

October 21, 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

County Attorney Lee Beeman asked for an addition to the Consent Agenda, for the County Commissioners to approve and authorize the President to sign a Hold Harmless, Indemnity and Tax Payment Agreement with Berry Plastics SP, Inc. He explained that this Agreement is a document necessary to get to closing, and reminded the Commissioners that they have already approved the sale of the subject property to Berry Plastics SP, Inc.

Upon Motion made by Commissioner Brodie, and seconded by Commissioner Caporale, the Board of County Commissioners agreed to add Item 15 – Hold Harmless, Indemnity and Tax Payment Agreement with Berry Plastics SP, Inc. to the Consent Agenda for this evening's meeting.

There were no further additions or deletions to the agenda.

MOTION

Upon Motion by Commissioner Caporale, and seconded by Commissioner Brodie, the Minutes of the October 7, 2021 public business meeting were approved by the Board of County Commissioners.

PRESENTATION

Item 1 – Economic Development Week 2021 Proclamation – Jeffrey S. Barclay, Economic and Community Development Department Director, and Nathan D. Price, Sr., Project Manager. Mr. Jeffrey Barclay, Director of Economic and Community Development for Allegany County, spoke first, thanking the Commissioners for providing him and Mr. Nathan Price, Senior Project Manager with the Economic and Community Development Department, with the opportunity to highlight the importance of economic development in Allegany County. He and Mr. Price gave a brief power point presentation on some current economic development projects in the County, including new construction for expansion by Webstaurant Store in Frostburg Industrial Park, at the former Sierra Hygiene site, which is expected to add twenty-plus jobs in the next two years; the new Dunkin' Donuts in LaVale, which is expected to open on November 22, 2021; and the new Berkeley Springs Instruments building in Frostburg Industrial Park. Mr. Price mentioned that Berkeley Springs Instruments is hopefully going to begin moving into the building the first week of November 2021. Mr. Price also pointed out that it has been a total team effort with the County's Public Works Department regarding the Berkeley Springs Instruments building. Mr. Barclay provided some additional information about the Berkeley Springs Instruments project.

Following the presentation by Mr. Barclay and Mr. Price, Commissioner Shade read and presented them with an official Proclamation of October 25 through 29, 2021, as Economic Development Week in Allegany County. The Commissioners also offered their congratulations to Mr. Barclay and Mr. Price.

ACTION AGENDA

Item 2 – Resolution No. 21-21 – Establishment of the Department of Planning and Zoning – Jason M. Bennett, CPA, County Administrator, explained that Resolution 21-21 is just to formally announce the renaming of the Department of Planning and Growth as the Department of Planning and Zoning. Mr. Bennett added that the Department is being reorganized and retooled, and that the change of name goes along with that. Mr. Bennett told the Commissioners that upon their approval of this Item, the Department's letterhead, website, and everything else will be changed to reflect the new Department name of Department of Planning and Zoning.

Upon Motion made by Commissioner Brodie, seconded by Commissioner Caporale, and duly carried, the Board of County Commissioners approved and passed Resolution No. 21-21 – Establishment of the Department of Planning and Zoning.

Item 3 – Allegany County Director of the Department of Planning and Zoning – Board of County Commissioners to approve the ratification of the appointment of James A. Squires, Jr., to the position of Allegany County Director of Planning and Zoning – Jason M. Bennett, CPA, County Administrator, announced that as part of the renaming of the Department of Planning and Growth as the Department of Planning and Zoning, a new Director of Planning and Zoning is to be appointed this evening. Mr. Bennett asked the Commissioners to ratify the appointment of Mr.

James Squires as the Director of the Allegany County Department of Planning and Zoning. He said that Mr. Squires, a graduate of Frostburg State University, has been with Allegany County Government for 33 years, in multiple roles all within the area of planning and permits. Mr. Bennett pointed out that Mr. Squires most recently served as Land Development Services Chief and then, for the past several months, as Interim Director.

Mr. Jim Squires then came forward and made brief comments, sharing some background and additional information regarding his department. Mr. Squires explained that there are six offices under the Department of Planning and Zoning: 1) the Office of Building Safety, which addresses Building Codes; 2) the Office of Code Enforcement (which currently has a vacancy), which handles enforcement of general complaints involving permitting, salvage yard licensing, unsafe structures, nuisance violations, and which is hopefully going to soon be re-staffed; 3) Geographic Information Systems and Data Management (GIS); 4) the Office of Permits and Licensing; 5) the Office of Planning; and 6) the Office of Zoning Administration and Land Use. He explained that while one of the six offices is not staffed, and some of the others are understaffed, the Department will make do for the time being and eventually get everything straightened out.

Mr. Squires then asked if there were any questions.

Commissioner Shade thanked Mr. Squires for his leadership and for stepping up during Covid. Mr. Squires thanked him for his support over the years as well. Commissioner Shade mentioned the technology upgrade that is also to be done within the Planning and Permits Department to make everything more efficient. He also thanked Jim for his dedication to Allegany County for many years.

Commissioner Caporale had nothing to add, but also thanked Mr. Squires for everything and told him that the Commissioners support him in moving the Department forward.

Commissioner Brodie congratulated Mr. Squires and thanked him for sticking with the Commissioners. He remarked that this appointment is long overdue and that the Commissioners couldn't be prouder.

Commissioner Brodie moved that the Board of County Commissioners approve the ratification of the appointment of James A. Squires, Jr., to the position of Allegany County Director of Planning and Zoning. Commissioner Caporale seconded the Motion. Motion carried to approve.

There was a round of applause.

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 4 – Route 36 Waterline Replacement Contract No. W-50 Bid Award – Board of County Commissioners approved the award of the Route 36 Waterline Replacement, Contract No. W-50 to First Fruits Excavating, Ridgeley, West Virginia, in the amount of \$122,930, subject to approval by the funding agency, and authorized the President of the County Commissioners to sign required project documents.

Item 5 – Resolution 21-22 – Rules & Regulations Governing Employees of Allegany County, Maryland Amendments – Board of County Commissioners approved and passed Resolution 21-22, the amendments to the Rules & Regulations Governing Employees of Allegany County, Maryland.

Item 6 – Local Management Board of Allegany County, Inc. – Board of County Commissioners appointed Kiersten O'Donnell, Chief Accountant, to serve on the Local Management Board of Directors as a representative from Allegany County Government. Her term will begin immediately.

Item 7 – Potomac Highlands Airport Authority Re-Appointment – Board of County Commissioners appointed Brian N. Brinsfield, Cumberland, Maryland, to the Potomac Highlands Airport Authority. His term will expire on June 30, 2024.

Item 8 – Allegany County Board of Zoning Appeals Re-Appointments – Board of County Commissioners approved the re-appointment of Mark Farris, Cumberland, Maryland, as a member of the Allegany County Board of Zoning Appeals, and John Brant, Frostburg, Maryland, as an Alternate Member. Their terms will expire on September 25, 2024.

Item 9 – Purchase of Emergency Ambulance for Emergency Medical Services Division – Board of County Commissioners authorized the purchase of a 2023 Ford F-550 Life Line Type I Ambulance Superliner in the amount of \$295,436. This ambulance will be acquired through the 2022-2026 Capital Improvement Project from Life Line Emergency Vehicles.

Item 10 – 2021 Emergency Management Performance Grant American Rescue Plan Act – Board of County Commissioners accepted the 2021 Emergency Management Performance Grant American Rescue Plan Act Program in the amount of \$47,244.26, with an allowable reimbursement amount of up to \$23,622.13. This grant is provided through the Maryland Emergency Management Agency.

Item 11 – 2021 Emergency Management Performance Grant Acceptance – Board of County Commissioners accepted the 2021 Emergency Management Performance Grant in the amount of \$82,818.72 for reimbursement of Emergency Management Program costs. This grant is provided through the Maryland Emergency Management Agency.

Item 12 – Federal Fiscal Year 2021 State Homeland Security Program Grant Acceptance – Board of County Commissioners accepted the FFY 2021 State Homeland Security Program Grant in the amount of \$111,111 as well as modification to budget 1448 to reflect this grant. This grant will be utilized to enhance interoperable communications as well as to update and enhance emergency preparedness and response plans.

Item 13 – 2021-2022 Hazardous Materials Emergency Preparedness Grant Acceptance – Board of County Commissioners accepted the 2021-2022 Hazardous Materials Emergency Preparedness Grant in the amount of \$12,000 for hazard materials planning and training as well as modification to Budget 1448 to reflect this grant. This grant is provided through the Maryland Emergency Management Agency.

Item 14 – 2022 Visit Mountain Maryland Destination Guide Request for Proposals – Board of County Commissioners authorized Allegany County Tourism to advertise Request for Proposals for the printing services for the 2022 Visit Mountain Maryland Destination Guides.

Item 15 – Hold Harmless, Indemnity and Tax Payment Agreement with Berry Plastics SP, Inc. – Board of County Commissioners approved and authorized the President to sign a Hold Harmless, Indemnity and Tax Payment Agreement with Berry Plastics SP, Inc.

County Administrator Jason Bennett expressed his congratulations and thanks to Jim Squires, and also thanked Jeff Barclay, Nathan Price, and Adam Patterson for their work.

County Attorney Lee Beeman offered his congratulations to Jim Squires on his appointment to Director of Planning and Zoning for Allegany County. He talked about the great job Mr. Squires has done streamlining the permits process to get things taken care of and keep them moving.

Commissioners' statements, comments, and recognition –

Commissioner David Caporale and **Commissioner Creade Brodie** also congratulated and thanked Jim Squires on his appointment.

Commissioner Jacob Shade brought up an issue that he heard about earlier in the day, an apparent effort for Western Maryland to secede and join the State of West Virginia. He said that he was unaware of this, and the Commissioners in Garrett County were also unaware of it. Commissioner Shade expressed his opinions on the subject. He questioned why such a thing would be considered and added that local officials did not know about it. Commissioner Shade referred to this as a distraction from real issues, such as Covid, broadband, and economic development, that the Commissioners and other local officials are dealing with. He pointed out that it is apparently the work of a certain Maryland Delegate who met with the West Virginia Speaker of the House to discuss this, without talking about it with anyone else first.

Commissioner Shade went on to say that the secession and move to West Virginia is not going to happen, as it would need to pass the United States Congress. He questioned why someone would think this was a good idea, and commented that such a thing as this affects how the rest of the State views Western Maryland. Commissioner Shade remarked that it makes no sense and is embarrassing, ridiculous, and a disgrace.

Commissioner Caporale commented that he was very surprised by the proposal of a move to West Virginia and that he questioned the motive for such a suggestion. He thanked Commissioner Shade for bringing this to the other Commissioners' attention and also thanked him for his comments at this meeting about the issue.

Constituents – In order of sign-up sheet – No one signed up to speak at this meeting.

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, November 4, 2021, 5:00 p.m.

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:25 p.m.

Jacob C. Shade, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary