

June 20, 2019

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.; and Commissioner David J. Caporale. County Administrator Brandon S. Butler; and County Attorney William M. Rudd were not present at this meeting. The following business was transacted:

The Pledge of Allegiance was led by Bryan Gowans, Reporter with WCBC Radio Station.

MOTION

Commissioner Brodie asked that Item 2A – Resolution 19-11 – TIP Amendment for the Cumberland Street Bridge be added to the Agenda. Upon Motion by Commissioner Brodie, and seconded by Commissioner Caporale, the Board of County Commissioners agreed to add Item 2A to the Agenda for this evening's meeting.

There were no further additions or deletions to the Agenda.

MOTION

Upon Motion by Commissioner Caporale, seconded by Commissioner Brodie, and Motion carried, the Commissioners approved the Minutes of the June 6, 2019, public business meeting.

Upon request by Commissioner Shade, a moment of silence was observed in honor of the late Senator John Hafer, who served from 1990 to 2006. Commissioner Shade remarked that Senator Hafer served Western Maryland very well in the Maryland Senate.

ACTION AGENDA

Item 1 – Code Home Rule Bill 1-19 – Introduction – “Allegany County Code Chapter 360, Part 4 Zoning Text Amendment Package, Items 1-11” – Angela R. Patterson, PE, Director of Planning and Growth, explained that Code Home Rule Bill 1-19 is an Act to amend eleven items in the County's Zoning Code. She reminded the Commissioners that a comprehensive revision was made to the Zoning Code and Map in 2017, with the primary goals of the amendments made in 2017 being to merge LaVale into County Zoning and to improve user-friendliness of the Code. Mrs. Patterson pointed out that although overall those goals were met, with a project of that magnitude, some errors and omissions, as well as opportunities to further improve user-friendliness, have been identified over the last two years.

Mrs. Patterson reported that the Planning Commission held a public hearing on May 15, 2019, resulting in a recommendation that all eleven items included in Code Home Rule Bill 1-19 be addressed. Mrs. Patterson explained that only one public comment was received through the Planning Commission's public process, related to a billboard setback, which has since been addressed. She announced that the Board of County Commissioners will hold a public hearing on Code Home Rule Bill 1-19 at their meeting on July 11, 2019, and added that she would review the amendments in more detail at that time. Mrs. Patterson concluded her presentation of Code Home Rule Bill 1-19 by stating that the proposed amendments would be posted on the County's website on Monday, June 24, 2019, with public notice to follow. Code Home Rule Bill 1-19, to be posted and available on the County's website, is attached to and made a part of these Minutes by reference.

Upon Motion made by Commissioner Brodie, seconded by Commissioner Caporale, and duly carried, the Board of County Commissioners approved and agreed to the introduction of Code Home Rule Bill 1-19 - “Allegany County Code Chapter 360, Part 4 Zoning Text Amendment Package, Items 1-11”.

Item 2 – Resolution 19-10 – Fiscal Year 2020 Cumberland Area Unified Planning Work Program – Board of County Commissioners, acting as the Metropolitan Planning Organization, to approve the adoption of Resolution 19-10 endorsing the Fiscal Year 2020 Unified Planning Work Program – Siera N. Wigfield, Planner, explained that the Cumberland Area Metropolitan Planning Organization has put together their United Planning Work Program, which outlines transportation planning activities that need to be done throughout the planning area. These activities are set forth on Mrs. Wigfield's Staff Report dated June 4, 2019, a copy of which is attached to and made a part of these Minutes. She reported that the public comment period was open from May 29 to June 19, 2019, and no comments were received. Mrs. Wigfield requested that the Board of County Commissioners, acting as the Cumberland Area Metropolitan Planning Organization (MPO), pass Resolution 19-10 and adopt the Fiscal Year 2020 Cumberland Area Unified Planning Work Program.

Commissioner Caporale moved that the Board of County Commissioners, acting as the Metropolitan Planning Organization, approve the adoption of Resolution 19-10 endorsing the Fiscal Year 2020 Unified Planning Work Program. Commissioner Brodie seconded the Motion. Motion carried to approve and adopt and pass Resolution 19-10.

Item 2A – Resolution 19-11 – Amendment to Transportation Improvement Plan (TIP) – Siera N. Wigfield, Planner.

Upon Motion by Commissioner Shade, and seconded by Commissioner Caporale, the Board of County Commissioners approved, adopted and passed Resolution 19-11 – Amendment to Transportation Improvement Plan (TIP) – Siera N. Wigfield, Planner, informed the Commissioners that today she received word that the Cumberland Street Bridge Replacement Project, included in the Transportation Improvement Program (TIP), needs another \$700,000 for preliminary engineering. She explained that in order to move forward with the Project, the TIP needs to be updated to include this additional funding. Mrs. Wigfield asked for the Commissioners' approval of this Amendment to the TIP by passing of Resolution 19-11.

Commissioner Shade remarked that he was fine with this Amendment, but hoped that the non-disclosure agreement that the City of Cumberland has entered into with CSX does not impact it in any way.

Commissioner Shade then moved that the Board of County Commissioners pass Resolution 19-11 – Amendment to Transportation Improvement Plan (TIP). Commissioner Caporale seconded the Motion. Motion carried to pass Resolution 19-11 to approve Amendment to the TIP.

CONSENT AGENDA

As recommended by the County Administrator

Commissioner Shade presented the Consent Agenda in place of County Administrator Brandon Butler. Regarding Item 3 – Fiscal Year 2020 Program Open Space Annual Plan, he read into the record the Program Open Space projects to which funds are proposed to be allocated. A copy of the Annual Plan on which these projects are listed, as read by Commissioner Shade, is attached to and made a part of these Minutes.

Before action was taken on the Consent Agenda, Commissioner Shade asked to take Items 12 and 13 off the Consent Agenda for this evening and vote on them separately. The other two Commissioners agreed to this.

Upon Motion by Commissioner Brodie, seconded by Commissioner Caporale, and Motion carried, the Consent Agenda, as to Items 3, 4, 5, 6, 7, 8, 9, 10, 11, and 14 as recommended by the County Administrator, and presented by Commissioner Shade, is adopted.

Item 3 – Fiscal Year 2020 Program Open Space Annual Plan – Board of County Commissioners approved the proposed Program Open Space projects for Fiscal Year 2020.

Item 4 – Fiscal Year 2020 Maryland Agricultural Land Preservation Easement Applications – Board of County Commissioners approved 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 5 – 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, 2019 through June 30, 2020 to Hammaker East, Ltd., Chambersburg, Pennsylvania, in the amount of \$1.994 per gallon (July 1, 2019 to October 31, 2019) and \$1.994 per gallon (April 1, 2020 to June 30, 2020).

Item 6 – 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, 2019 through June 30, 2020, to Martin-Marietta Aggregates, Warfordsburg, Pennsylvania, in the amount of \$184,482.05.

Item 7 – Bid Award for Unleaded Gasoline, Ultra Low Sulfur Diesel Fuel, No.2 Heating Oil and Kerosene – Board of County Commissioners awarded the purchase of Unleaded Gasoline, Ultra Low Sulfur Diesel Fuel, No.2 Heating Oil and Kerosene to Bedford Valley Petroleum Corporation, Cumberland, Maryland, in the amount of \$825,834.57.

Item 8 – Department of Public Works Maintenance Division Truck Purchase – Board of County Commissioners approved the request from the Department of Public Works Maintenance Division to purchase a ¾ ton pickup truck with plow through the Maryland State bid from Hertrich Fleet Services, in the amount of \$46,209.

Item 9 – Request for Tax Abatement – Board of County Commissioners approved the abatement of taxes in the amount of \$50,295.66. This request is for tax years 1996 to 2000. This abatement represents old personal property accounts that have become uncollectible due to business closings.

Item 10 – Request for Tax Abatement – Board of County commissioners approved the abatement of taxes in the amount of \$9,988.06 for seven properties located at 884 Sperry Terrace, 307 Broadway, 17 Paw Paw Alley, 215 Knox Street, 411 S. Central Avenue, 1016 Ella Avenue, and 1 Evergreen Terrace. These properties are being acquired by the City of Cumberland through tax sale foreclosure and will be demolished in an effort to return them to the tax rolls.

Item 11 – State’s Attorney’s Office – Board of County Commissioners approved and agreed to sign the First Lease Modification to the office lease between 123 S. Liberty Street, LLC, Landlord, and the Board of County Commissioners, for the benefit of the State’s Attorney’s Office.

Item 14 – International Coach Federation (ICF) Teaming Agreement – Board of County Commissioners authorized the County Administrator to execute a Teaming Agreement on behalf of Allegany County Government for the purposes of applying for a US Department of Labor grant opportunity.

Regarding Items 12 and 13 of the Consent Agenda, shown below in italics, Commissioner Shade pointed out that the County Attorney was not present at this meeting, and also that the Commissioners did not currently know what the full impact would be of Items 12 and 13. He added that with some companies, such as Motorola, a purchase starts out at one price, but ends up being a lot more. He brought up the radios as an example, describing that purchase as “the largest one-time capital investment ever for Emergency Management in the County”, and adding that the purchase price began at about \$7,000,000, but ended up being over \$8,000,000, including a \$450,000 outlay that was not expected. Commissioner Shade said he wanted to make sure that Items 12 and 13 have been properly vetted and properly bid, and that what the Commissioners approve will be for the amount approved only, and not a dime more.

Upon Motion made by Commissioner Shade, seconded by Commissioner Brodie, and duly carried, the Board of County Commissioners agreed to table Items 12 and 13 of the Consent Agenda.

Item 12 – VESTA Next-Gen 911 Call Routing Solution – TABLED: *Board of County Commissioners to authorize the purchase of the Next-Gen 911 Call Routing Solution from Motorola Solutions at a price of \$709,111.68 with approval of the Emergency Number Systems Board (ENSB) utilizing 9-1-1 Trust Fund money. The project is fully funded by the ENSB and does not require matching funds.*

Item 13 – VESTA PSAP Call Handling Solution Upgrade/Refresh – TABLED: *Board of County Commissioners to authorize the purchase of an upgrade/refresh to the VESTA PSAP Call Handling Solution at a price of \$1,288,880.27 from Motorola Solutions with approval of the ENSB utilizing 9-1-1 Trust Fund money. The project is fully funded by the ENSB and does not require matching funds.*

Commissioner Shade explained that County Administrator Brandon Butler was on vacation, and that County Attorney Bill Rudd was sick, so neither was present at this evening’s meeting.

Commissioners’ statements, comments, recognition –

Commissioner David J. Caporale told Siera Wigfield that the Bel Air Citizens Committee was very complimentary of her, and they said she made a very nice presentation when she was out there a week ago. He thanked her.

Commissioner Creade V. Brodie, Jr., remarked that for the last eight years, as soon as summer starts, the County Roads Crew get out and start tar and chipping, which brings out the usual complaints. He asked that everyone bear with the County, which does not have the resources to blacktop roughly 550 miles of road in Allegany County. Commissioner Brodie explained that a leveling coat is put down, then sealed with tar and chip, which is the only way it will last. Commissioner Brodie reported that as of now, the County has again received a few complaints. He explained that the County does the very best possible with the funds available, and that the County does a very good job. He encouraged questions and concerns and said that they will be answered as best as they can be answered. Commissioner Brodie acknowledged that Paul Kahl has been very good at getting back to people about their questions and concerns, and that he (Commissioner Brodie) has as well.

Commissioner Shade commented that there has been a lot of interest in the OP Roads Program, with possibly at least a dozen applications and inquiries.

Commissioner Jacob C. Shade talked about a priority of the Commissioners this year: placing a mental health counselor in every County high school, which was discussed with the Board of Education in March. He pointed out that funding by the County to the Board of Education did increase by \$310,000 this year, including funding for the mental health positions, which said increase showed the County's dedication to the safety and well-being of its children. Commissioner Shade remarked on the importance and impact of having these mental health counselors in the high schools, and thanked the Board of Education and all its members for keeping those positions in the budget.

Constituents – In order of sign-up sheet –

Mr. Kenneth Wilmont, 513 Fort Avenue, Cumberland, commented on the condition of the County's roads, remarking that they are in better condition than years ago.

Mr. Wilmont then voiced his concern stemming from the fatal accident that happened in the vicinity of Kline's Restaurant recently. He explained that he is a frequent customer of Kline's, and remarked that "you take your life in your own hands" when trying to get out of the parking lot there, because of the speed at which cars come around the turn from the bridge. Mr. Wilmont said that the situation is very dangerous. He requested that a 15 mile per hour speed limit be imposed from the bridge up past the end of the parking lot of the Fruit Bowl, and also possibly a speed bump installed and a speed trap set up by the Sheriff.

Commissioner Brodie told Mr. Wilmont that earlier this week, the issue was discussed, and it will be brought up at the next Traffic Advisory Committee on which the County sits, and which includes as members representatives of the State, Sheriff's Department, Maryland State Police, and Cumberland Police Department. He explained that Maryland State Police would be the best agency to look at the situation, and that they would have jurisdiction in the area, and that the County will present this to them, which will hopefully result in at least some signage before the bridge to say "Hidden Entrance" or something similar.

The Commissioners thanked Mr. Wilmont for his remarks.

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, July 11, 2019

Announcement – Allegany County Government Schedule (See News Release)

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 DEPARTMENT OF PUBLIC WORKS

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alleganygov.org

Item 2

BOARD OF COUNTY COMMISSIONERS

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

Paul F. Kahl, P.E.
Director of Public Works
Adam Patterson, P.E.
Deputy Director

STAFF REPORT

TO: Brandon S. Butler, County Administrator
FROM: Paul Kahl, P.E., Director of Public Works,
Siera Wigfield, Transportation Planner *SW*
DATE: June 4, 2019
RE: Cumberland Area Unified Planning Work Program Fiscal Year 2020

For the Agenda of June 20, 2019

1. BACKGROUND

The County Commissioners, having been designated the Metropolitan Planning Organization for the Cumberland Area, are required to endorse the Unified Planning Work Program every year, as a prerequisite to approval of federal funding. The Work Program consist of Core Planning (TIP, TDP, and PPP), and Special Studies (GIS, Corridor and Intersection Planning, Transit Planning, Freight Planning, and Pedestrian Planning.)

2. ISSUES

N/A

3. FINANCIAL IMPACT

The County share of the Unified Planning Work Program is part of the proposed FY 2020 Budget.

4. ALTERNATIVES

N/A

5. OTHER CONSIDERATIONS

N/A

6. CONFORMITY TO COUNTY POLICY

N/A

7. RECOMMENDATION

I recommend that the County Commissioners, acting as the Metropolitan Planning Organization, adopt the resolution endorsing the FY 2020 Unified Planning Work Program.

Program Open Space FY 2020 Annual Plan- Allegany County

Project Name	Local Sponsor Name	Project Total	POS		Local Sponsor
			Acquisition	Development	
Bleachers Team Benches, Goals & Other Equipment Purchase*	*See List	\$ 124,325.00	\$ 111,900.00	LWCF	\$ 12,432.50
Mt. Pleasant Park Field Use Conversion	City of Frostburg	\$ 81,000.00	\$ 72,900.00		\$ 8,100.00
Holly Ave Concession & Storage Building & Bleachers	LaVale Athletic Association	\$ 118,250.00	\$ 60,000.00		\$ 11,825.00
Hoffman Park Trail & Playground	City of Frostburg	\$ 54,000.00	\$ 21,600.00		\$ 5,400.00
Cresaptown Sports Complex Competition Basketball Courts	Cresaptown Civic Improvement Association	\$ 5,500.00	\$ 4,950.00		\$ 550.00
Renovate Weber Building	Potomac Valley Athletic Association	\$ 40,091.00	\$ 35,000.00		\$ 4,091.10
Hill Street Little League Baseball Field Improvements	Town of Barton	\$ 20,935.00	\$ 19,000.00	*	\$ 2,180.00
Allegany College of Maryland Walking Track	Allegany College of Maryland	\$ 50,000.00	\$ 45,000.00		\$ 5,000.00
Bobcat Arena Renovations	Frostburg State University	\$ 1,300,020.00	\$ 100,000.00		\$ 1,100,020.00
South Penn Elementary Community Playground	South Penn Elementary - PTA	\$ 112,392.39	\$ 95,000.00		\$ 17,392.39
Boat Launch Acquisition		\$ 25,000.00			
Prospect Square Acquisitions		\$ 40,000.00			
Totals		\$ 1,932,194.70	\$ 65,000.00	\$ 565,351.00	\$ 27,001.81
					\$ 1,169,476.49

* Bleacher, Goals, Team Benches - Bulk purchase of equipment delivered to Allegany County Fairgrounds to update equipment at over recreation facilities Countywide

Cresaptown Civic Improvement Association	LaVale Athletic Association	Oldtown Athletic Association	Town of Midland
Ellerslie Athletic Association	Allegany College of Maryland	Potomac Valley Athletic Association	
Flintstone Civic Improvement Association	City of Frostburg	Rawlings Lions Foundation	
Mt. Savage Athletic Association	Town of Lonaconing	Town of Barton	