pension Board Members.

Sincerely,

Jacob C. Shade, *President*
Allegany County Board of Commissioners

Proposals on the COVID-19 Economic and Cultural Response

1. Maryland State Retirement and Pension System

American pension systems invest significantly in Chinese companies. In May, the United States Senate unanimously passed a bill sponsored by Senators John Kennedy and Chris Van Hollen which holds all publicly listed companies to the same standards. The bill requires certification that each company is not under control of a foreign government and increases disclosures regarding accounting practices. Roughly 95% of the companies whose financials are not up to current standards are Chinese. America has no oversight of Beijing business. To trust in Chinese companies is to trust in the Chinese government, which, most recently, this health crisis has shown us we cannot do.

In April, Luckin Coffee (NASDAQ: LK), was found to have fabricated over \$300 million in sales over the last year. This company (touted as the “Starbucks of China”) has, as of this writing, lost nearly 90% of its value since January. It is impossible to determine which companies are cheating the system or lying to investors.

The risk of investing in these companies does not take into account the fact that as we invest, we are sending our money abroad and aiding the Chinese government in its goal to become a technological leader.

Two of the top ten equity holdings of the Maryland State Retirement and Pension System are Chinese companies. These two companies are also the two largest international holdings in the entire pension system. These ownership stakes should be reduced over the coming months. We can reinvest for our citizens’ retirements in companies that are transparent and that have our best interests at heart. There are ample investment opportunities to achieve growth and diversification without jeopardizing our long-term national security.

2. Technology audits

As the world advances quicker than ever in the technology and information science sector, we must be cognizant of threats to privacy and personal data. Several Chinese technology firms, including Huawei, the world’s largest telecom supplier and second largest phone manufacturer, have been scrutinized for their lack of transparency and potential theft of proprietary information. In 2019, the company was classified as a threat to national security, with fears that the Chinese Government could use Huawei’s equipment to spy on countries using their product. Companies have been banned from using Huawei’s networking equipment since 2012, but other products remain on the market. The United States has banned their products from being used to create 5G communication networks, and this month Canadian telecoms did the same. On June 3, 2020 *Reuters* reported on documents that reveal Huawei’s attempt to cover up the ownership of an Iranian affiliate company in order to sell prohibited United State technology.

In response, local governments and the State of Maryland should conduct a technology audit regarding the use of Huawei components. Products currently in use should be phased out and bids which include Huawei components should be rejected or amended in favor of using

alternatives from other companies in good standing which are not in jeopardy of being used for nefarious purposes by the Chinese government.

3. Bid Preferences

As we have seen during the COVID-19 pandemic, supply chains from China have been significantly disrupted causing delays and losses to all industry sectors. While cost will always remain the primary factor, we need to ensure reliability and certainty for times of national or regional disaster.

For all public bids for local governments, bidders should be required to list alternatives and the price difference for domestic or non-Chinese materials if part of their bid package includes components that has a significant amount of Chinese exposure. This would limit delays, strengthen our supply chain, and give other foreign and domestic firms the opportunity to prosper.

4. Hong Kong Support

The residents of Hong Kong are faced with ever increasing restrictions on basic freedoms and human rights. The Chinese Government continues to erode democratic values in Hong Kong, jail dissidents, and stifle the opposition.

Local governments should make clear that not only do we stand with Hong Kong against these oppressive tactics, but we would welcome and will aid and assist the US State Department in the resettling of any Hong Kongers to our communities. Not only would they be an economic boost for many areas, especially with English as a common language among half the population, but – most importantly – they share our view of liberty, freedom from oppression, and we would be fortunate to welcome individuals with these shared principles to our American communities.



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June 11, 2020

Maryland State Retirement Agency
120 East Baltimore Street
Baltimore, MD 21202

Dear Maryland State Retirement and Pension Board of Trustees:

As our communities begin to reopen, we must reflect on what we have learned in during this pandemic. We have seen the economic destruction of COVID-19; our small businesses have especially borne a heavy burden. We have seen the incredible loss of life in high risk populations; our nursing homes and long-term care facilities have become the front lines. We have learned to work from home, to study from home, to hold and attend virtual meetings. We have agreed to wear masks in public, to stand six feet away from others, including, in some cases, our loved ones. Our communities have gone through this together, united as a front. We agreed that drastic measures were required, and we agreed that China had been irresponsible in its handling and reporting of COVID-19 early on. Rarely do we find ourselves so united and our communities so engaged with local officials. Now we must act to protect the economic and public safety of our citizens.

In May, the United States Senate unanimously passed a bipartisan bill sponsored by Senators John Kennedy and Chris Van Hollen which holds all publicly listed companies to the same standards. The bill requires certification that each company is not under control of a foreign government and increases disclosures regarding accounting practices. Roughly 95% of the companies whose financials are not up to current standards are Chinese. America has no oversight of Beijing business. To trust in Chinese companies is to trust in the Chinese government, which, most recently, this health crisis has shown us we cannot do.

We have already seen the effects on American shareholders who have invested in Chinese companies. In April, Luckin Coffee (NASDAQ: LK), was found to have fabricated over \$300 million in sales over the last year. This company (touted as the "Starbucks of China") has, as of this writing, lost nearly 90% of its value since January. It is impossible to determine which companies are cheating the system or lying to investors.

The risk of investing in these companies does not take into account the fact that as we invest, we are sending our money abroad and aiding the Chinese government in its goal to become a technological leader. Meanwhile, there are innumerable trusted companies that are publicly traded with a proven history of high returns and innovation both internationally and in America.

Two of the top ten equity holdings of the Maryland State Retirement and Pension System are Chinese companies. These two companies are also the two largest international holdings in the entire pension system. These ownership stakes should be reduced over the coming months. We can reinvest for our citizens' retirement funds in companies that are transparent and that have our best interests at heart. There are ample investment opportunities to achieve growth and diversification without jeopardizing our long-term national security by trusting in China's false promise to play fair.

Thank you for your time and attention to this very important matter.

Sincerely,

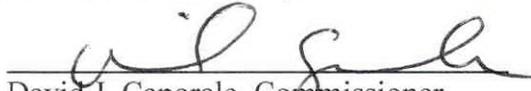
Allegany County Board of County Commissioners



Jacob C. Shade, President



Creade V. Brodie, Jr., Commissioner



David J. Caporale, Commissioner

cc: The Honorable Nancy K. Kopp, Maryland State Treasurer
The Honorable Peter V. R. Franchot, Comptroller of Maryland
Secretary of Budget and Management David R. Brinkley
Mr. Eric D. Brotman
Mr. Jamaal R. A. Craddock
Mr. Kenneth B. Haines
Mr. David B. Hamilton
Ms. Linda A. Herman
Ms. Sheila Hill
Mr. F. Patrick Hughes
Mr. Charles W. Johnson
Mr. Douglas Prouty
Mr. Michael J. Stafford, Jr.
Mr. R. Dean Kenderdine, Executive Director