

June 21, 2018

The regular meeting of the County Commissioners of Allegany County was held at the Allegany County Sheriff's Office, 695 Kelly Road, Conference Room, Cumberland, at 5:00 p.m. on the above date. The following were present: Commissioner Jacob C. Shade; Commissioner Creade V. Brodie, Jr.; Commissioner William R. Valentine; County Administrator Brandon S. Butler; and County Attorney William M. Rudd. The following business was transacted:

The Pledge of Allegiance was led by Danny Williams.

**MOTION**

There were no additions or deletions to the Agenda.

**MOTION**

Upon Motion by Commissioner Brodie, seconded by Commissioner Valentine, and Motion carried, the Commissioners approved the Minutes of the June 7, 2018, public business meeting.

**PRESENTATION**

**Item 1 – Frostburg Lodge #470 BPOE 42<sup>nd</sup> Derby Day** – Robert Rephan, Jr., Exalted Ruler, Frostburg Lodge #470, BPOE. Following remarks by Mr. Robert Rephan, Jr., and Mrs. Vickie Rephan, Commissioner Shade read and presented them with an official Citation in honor of Frostburg Lodge # 470's 42<sup>nd</sup> Derby Day.

**ACTION AGENDA**

**Item 2 – Code Home Rule Bill 1-18 Introduction – “An Act to Amend Off-Street Parking Standards for Industrial, Professional, and Institutional Office Buildings”** – Angela R. Patterson, PE, Land Use and Planning Engineer, provided background and information about proposed Code Home Rule Bill 1-18. A copy of the draft Bill as presented is attached to and made a part of these Minutes.

Upon Motion by Commissioner Valentine, seconded by Commissioner Brodie and duly carried, the Board of Commissioners approved and agreed to the introduction of Code Home Rule Bill 1-18 – “An Act to Amend Off-Street Parking Standards for Industrial, Professional, and Institutional Office Buildings”.

**Item 3 – Resolution 18-20 – Establishment of the Allegany County Regulatory Reform Commission** – Board of County Commissioners to approve the formation of the Allegany County Regulatory Reform Commission – Brandon S. Butler, County Administrator, discussed the details of the Allegany County Regulatory Reform Commission to be formed. The information provided by Mr. Butler is set forth on Resolution 18-20, a copy of which is attached to and made a part of these Minutes. Mr. Butler pointed out that there will be seven members appointed to the Regulatory Reform Commission. He added that the Commission will report back to the Board of County Commissioners on or before December 21, 2018.

Upon Motion made by Commissioner Shade, and seconded by Commissioner Valentine, the Board of Commissioners approved the formation of the Allegany County Regulatory Reform Commission.

**Item 4 – Allegany College of Maryland Technology Building Phase 2 Financial Support** – Board of County Commissioners to approve the financial assistance from Allegany County for future improvements at the Technology Building and to sign the necessary Maryland Higher Education Commission documents – Paul F. Kahl, PE, Director of Public Works, presented background and information regarding the Allegany College of Maryland Technology Building Phase 2 Project and its funding, as set forth on County Engineer Adam Patterson's Staff Report dated June 8, 2018, a copy of which is attached to and made a part of these Minutes.

Commissioner Brodie moved that the Board of Commissioners approve the financial assistance from Allegany County for future improvements at the Technology Building and agree to sign the necessary Maryland Higher Education Commission documents. Commissioner Valentine seconded the Motion. Motion carried.

**Item 5 – Locust Grove Pump Station and North Branch Pump Station Engineering Services Contract and Funding Documents** – Board of County Commissioners to authorize the Utilities Division Chief to sign contracts with GHD, Bowie, Maryland, for engineering services for the North Branch Pump Station and the Locust Grove Pump Station; to advertise the projects to bid; and, to further authorize the President of the Board of County Commissioners to sign applications and funding documents – Paul F. Kahl, PE, Director of Public Works, provided background and

information regarding the Locust Grove Pump Station and North Branch Pump Station Projects, including costs and funding, as set forth on Utilities Division Chief Mark Yoder's Staff Report dated June 5, 2018, a copy of which is attached to and made a part of these Minutes.

Upon Motion by Commissioner Brodie, seconded by Commissioner Valentine, and duly carried. The Board of Commissioners authorized the Utilities Division Chief to sign contracts with GHD, Bowie, Maryland, for engineering services for the North Branch Pump Station and the Locust Grove Pump Station; authorized advertisement of the projects to bid; and, further authorized the President of the Board of County Commissioners to sign applications and funding documents.

**Item 6 – ARAMARK, Inc. Agreement Renewal with the Allegany County Detention Center –** Board of County Commissioners to authorize the renewal of the agreement with ARAMARK, Inc., Philadelphia, Pennsylvania, to provide dietary services at the Detention Center for the term of July 8, 2018 to July 7, 2019 with a one-half percent increase in the price per meal over fiscal year 2018. The estimated value of this agreement is \$301,037 – Captain Lee Cutter, Allegany County Detention Center, presented background and information in connection with Sheriff Craig Robertson's recommendation that the Commissioners agree to a one-year (7-8-18 to 7-7-19) renewal of the Agreement with Aramark, Inc., to provide dietary services at the Detention Center. This background and information are set forth on Sheriff Robertson's Staff Report dated June 6, 2018, a copy of which is attached to and made a part of these Minutes.

Upon Motion made by Commissioner Valentine, seconded by Commissioner Brodie, and duly carried, the Board of Commissioners authorized the renewal of the agreement with ARAMARK, Inc., Philadelphia, Pennsylvania, to provide dietary services at the Detention Center for the term of July 8, 2018 to July 7, 2019 with a one-half percent increase in the price per meal over fiscal year 2018.

#### **CONSENT AGENDA**

As recommended by the County Administrator

Upon Motion by Commissioner Valentine, seconded by Commissioner Brodie, and Motion carried, the Consent Agenda as recommended by the County Administrator is adopted.

**Item 7 – Frostburg Elks Lodge #470 42<sup>nd</sup> Derby Day –** Board of County Commissioners agreed to contribute \$1,000 from the Community Promotions Account for the Frostburg Elks Lodge #470 42<sup>nd</sup> Derby Day scheduled for Wednesday, July 4, 2018.

**Item 8 – 2018 Polish Mountain Hill Climb – Sports Car Event –** Board of County Commissioners agreed to provide a letter of authorization for the Polish Mountain Hill Climb planned for August 4 and 5, 2018. The National Road Autosport, LLC, has presented a plan to partner with the Flintstone Volunteer Fire Company to support this unique motorsport activity.

**Item 9 – Allegany County Planning Commission Board Appointment –** Board of County Commissioners appointed William M. Chesno as a member of the Allegany County Planning Commission Board. His term will expire on February 16, 2023.

**Item 10 – Allegany County Department of Social Services Board Appointment –** Board of County Commissioners appointed of Melissa Buskirk as a member of the Allegany County Department of Social Services Board. Her term will expire June 30, 2021.

**Item 11 – Bid Award for Emulsified Asphalt –** Board of County Commissioners awarded the contract for the purchase of emulsified asphalt for use by the County Roads Division from July 1, 2018 through June 30, 2019 to Hammaker East, Ltd., Chambersburg, Pennsylvania, in the amount of \$1.884 per gallon (July 1, 2018 to October 31, 2018) and \$1.884 per gallon (April 1, 2019 to June 30, 2019).

**Item 12 – Bid Award for Delivered Cleaned-Washed Crushed Stone –** Board of County Commissioners awarded the contract for the purchase of delivered cleaned-washed crushed stone for use by the Department of Public Works Roads Division from July 1, 2018 through June 30, 2019, to Allegany Aggregates, Cumberland, Maryland, in the amount of \$209,776.10.

**Item 13 – Bid Award for the Purchase of a New Leaf Vac –** Board of County Commissioners awarded the contract for the purchase of a new leaf vac for the Public Works Road Division to Old Dominion Brush Company, Richmond, Virginia, in the amount of \$38,327.

**Item 14 – Depot Lease – Get Out and Play Outfitters –** Board of County Commissioners approved a one-year lease with "Get Out and Play Outfitters" for the Frostburg Depot subject to the County's Legal and Public Works Department's review and authorized the President to execute the lease.

**Item 15 – Request for Tax Abatement** – Board of County Commissioners authorized the abatement of taxes in the total amount of \$1,165.71 for three properties located at 314 Broadway, 534 Maryland Avenue, and 850 Sperry Terrace, all in Cumberland, Maryland. These properties are being acquired by the Mayor and City Council of Cumberland either by tax sale or donation.

**Item 16 – Request for Tax Abatement** – Board of County Commissioners authorized the abatement of taxes in the total amount of \$25,776.63 for property owned by Evitt’s Creek Land and Improvement Company, Inc., Cumberland, Maryland, due to overpayment of funds. The same will serve as a credit toward taxes owed.

**Item 17 – Fiscal Year 2018 Budget Amendments** – Board of County Commissioners approved four budget amendments to account for \$2,854,865 worth of budget increases related to fund balance uses for the recent employee retirement incentive, the annual vacation buyback program, and the first year of assuming the operation of Frostburg Ambulance. Also included in these amendments is an allocation of workers compensation to high use departments from our employee benefits department. These changes will be made to the FY 2018 budget to appropriately reflect this activity in the adopted budget.

**County Administrator Brandon S. Butler** introduced Ms. Sam Vega, one of the two Commissioners Fellows working for Allegany County this summer.

**Commissioners’ statements, comments, recognition –**

**Commissioner William R. Valentine** discussed the Cumberland Chase project, as well as changes being made to Allegany County Government Departments.

**Commissioner Creade V. Brodie, Jr.** talked about the upcoming primary election and expressed his appreciation for County staff.

**Commissioner Jacob C. Shade** brought up the train accident of earlier in the day, when a CSX train hit two bridges in the City of Cumberland.

**Constituents** – In order of sign-up sheet

**Mr. Edward Taylor**, 400 Allegany Street, Cumberland, asked a question about Commissioner Valentine’s campaign finance report. Commissioner Valentine told Mr. Taylor that he could come to Commissioner Valentine’s office to look at the requested documentation.

**Reminders/Upcoming Meetings**

**Next Public Business Meeting** – Thursday, July 12, 2018, 5:00 p.m.

**Announcement** – Allegany County Government Schedule for July 4, 2018 (See News Release)

**Announcement** – Allegany County Fair & Ag Expo (See News Release)

**ADJOURNMENT:**

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

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Jacob C. Shade, President

True Copy  
Attest:

\_\_\_\_\_  
Cynthia A. Young  
Recording Secretary

## RESOLUTION 18-20

**WHEREAS**, Allegany County Government must continue to make strides to be responsive to the needs of the citizens and businesses that call Allegany County home;

**WHEREAS**, policies and procedures of Allegany County Government relating to land use, permitting and planning must be transparent, accountable and administered in a equitable, professional and timely manner;

**WHEREAS**, it is vital that county government works with its citizens and businesses to find ways to promote economic growth and opportunity; and,

### **NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALLEGANY COUNTY MARYLAND, THAT:**

1. Allegany County Government establish the Allegany County Regulatory Reform Commission.
2. The Commission shall consist of the following:
  - (1) Professional Designer with project management background
  - (2) Business Representative
  - (3) Commercial Realtor
  - (4) Representative of a Union or Trades Organization
  - (5) Representative of the Home Builders Association of Western Maryland, Inc.
  - (6) Two Representatives of the Public at Large.
3. The Commission will be comprised of citizens from Allegany County, or individuals representing businesses that do regular business in Allegany County, Maryland.
4. All members, including the Co-Chairs of the Commission, are to be appointed by the Board of County Commissioners, and shall serve at the pleasure of the Board of County Commissioners.
5. The County Administrator, or his designee, will serve as staff to the Commission.
6. State agencies may provide technical assistance to the Commission on an as needed basis.
7. The Commission shall:
  - (1) Undertake a comprehensive review of the policies and procedures within Allegany County Government concerning land development, permitting and planning.
  - (2) Identify areas that pose the greatest barriers and burdens to business growth, attraction and retention in the County relating to land development, planning and permitting.

(3) Formulate substantive solutions to identified problems that will remove barriers or alleviate burdens to businesses in Allegany County.

8. The Commission shall meet as frequently as necessary to meet the deadlines established by this Resolution.

9. All County Departments are authorized and directed to coordinate and assist the Commission in the furtherance of its work.

10. The Commission shall submit to the Board of County Commissioners its findings no later than December 21, 2018. The findings should include whether the Commission should further its work.

*Adopted this 21<sup>st</sup> day of June, 2018*

**The Board of County Commissioners of Allegany County, Maryland**

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Jacob C. Shade, President

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Creade V. Brodie, Jr. Commissioner

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William R. Valentine, Commissioner



**BOARD OF COMMISSIONERS**

Jacob C. Shade, *President*  
Creade V. Brodie, Jr.  
William R. Valentine

**ALLEGANY COUNTY  
DEPARTMENT OF PUBLIC WORKS**

701 Kelly Road, Suite 300  
Cumberland, MD 21502  
301-777-5933 FAX 301-777-2001  
www.allconet.org

*Item 4*

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

**STAFF REPORT**

**TO:** Brandon Butler, Esq., County Administrator *Adam*  
**FROM:** Adam Patterson, P.E., Capital Improvement Program Engineer  
**CC:** Paul Kahl, P.E., Director of Public Works *DFK*  
**DATE:** June 8, 2018  
**RE:** Allegany College of Maryland  
Technology Building - Phase 2  
Financial Support

For the Agenda of: June 21, 2018 Public Meeting

**1. BACKGROUND**

The Allegany College of Maryland (ACM) has requested financial assistance from Allegany County for future improvements at the Technology Building. This project was first included in Allegany County's Capital Improvement Plan (CIP) in fiscal year 2007. The Technology Building project was previously updated to pursue improvements in phases. Technology Building Project Phase 1 includes the renovation of the lobby to add an elevator, address ADA compatibility issues, update restrooms, and address HVAC. Phase 1 is currently under construction and is expected to be complete in October 2018. Allegany County has provided funding for the design and construction of Phase 1 and will provide funding for the upcoming design of Phase 2. ACM is requesting State funding in fiscal year 2020 for the construction of Phase 2. The County has committed to provide a total of \$3 million in funding for the overall improvements at the Technology Building (design and construction). ACM is seeking financial support from Allegany County for the construction of Phase 2.

**2. ISSUES**

N/A

**3. FINANCIAL IMPACT**

Allegany County has provided approximately \$1,193,000 for architecture, engineering and construction in Phase 1. Allegany County has obligated \$284,000 for the architecture and engineering in Phase 2, \$195,000 for roof improvements on the Technology Building, and \$1,328,000 for the Phase 2 construction. The total County contribution to the Technology Building project is estimated at \$3,000,000. ACM is aware of the financial challenges that the County faces. Personnel from ACM and Allegany County will continue to work together on how best to accomplish goals for each entity and stay within the allocated project funding.

**4. ALTERNATIVES**

Do not support Allegany College of Maryland - Technology Building Phase 2 (construction).

**5. OTHER CONSIDERATIONS**

N/A

**6. CONFORMITY TO COUNTY POLICY**

Conforms to County policy.

**7. RECOMMENDATION**

Support the Allegany College of Maryland – Technology Building Phase 2 (construction) and sign the necessary Maryland Higher Education Commission documents.

cc: Capital Improvement Program Committee  
File



**ALLEGANY COUNTY**  
**DEPARTMENT OF PUBLIC WORKS**  
**UTILITIES DIVISION**

*Item 5*

**BOARD OF COUNTY  
COMMISSIONERS**  
Jacob C. Shade *President*  
Creade V. Brodie, Jr.  
William R. Valentine

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**Brandon S. Butler, Esq.**  
*County Administrator*  
**Paul F. Kahl, P.E.**  
*Director of Public Works*  
**Mark W. Yoder P.E.**  
*Utilities Division Chief*

**STAFF REPORT**

**TO:** Brandon S. Butler, Esq., County Administrator  
**FROM:** Mark W. Yoder, P.E. *MWY*  
**DATE:** June 5, 2018 *DEK*  
**RE:** **Engineering Services Contract and Funding Documents for Locust Grove Pump Station and North Branch Pump Station**

For the Agenda of: June 21, 2018

**1. BACKGROUND**

Allegany County has received funding for the upgrade of the North Branch Industrial Park Pump Station of the Locust Grove Pump Station. GHD from Bowie, Maryland has done all of the preliminary engineering on the projects and we are ready to begin final design. GHD has done several projects for the county and were originally selected through a competitive proposal process.

**2. ISSUES**

Pump Station design requires specialized engineer disciplines including electrical, instrumentation control, and structural engineering that we do not have in house.

**3. FINANCIAL IMPACT**

The North Branch Pump Station contract is approximately \$160,000 for design engineering, \$15,000 for bid phase, \$100,000 for engineering during construction. The Locust Grove Pump Station is approximately \$545,000 for design engineering, \$40,000 for bid phase, and \$400,000 for engineering during construction.

The project cost of the Locust Grove Pump Station is approximately \$11,000,000, funded through a combination of grants and loans from MDE, USDA, CDBG, and ARC.



The project cost of the North Branch Pump Station is approximately \$1,825,000, funded through a combination of grants and loans from USDA and Arc.

**4. ALTERNATIVES**

There are no practical alternatives. Any changes will delay the project.

**5. OTHER CONSIDERATIONS**

The engineering will be funded through the grant and loan packages from USDA and ARC for North Branch and USDA, MDE, and CDBG for Locust Grove. All loans will be paid by the users of the system, which will require a future rate increase.

**6. CONFORMITY TO COUNTY POLICY**

Conforms to County policy.

**7. RECOMMENDATION**

Authorize the Utilities Division Chief to sign contracts for the engineering services with GHD for the North Branch Pump Station and the Locust Grove Pump Station and to advertise the projects for bid.

Authorize the President of the Commission to sign applications and funding documents for the North Branch Pump Station and the Locust Grove Pump Station.

CC: Paul Kahl  
Jim Webber  
Dave Nedved



# ALLEGANY COUNTY SHERIFF'S OFFICE



14300 McMullen Highway SW, Cumberland, Maryland 21502

*Sheriff Craig A. Robertson*

*J. Dembo*

## MEMORANDUM

**TO:** Brandon S. Butler  
County Administrator

**FROM:** Craig A. Robertson  
Sheriff / Administrator *CAR*

**SUBJECT:** **Renew ARAMARK, Inc. Agreement**

**DATE:** June 6, 2018

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### For the Agenda of June 21, 2018:

#### BACKGROUND

ARAMARK, Inc. has submitted a request for a one year extension on our Operating Agreement – Food Service to continue Dietary services at the Detention Center, commencing July 8, 2018 and ending July 7, 2019. The Extension provides for a one half (½) percent increase in the price per meal over the FY 2018 Agreement (see attached).

#### ISSUES

It is practical for the Allegany County Detention Center to engage an outside contractor to deliver meals for incarcerated individuals in order to remain in compliance with standards set forth by the Maryland Commission on Correctional Standards.

#### FINANCIAL IMPACT

Funding in the amount of \$380,387.00 has been approved for the FY 2019 Budget. Using the Detention Center's average daily population for FY 2018 of 145 \* the price per meal of 1.896 \* 3 meals per day \* 365 days, the estimated value of this Agreement is \$301,037.00.

**ALTERNATIVES**

N/A

**OTHER CONSIDERATIONS**

ARAMARK, Inc. is currently providing services at the Detention Center in a satisfactory manner.

**CONFORMITY TO COUNTY POLICY**

Conforms to County policy.

**RECOMMENDATION**

Craig A. Robertson., Sheriff /Administrator, recommends that the Allegany County Commissioners agree to renew the Agreement with ARAMARK, Inc to provide dietary services at the Detention Center for the term of July 8, 2018 to July 7, 2019 with a one half (½) percent increase in the price per meal over FY 2018. The estimated value of this Agreement is \$301,037.00.