

July 22, 2021

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 recited by those present.

MOTION

There were no 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 July 8, 2021, public business meeting.

ACTION AGENDA

Item 1 – Ratification of Labor Management Agreement with Roads Division AFSCME Local #1633 – Board of County Commissioners to approve the final Labor Management Agreement between Allegany County and Allegany County Roads Division AFSCME Local #1633 – T. Lee Beeman, Jr., County Attorney, remarked that the Labor-Management Agreement with the County's Roads Division is the fifth of the six Agreements with the County's bargaining units to be completed. He explained that the Roads Agreement took some time, but that everything has been wrapped up into a three-year contract which includes a two percent (2%) cost of living adjustment (COLA) and a potential for any adjustment based upon a future salary study to be completed. Attorney Beeman thanked the County's Human Resources Director, Kristi Liller, as well as AFSCME's Representative, Carroll Braun, for their help in getting the Agreement finalized. He asked the Commissioners to ratify the Labor-Management Agreement with Roads Division AFSCME Local #1633.

Commissioner Shade thanked Attorney Beeman for all of his work regarding this Agreement.

Upon Motion made by Commissioner Caporale, and seconded by Commissioner Brodie, the Board of County Commissioners approved the final Labor Management Agreement between Allegany County and Allegany County Roads Division AFSCME Local #1633.

Item 2 – Property Tax Credit for Fiscal Year beginning July 1, 2021 through June 30, 2022 – Board of County Commissioners to grant property tax credits pursuant to Tax Property Article §9-302(b), for fiscal year beginning July 1, 2021 through June 30, 2022 for the following entities: Frostburg Lions Club, Inc., LaVale Lions Foundation, Inc., Cumberland Cultural Foundation, Allegany County Agricultural Expo, Carver Community Center, Inc., Family Junction, Inc., The Lions Center for Rehabilitation and Extended Care, Inc., and the Allegany County Animal Shelter Management Foundation, Inc.; and grant property tax credits pursuant to Tax Property Article §9-302(c) for fiscal year beginning July 1, 2021 through June 30, 2022 for United Brotherhood of Carpenters, Local 1024, and Western Maryland Central Labor Council; and grant property tax credits pursuant to Tax Property Article §9-302(f) for fiscal year beginning July 1, 2021 through June 30, 2022 for Cumberland Outdoor Club – T. Lee Beeman, Jr., County Attorney, reminded the Commissioners that this Item comes up for their approval every year, and that this is a State-authorized tax credit. He explained that the organizations to receive the proposed tax credits submitted requests for the credit. The organizations are set forth on the Motion, a copy of which is attached to and made a part of these Minutes.

Upon Motion by Commissioner Brodie, seconded by Commissioner Caporale, and duly carried, the Board of County Commissioners granted property tax credits pursuant to Tax Property Article §9-302(b), for fiscal year beginning July 1, 2021 through June 30, 2022 for the following entities: Frostburg Lions Club, Inc., LaVale Lions Foundation, Inc., Cumberland Cultural Foundation, Allegany County Agricultural Expo, Carver Community Center, Inc., Family Junction, Inc., The Lions Center for Rehabilitation and Extended Care, Inc., and the Allegany County Animal Shelter Management Foundation, Inc.; and granted property tax credits pursuant to Tax Property Article §9-302(c) for fiscal year beginning July 1, 2021 through June 30, 2022 for United Brotherhood of Carpenters, Local 1024, and Western Maryland Central Labor Council; and granted property tax credits pursuant to Tax Property Article §9-302(f) for fiscal year beginning July 1, 2021 through June 30, 2022 for Cumberland Outdoor Club.

Item 3 – MV Smith Road Residential Refuse Site Development – Board of County Commissioners to approve the consolidation of the eastern Allegany County Residential Refuse and Recycling Sites currently located in Flintstone and Little Orleans into a new MV Smith Road

Residential Refuse and Recycling Site, and authorize the President of the County Commissioners to sign any and all necessary contract agreements or documents – Adam Patterson, PE, Director of Public Works, presented background and information regarding this Item, as set forth on a Staff Report on the subject dated July 15, 2021, a copy of which is attached to and made a part of these Minutes. Mr. Patterson asked the Commissioners for their approval of the consolidation.

Commissioner Caporale moved that the Board of County Commissioners approve the consolidation of the eastern Allegany County Residential Refuse and Recycling Sites currently located in Flintstone and Little Orleans into a new MV Smith Road Residential Refuse and Recycling Site, and authorize the President of the County Commissioners to sign any and all necessary contract agreements or documents. Commissioner Brodie seconded the Motion. Motion carried to approve and authorize.

Item 4 – MNM&D, Inc. Tire Recycling – Board of County Commissioners to approve a 15-year Lease/Purchase Agreement with MNM&D, Inc., Pasadena, Maryland, to establish a tire recycling facility in the McCoolle Business Park, and authorize the President of the County Commissioners to sign the agreement – Nathan D. Price, Senior Project Manager, presented background and information on this Item, as set forth on his Staff Report on the subject dated July 14, 2021, a copy of which is attached to and made a part of these Minutes.

In answer to a question from Commissioner Shade, Mr. Price confirmed MNM&D Tire Recycling is currently for industrial customers only, such as trucking companies. Commissioner Caporale asked Mr. Price about this company's contracts with entities outside the country, and Mr. Price discussed that.

The Commissioners thanked Mr. Price and Economic & Community Development Director Jeff Barclay for their work on this project.

Upon Motion made by Commissioner Brodie, and seconded by Commissioner Caporale, the Board of County Commissioners approved a 15-year Lease/Purchase Agreement with MNM&D, Inc., Pasadena, Maryland, to establish a tire recycling facility in the McCoolle Business Park, and authorized the President of the County Commissioners to sign the agreement.

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 adopted the Consent Agenda as recommended by the County Administrator.

Item 5 – Surplus Real Property – Board of County Commissioners accepted the offer by James Willison, III, in the amount of \$200 to purchase the property known as 17110 NE Carscaden Road, Eckhart, Allegany County, Maryland, Property Tax Account Number 24-006875 which was previously declared surplus and advertised, and authorized the President of the County Commissioners to sign the closing documents.

Item 6 – Gun Violence Reduction Grant – Board of County Commissioners authorized the Sheriff's Office to accept funding in the amount of \$15,020 from the Governor's Office of Crime Control and Prevention in accordance with the Gun Violence Reduction Grant to support the Allegany County Sheriff's Office gun violence reduction initiatives.

Item 7 – Maryland Opioid Operational Command Center Grant – Board of County Commissioners authorized the State's Attorney's Office to accept funding in the amount of \$58,246.40 from the Maryland Opioid Operational Command Center Office to implement the Allegany County State's Attorney's Office Diversion Program: Education or Incarceration.

Item 8 – Purchase of Public Works Pickup Trucks – Board of County Commissioners authorized the Department of Public Works to purchase three pickup trucks from Hertrich Fleet Services, Inc., Milford, Delaware. Two Ford F-250 pickup trucks for the Roads Division at a cost of \$33,948 per truck, and one Ford F-350 pickup truck for the Recycling Office at a cost of \$37,436, in accordance with Allegany County Code utilizing Howard County Office of Purchasing Contract #4400003197.

Item 9 – Solid Waste Management Board Appointments – Board of County Commissioners authorized the appointments of A. J. Miller, Sr. to serve as a member of the Solid Waste Management Board in the Solid Waste Hauler/Recycler position, and Rob Euen, Sr. to serve as the alternate for the same position, both for a two-year term.

Constituents – In order of sign-up sheet –

Mr. Buddy Cook, from Southern States in Cumberland, started by thanking the County Commissioners for the opportunity to speak and handed out some information to them in support of the subject he would be addressing this evening. Mr. Cook discussed his concerns about the County's bidding process regarding the fuel contract bid on by both Southern States and Bedford Valley Petroleum.

Mr. Jack Nightengale, 32 Allegany Street, Lonaconing, thanked the Commissioners for the opportunity to speak at this meeting and also thanked County Clerk Linda Simpson for her assistance. He pointed out that he was not speaking in an effort to have the coal mine in question shut down, or to stop the truck drivers or owners from making a living, but rather to try to prevent damage to personal property and possible death to people in the area. Mr. Nightengale gave the Commissioners some photos to look at as he spoke. He then discussed his concerns regarding the use of Jackson Mountain Road to transport coal down the mountain. Mr. Nightengale pointed out that there were alternate routes that could be used.

Following Mr. Nightengale's remarks, County Administrator Jason Bennett asked Mr. Nightengale to give him, County Attorney Lee Beeman, and Public Works Director Adam Patterson, some time to look into the situation and see what alternatives are available, and get back to him. Mr. Bennett also asked Mr. Nightengale to leave his contact information with Mrs. Simpson.

Mr. Clyde Foor, 15 Allegany Street, Lonaconing, spoke next and echoed Mr. Nightengale's concerns.

Commissioner Shade said that the Commissioners would get together with the Mayor of Lonaconing to discuss this issue.

Mr. Jim Green, residing about a mile off Jackson Road, expressed concerns similar to those discussed by Mr. Nightengale and Mr. Foor.

Mr. Mike Foor, 48 Jackson Street, Lonaconing, also talked about the issue of the coal trucks coming down Jackson Mountain Road.

Commissioner Brodie brought up a conversation he'd had with the owner of the company, who had promised Commissioner Brodie that he would take care of the issue (but apparently the owner did not). He said that the Board of County Commissioners would deal with the issue.

Commissioner Shade thanked the speakers for their comments and told them that the Commissioners would follow up on their concerns.

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

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

Commissioners' statements, comments, recognition –

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

Commissioner Creade Brodie remarked that it has been a good week for the Fair.

Commissioner Jacob Shade talked briefly about the Covid relief money the County will be spending and pointed out that it will be spent in a manner that will benefit the entire County.

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, August 12, 2021, 5:00 p.m.

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:55 p.m.

Jacob C. Shade, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary

Item 2

MOTION

By motion duly carried by the County Commissioners of Allegany County, Maryland, the following action was authorized as part of the Action Agenda at the Commissioners' Public Meeting on July 22, 2021:

Pursuant to Tax Property Article §9-302(b), a property tax credit is granted for Fiscal Year beginning July 1, 2021, through June 30, 2022, for the following entities:

- Frostburg Lions Club, Inc.
- LaVale Lions Foundation, Inc.
- Cumberland Cultural Foundation
- Allegany County Agricultural Expo
- Carver Community Center, Inc.
- Family Junction, Inc.
- The Lions Center for Rehabilitation and Extended Care, Inc.
- Allegany County Animal Shelter Management Foundation, Inc.

Pursuant to Tax Property Article §9-302(c), a property tax credit is granted for Fiscal Year beginning July 1, 2021, through June 30, 2022, for the following entities:

- United Brotherhood of Carpenters, Local 1024
- Western Maryland Central Labor Council

Pursuant to Tax Property Article §9-302(f), a property tax credit is granted for fiscal year beginning July 1, 2021, through June 30, 2022, for the following entity:

- Cumberland Outdoor Club

JCS

CVB

DJC

CERTIFICATION

I, Linda A. Simpson, Clerk to the County Commissioners of Allegany County, Maryland, hereby certify that the above action of the Commissioners is a part of the formal, written record of the public meeting held on the 22nd day of July, 2021.

By: _____
Linda A. Simpson

SEAL



ALLEGANY COUNTY DEPARTMENT OF PUBLIC WORKS

701 Kelly Road, Suite 300
Cumberland, MD 21502
301-777-5933 FAX 301-777-2001
<http://alleganygov.org>

Item 3

BOARD OF COUNTY COMMISSIONERS

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

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

STAFF REPORT

TO: Jason Bennett, CPA, County Administrator
FROM: Brynn Laird, P.E., Engineer III *BL*
CC: Adam Patterson, P.E., Deputy Director of Public Works *AP*
Dan DeWitt, P.E., County Engineer
DATE: July 15, 2021
RE: **MV Smith Road Residential Refuse Site Development**

For the Agenda of July 22, 2021 Public Meeting

1. BACKGROUND

Allegany County operates four Residential Refuse and Recycling Sites. The Mountainview Landfill Site is near Frostburg and provides trash disposal and the complete suite of recycling options to residents in western Allegany County. It is open six days per week. The Oldtown, Flintstone and Little Orleans Sites provide trash disposal and some recycling options to residents in eastern Allegany County. These Sites are staffed by one Solid Waste Attendant rotating through the Sites and are each open one or two days per week.

Construction of a new Oldtown Residential Refuse and Recycling Site is currently underway. The new Oldtown Site will have ADA-accessible trash disposal with a compactor and ground-level bulk dumpster and a near-complete suite of recycling options.

The County has analyzed how to best provide cost-effective, ADA-accessible trash disposal and expanded recycling options to the residents of Flintstone and Little Orleans. The analysis considered improvements to the Flintstone Site, improvements to the Little Orleans Site and a proposed new Site at the County Roads Division MV Smith Road Garage. It was determined that the safest and most cost-effective improvement option is to consolidate the Flintstone and Little Orleans Sites into one new Site at MV Smith Road. The MV Smith Road Site will provide the same level of trash disposal and recycling options as both the new Oldtown Site and the Mountainview Landfill Site. It will be open three days per week to better serve the residents of Allegany County.

The Solid Waste Management Board has thoroughly discussed and reviewed the analysis. At the May 5, 2021 meeting of the SWMB, a motion was made by Steve

Young, seconded by Lee Heavner and unanimously approved to recommend that the County move ahead with the consolidation of the Flintstone and Little Orleans Sites and development of the new MV Smith Road Site.

A notice about the proposed consolidation and request for public comments has been posted on the County website since 6/14 and at the Flintstone and Little Orleans sites since 6/30. As of 7/15/21, no comments have been received.

2. ISSUES

N/A

3. FINANCIAL IMPACT

The cost estimate for the new MV Smith Road Site is \$66,850. The breakdown is as follows:

- Fencing and double gate: \$12,650
- Complete suite of recycling: \$ 500
- Compactor: \$35,000
- Office: \$ 4,500
- Signs: \$ 1,200
- Lights: \$ 5,000
- Bulk bin and platform: \$ 8,000

4. ALTERNATIVES

- a. Improve the Flintstone Site and close the Little Orleans Site.
- b. Improve the Little Orleans Site and close the Flintstone Site.
- c. Improve both the Flintstone and Little Orleans Sites.
- d. Take no action and continue to provide the current level of service at both the Flintstone and Little Orleans Sites.

5. OTHER CONSIDERATIONS

N/A

6. CONFORMITY TO COUNTY POLICY

Conforms to County policy.

7. RECOMMENDATION

Approve the consolidation of the eastern Allegany County Residential Refuse and Recycling Sites currently located in Flintstone and Little Orleans into a new MV Smith Road Residential Refuse and Recycling Site, and authorize the President of the County Commissioners to sign any and all necessary contract agreements or documents.



ALLEGANY COUNTY
DEPARTMENT OF ECONOMIC
& COMMUNITY DEVELOPMENT

Item 4

701 Kelly Road, Suite 400 • Cumberland, Maryland 21502

STAFF REPORT

TO: Jason M. Bennett, County Administrator
FROM: Nathan D. Price, Sr. Project Manager *NDP*
DATE: July 14, 2021
RE: Lease/Purchase By and Between the Board of County Commissioners of Allegany County, Maryland, and MNM&D, Inc.

For the Agenda of: July 22, 2021

Background: MNM&D, Inc., is looking to lease and ultimately, purchase 23302 Westernport RD SW, Westernport. They are looking to establish a tire recycling facility at this location.

Issues: MNM&D has outgrown their existing facility in Pasadena, MD. Looking to occupy the 9,000 sq ft building in McCoolle Business Park. Within three years they are hoping to construct a new 20,000 + sq. ft. building and hire over 50 employees.

Financial Impact: MNM&D will pay \$2,000 per month through the term of the 15-year Lease.

Alternatives: None

Other Considerations: None

Conformity to County Policy: This Agreement conforms to County policy.

Recommendation: That the County Commissioners authorize approval of the Lease Agreement between the Board of County Commissioners of Allegany County, Maryland, and MNM&D, Inc., and authorize the President to sign.

NDP:kam
cc: Jeffrey S. Barclay