

September 8, 2022

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 Assistant County Attorney Ramon Rozas III.

The Pledge of Allegiance was recited by those present.

Before proceeding with the meeting, Commissioner Shade asked for a moment of silence in honor and memory of Queen Elizabeth II, who died earlier in the day.

#### **MOTION**

There were no additions or deletions to the Agenda.

#### **MOTION**

Upon Motion by Commissioner Brodie, and seconded by Commissioner Caporale, the Minutes of the August 25, 2022 public business meeting were approved by the Board of County Commissioners.

#### **PUBLIC HEARING**

**Item 1 – Code Home Rule Bill 2-22 – Public Hearing – Possible Action – “LaVale Sanitary District – Utility Improvement and Water Main Bond Authorization”** – Jason M. Bennett, CPA, County Administrator, reminded the County Commissioners that Code Home Rule Bill 2-22 was introduced at their last public business meeting on August 25, 2022. He again explained that this would be for LaVale Sanitary and their work with the Locust Grove Project, specifically the force main. Mr. Bennett confirmed that this evening would be the Public Hearing on Code Home Rule 2-22, and if no public comment were received, the Commissioners could take action to approve and adopt the Bill.

Commissioner Shade opened the public hearing and asked for any public comment on Code Home Rule Bill 2-22. There was none. Hearing closed.

Upon Motion made by Commissioner Caporale, seconded by Commissioner Brodie, and duly carried, the Board of County Commissioners approved and adopted Code Home Rule Bill 2-22 – Public Hearing – Possible Action – “LaVale Sanitary District – Utility Improvement and Water Main Bond Authorization”.

#### **ACTION AGENDA**

**Item 2 – Resolution 22-22 – Braddock and Jennings Run Sewage Conveyance Improvement Bond Resolutions** – Board of County Commissioners to approve 2 Bonds for the Braddock and Jennings Run Sewage Conveyance Improvement Project (Locust Grove Project) in Allegany County in the amount of \$2,911,646 from Maryland Water Infrastructure Financing Administration – Jason M. Bennett, CPA, County Administrator, provided background and details regarding Resolution 22-22 and confirmed that the bond bill for the projects has already been adopted. Mr. Bennett asked the Commissioners to adopt and pass Resolution 22-22 – Braddock and Jennings Run Sewage Conveyance Improvement Bond Resolutions to allow closing on the bonds. He pointed out that there are two separate loans through MDE, totaling approximately \$2.9 million. Mr. Bennett explained that one of the loans, for \$727,000.00, is actually a forgivable loan, and the other loan, for \$2,100,000.00, has a 30-year term at 0.8 percent (0.8%) interest, to be repaid by users of the system. He concluded by recommending to the Commissioners that they approve and pass Resolution 22-22.

Upon Motion by Commissioner Brodie, and seconded by Commissioner Caporale, the Board of County Commissioners approved two Bonds for the Braddock and Jennings Run Sewage Conveyance Improvement Project (Locust Grove Project) in Allegany County in the amount of \$2,911,646 from Maryland Water Infrastructure Financing Administration.

**Item 3 – Western Maryland Scenic Railroad Property Tax Credit** – Board of County Commissioners to approve a property tax credit for Western Maryland Scenic Railroad Development Corporation pursuant to Tax Property Article §9-302(b) for Fiscal Year beginning July 1, 2022, through June 30, 2023, and for Fiscal Year beginning July 1, 2021 through June 30, 2022 – Jason M. Bennett, CPA, County Administrator, asked the Commissioners to recall that at their public business meeting held on August 4, 2022, property tax credits were granted to a number of entities who are allowed such tax credits under state law. He explained that those entities submitted request letters for the Commissioners' approval. Mr. Bennett told the Commissioners that at the time the tax credits were granted to the other entities, Western Maryland Scenic

Railroad did not have their request in; but they have since reached out and asked for the credit for both fiscal year 2023 and fiscal year 2022. He told the Commissioners that he was putting the request before them for their consideration for approval.

Commissioner Brodie asked Mr. Bennett if the Western Maryland Scenic Railroad had gotten the tax credit in the past, and Mr. Bennett confirmed that they had.

Before action was taken on this item, Assistant County Attorney Ramon Rozas asked for the record to be noted that County Attorney Lee Beeman prepared the documentation for this Item, because Attorney Rozas has a conflict regarding the Western Maryland Scenic Railroad.

Upon Motion made by Commissioner Caporale, seconded by Commissioner Brodie, and duly carried, the Board of County Commissioners approved a property tax credit for Western Maryland Scenic Railroad Development Corporation pursuant to Tax Property Article §9-302(b) for Fiscal Year beginning July 1, 2022, through June 30, 2023, and for Fiscal Year beginning July 1, 2021 through June 30, 2022.

**Item 4 – Appalachian Regional Commission (ARC) Annual Conference Sponsorship** – Board of County Commissioners to approve a \$7,000 contribution to sponsor the 2022 ARC Annual Conference to be held at Rocky Gap Resort from October 17-19, 2022 – Jacob C. Shade, President, reminded the other Commissioners that Allegany County is going to be the host county for this year's Appalachian Regional Conference to be held October 17 through 19 at Rocky Gap, with a few events also to be held in Downtown Cumberland and Frostburg. Commissioner Shade remarked that the Commissioners are very pleased at this opportunity to put Allegany County on display, and added that Governors from various states throughout the country will be attending, as well as ARC staff from different areas. He explained that Tri-County Council is heading up this event and that the County has been working with them on it.

Upon Motion by Commissioner Shade, and seconded by Commissioner Brodie, the Board of County Commissioners approved a \$7,000 contribution to sponsor the 2022 ARC Annual Conference to be held at Rocky Gap Resort from October 17-19, 2022.

Commissioner Caporale asked about the possibility of this event recurring in Allegany County. Commissioner Shade replied that the ARC actually moves it around every year, and that there are 13 states in the ARC, with Maryland previously hosting the event in 1991.

**Item 5 – Allegany County 2022 Land Preservation, Parks and Recreation Plan Approval** – Board of County Commissioners to approve the 2022 Allegany County Land Preservation, Parks and Recreation Plan and forward it to Maryland Department of Planning and Maryland Department of Natural Resources – Daniel S. DeWitt, PE, County Engineer, provided background and details regarding the Allegany County 2022 Land Preservation, Parks and Recreation Plan, as set forth on the Staff Report on the subject dated September 6, 2022, a copy of which is attached to and made a part of these Minutes. Mr. DeWitt asked for the Commissioners' approval of the plan and for their permission for it to be forwarded to the Maryland Department of Planning and the Maryland Department of Natural Resources.

The Commissioners thanked Mr. DeWitt for his work on the Plan.

Commissioner Brodie moved that the Board of County Commissioners approve the 2022 Allegany County Land Preservation, Parks and Recreation Plan and forward it to Maryland Department of Planning and Maryland Department of Natural Resources. Commissioner Caporale seconded the Motion. Motion carried to approve the plan and forward it to the Maryland Department of Planning and Maryland Department of Natural Resources.

**Item 6 – Governor's Office of Crime Control and Prevention Grant Award** – Board of County Commissioners to approve a grant agreement with the Governor's Office of Crime Control and Prevention to accept funding in the amount of \$492,594 for the Police Accountability, Community, and Transparency Grant (PACT). This program allows for the implementation of the Maryland Police and Accountability Act of 2021 in the areas of Law Enforcement Accountability, Law Enforcement Training, public outreach, and to authorize the President of the County Commissioners to sign the grant agreement – Tanya L. Gomer, Grants Manager, provided background and details for this Item, as set forth on her Staff Report on the subject dated August 25, 2022, a copy of which is attached to and made a part of these Minutes.

After acknowledging and thanking Ms. Gomer for her efforts in obtaining the grant, Commissioner Shade discussed his objections to the Police Accountability Board, and Commissioner Brodie agreed with his remarks.

Upon Motion made by Commissioner Brodie, and seconded by Commissioner Caporale, the Board of County Commissioners approved a grant agreement with the Governor's Office of Crime Control and Prevention to accept funding in the amount of \$492,594 for the Police Accountability, Community, and Transparency Grant (PACT). This program allows for the implementation of the Maryland Police and Accountability Act of 2021 in the areas of Law Enforcement Accountability, Law Enforcement Training, and public outreach. The Board of County Commissioners also authorized the President of the County Commissioners to sign the grant 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 approved and adopted the Consent Agenda as recommended by the County Administrator.

**Item 7 – Fiscal Year 2023 Maryland Center for School Safety and Maryland State Department of Education Grant Award** – Board of County Commissioners approved a grant agreement with the Maryland Center for School Safety and Maryland State Department of Education for \$84,564 to support the School Resource Officer program in Allegany County Public Schools provided by the Sheriff's Office, and authorize the President of the County Commissioners to sign the agreement.

**Item 8 – Washington Street Library Sidewalk and Retaining Wall Restoration Award** – Board of County Commissioners approved the award for the Washington Street Library Sidewalk and Retaining Wall Restoration to First Fruits Excavating, Inc., Ridgeley, West Virginia, in the amount of \$168,825, and authorized the President of the County Commissioners to sign necessary contract documents.

Commissioner Shade asked if bricks were being put back down in front of the Washington Street Library, and County Engineer Dan DeWitt discussed this with him.

**Item 9 – Lease Public Works Vehicles** – Board of County Commissioners approved and authorized the Department of Public Works to lease a Ford F-150 and a Jeep Compass (or equivalent) from Enterprise Fleet Management, Inc. for a period of five years, and cover the annual cost with the Department of Public Works operating funds.

**Item 10 – Declaration of Surplus Vehicle** – Board of County Commissioners approved and authorized the Department of Public Works to declare a 2005 Chevrolet Equinox, VIN# 2CNDL23F056174830 as surplus and dispose of it in accordance with county policy.

**Item 11 – Declaration of Surplus Recycling Trailers** – Board of County Commissioners authorized the Department of Public Works to declare a 2004 Trailer, VIN# 5A3816D34L007426, 2006 Trailer, VIN# 5A3F816D96L001634, and a 2007 Trailer, Serial# 201586 as surplus and dispose of them in accordance with county policy.

**Item 12 – Garden City Mobile Home Park Partial Acquisition Project – Demolition Award** – Board of County Commissioners approved the award of the Garden City Mobile Home Park Partial Acquisition Project Demolition to E-Z Out, Inc., Cumberland, Maryland, in the amount of \$25,000, for the demolition of 25 pad sites, 12 singlewide mobile homes, all associated out buildings, trash, debris on the property, coordination with local utility companies for disconnection/capping of existing taps, removal of all asphalt and stone roads/driveways/parking areas, and restoration of the property. Also, awarded change orders in the contract for any additional demolition and removal of materials and debris that may be required for the Project.

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

**Mr. Will Hager**, of Gramlich Road, LaVale, thanked the Commissioners for their time and said that he was present on behalf of Green Ridge Environmental. Mr. Hager discussed his concerns regarding the bidding on the Garden City Mobile Home Park Partial Acquisition Project Demolition. David Nedved of the Department of Economic and Community Development and County Administrator Jason Bennett spoke with him about his concerns.

**Mr. Danny Williams** of St. George's Lane, Mount Savage, on behalf of himself as well as some other residents, voiced his objections to the removal of recycling bins in Mount Savage. County Administrator Jason Bennett told Mr. Williams that County staff will look into the matter.

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

**Assistant County Attorney Ramon Rozas** 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** talked about a pending consent decree from Maryland Department of the Environment.

**Commissioner Jacob Shade** reported that the position of County Health Officer has been posted, and also that the reopening of the LaVale Library is scheduled for September 23, 2022. He commented enthusiastically about the project.

**Reminders/Upcoming Meetings –**

**Next Public Business Meeting – Thursday, September 22, 2022, 5:00 p.m.**

**ADJOURNMENT:**

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:40 p.m.

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Jacob C. Shade, President

True Copy  
Attest:

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



**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 5*

BOARD OF COUNTY COMMISSIONERS  
Jacob C. Shade, *President*  
Creade V. Brodie, Jr.  
David J. Caporale

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

**STAFF REPORT**

**TO:** Jason M. Bennett, CPA, County Administrator  
**FROM:** Jinny Warn, Recycling Coordinator  
**CC:** Adam Patterson, P.E., Director of Public Works *AdP*  
**DATE:** September 6, 2022  
**RE:** Allegany County's 2022 Land Preservation, Parks and Recreation Plan

For the Agenda of: September 8, 2022 Meeting

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**1. BACKGROUND**

Every five years, the MD Department of Natural Resources (DNR) and Planning requires each County update and adopt a Land Preservation, Parks and Recreation Plan. Allegany County's Land Preservation, Parks and Recreation Plan is aimed to be a resource that provides County and State Leaders, as well as the general public with a clear understanding of Allegany County's goals, strategies, and priorities for investing to improve parks and recreation facilities and open spaces for public benefit. The Plan has been available to the public and our municipalities for review and comment for several months, reviewed by the MD DNR, and recently has been presented and approved by the Allegany County Planning and Zoning Commission. It must now be approved and adopted by the County Commissioners and sent to the MD DNR for archiving.

**2. ISSUES**

None.

**3. FINANCIAL IMPACT**

A current Land Preservation, Parks and Recreation Plan allows the County to receive Program Open Space funds from the MD DNR.

**4. ALTERNATIVES**

Do not approve of the 2022 Land Preservation, Parks and Recreation Plan.

**5. OTHER CONSIDERATIONS**

N/A

**6. CONFORMITY TO COUNTY POLICY**

The approval of the plan conforms to County Policy.

**7. RECOMMENDATION**

Approve and adopt the 2022 Land Preservation, Parks and Recreation Plan.



# ALLEGANY COUNTY SHERIFF'S OFFICE



695 Kelly Blvd, Cumberland, Maryland 21502

*Sheriff Craig A. Robertson*

## STAFF REPORT

TO: Jason M. Bennett, County Administrator  
FROM: Tanya L. Gomer, Grants Manager  
DATE: August 25, 2022  
RE: Police, Accountability, Community and Transparency (PACT) Grant

### 1. **Background:**

The Maryland Police Accountability Act of 2021 requires all agencies to comply with sweeping police reform actions but smaller jurisdictions like Allegany County have challenges as it is just not feasible to accomplish without significant supplemental assistance from grant programs. All of the elements listed below will be part of our adoption plan over the next two years. Some are contingent upon others, and others need to be established independently and will complement other initiatives. The outline below shows the category and main topic addressed from the legislation.

#### Law Enforcement Accountability

- Early Intervention System
- Misconduct Database
- Accountability Board
- Victim's Rights Advocate (VRA)
- Employee Assistance Program

#### Law Enforcement Training

- Use of Force, De-escalation, and Peer Bias Intervention Training
- Implicit Bias Testing and Annual Training
- Mental Health Screening Process
- Tuition Assistance

#### Law Enforcement Public Outreach

- Citizens' Police Academy

#### Law Enforcement Equipment

- Body Worn Cameras
- Weapon/holster Enabled Notification System
- Virtual Reality Simulators

#### Alternative Sentencing

(301) 729-4132  
FAX: (301) 729-2496

#### Patrol/Judicial Division

(301) 777-1555  
FAX: (301) 777-2554

#### Correctional Division

(301) 729-8540  
FAX: (301) 729-5298

2. **Issues:**

The Police Accountability Act is the largest police reform legislation in our lifetime and we must implement these elements.

3. **Financial Impact:**

Several large expenditures must take place and this grant will allow us to establish baseline funding necessary to move forward with these accountability measures such as the mandated Police Accountability Board, databases, training requirements, mental health assessments, and body cameras to name a few.

4. **Alternatives:**

The only alternatives are to fund these through local dollars.

5. **Other Considerations:**

We were 100% funded on our grant proposal.

6. **Conformity to County Policy:**

This proposal was approved in accordance with the county grants policy and signed by the Sheriff on 6/28/22 and County Administrator on 6/29/22.

6. **Recommendation:**

I recommend that the Board of County Commissioners authorize the President of the County Commissioners to sign a grant agreement with the Governor's Office of Crime Control and Prevention (GOCCP) – Police Accountability, Community, and Transparency Grant (PACT) program in the amount of \$492,594.

cc: Linda Simpson, County Clerk