

October 6, 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 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, and seconded by Commissioner Caporale, the Minutes of the September 22, 2022 public business meeting were approved by the Board of County Commissioners.

#### **ACTION AGENDA**

**Item 1 – Fiscal Year 2023 Budget Amendments** – Board of County Commissioners to approve six budget amendments for Fiscal Year 2023 in the total amount of \$1,225,595. The general fund budget for FY 2023 will increase by \$650,133, of which \$633,740 will be covered with grant revenue and the remaining \$16,393 will be covered with unreserved fund balance – Jason M. Bennett, CPA, County Administrator, presented background and details regarding the proposed FY-23 Budget Amendments, as set forth on the Staff Report on this subject dated September 22, 2022, a copy of which is attached to these Minutes. Mr. Bennett asked the Commissioners for their approval of these budget amendments.

Upon Motion made by Commissioner Caporale, seconded by Commissioner Brodie, and duly carried, the Board of County Commissioners approved six budget amendments for Fiscal Year 2023 in the total amount of \$1,225,595. The general fund budget for FY 2023 will increase by \$650,133, of which \$633,740 will be covered with grant revenue and the remaining \$16,393 will be covered with unreserved fund balance.

#### **CONSENT AGENDA**

As recommended by the County Administrator

Upon Motion by Commissioner Brodie, seconded by Commissioner Caporale, and Motion carried, the Board of County Commissioners approved and adopted the Consent Agenda as recommended by the County Administrator.

**Item 2 – Transfer of Certificate of Sale** – Board of County Commissioners approved the transfer of the Certificate of Sale held by the Board of County Commissioners of Allegany County, Maryland, for property located at High and Washington Street, Lot 1, 50 x 100, in Barton, Maryland, to the Town of Barton.

**Item 3 – Fiscal Year 2023 Operating Assistance Grant Agreement** – Board of County Commissioners authorized the County Administrator to sign the Fiscal Year 2023 Public Transportation Operating Assistance Grant Agreement in the amount of \$1,246,399. The grant agreement is to provide financial assistance to Allegany County to cover the capital, operating, and planning costs for public transportation services.

**Item 4 – Senior Care System Annual Plan** – Board of County Commissioners authorized the County Administrator to sign the Maryland Office on Aging Senior Care System Annual Plan Review and Approval for Fiscal Year 2023. The Allegany County Health Department serves as the lead agency for the Senior Care Program at the request of the County Commissioners and administers the grant funds received from the Office on Aging.

**Item 5 – Lease Addendum No. 1 with TCMT, LLC** – Board of County Commissioners approved Lease Addendum No.1 with TCMT, LLC, for a five-year lease extension retroactively taking effect on November 1, 2021, and expiring on October 31, 2026, at the portion of the real property located at 13533 McMullen Highway, described as Lots 1, 2, and 3 of Block 39 of the Potomac Park Addition, Allegany County, Maryland.

**Item 6 – Lease Addendum No. 5 with Utz Quality Foods, Inc.** – Board of County Commissioners approved Lease Addendum No. 5 with Utz Quality Foods, Inc., for a one-year lease extension retroactively taking effect on September 1, 2022, and expiring on September 1, 2023, for a portion of Buildings 31 and 31B (approximately 6,760 sq. ft.) in Riverside Industrial Park, 851 Kelly Road, Cumberland, Maryland.

**Item 7 – Purchase and Trade of Vehicles** – Board of County Commissioners authorized the Allegany County Sheriff’s Office to purchase a 2015 Toyota Rav 4 in the amount of \$20,439 from Timbrook Chrysler Dodge Jeep Ram to be used by C3I Investigations, and authorized the trade of a 2015 Jeep Cherokee with mechanical issues, for a 2019 Chevrolet Trax. This will be an even trade.

**Item 8 – Purchase of Vehicle** – Board of County Commissioners authorized the Allegany County Sheriff’s Office to purchase a 2010 Chevrolet Camaro in the amount of \$8,000 from Frontline Mobile Tech, LLC, Jessup, Maryland, to be utilized by the D.A.R.E. Program.

**Item 9 – Purchase of Vehicle** – Board of County Commissioners authorized the Allegany County Sheriff’s Office to purchase a 2020 Chevrolet Tahoe in the amount of \$45,627.43 from Stan McNabb Chevrolet of Columbia.

**Item 10 – Sale of Vehicle** – Board of County Commissioners authorized the Allegany County Sheriff’s Office to sell a 2019 Dodge Durango to Timbrook Chrysler Dodge Jeep Ram for \$29,350 due to electrical emergency lighting issues.

**Item 11 – Declaration of Surplus/Abandoned/Seized Vehicles** – Board of County Commissioners declared the following vehicles as surplus/abandoned/seized and sold by public auction:

Surplus/seized vehicles:

- 2013 Ford Taurus VIN: 1FAHP2M88DG132369
- 2010 Chevy Equinox VIN: 2CNFLNEY1A6283395
- 2011 BMW VIN: WBAPK5C58BA659435
- 1984 Honda 3-Wheeler VIN: JH3TE0103EC018899
- 2006 Kawasaki KX 450 Dirt Bike VIN: JKAKXGDC26A007725
- MountOpz 4-Wheeler VIN: 181100501P571
- Pentora 125 4-Wheeler VIN: L6UB4EACKLA019086
- 2021 Coleman CT 200U Mini Bike VIN: LWGPCMLC3MA018883
- 2020 RFZ Apollo Dirt Bike VIN: L08YGJGDXL1012069
- 2002 Yamaha YFS 200 Blaster VIN: JY43JM0322CO41578
- 2006 Polaris Hawkeye 4-Wheeler VIN: 1XALD27A968987939

Abandoned vehicles:

- 2013 Jeep Patriot VIN: 1C4NJRFB1DD249633
- 2002 Honda Accord VIN: 1HGCG56642A004679
- 2008 Acura MDX VIN: 2HNYD28878H555302
- 2008 Mercury Milan VIN: 3MEHM01188R609393
- 2001 Acura MDX VIN: 2HNYD188X1H502349
- 2007 Pontiac G6 VIN: 1G2ZG58B674262957
- 2006 Nissan Armada VIN: 5N1AA08B36N728975
- 2004 Buick Rendezvous VIN: 3G5DB03E84S518382
- 2002 Chevrolet Trailblazer VIN: 1GNDDT13S322351379
- 2002 Ford Escape VIN: 1FMYU02112KA06325
- 2006 Dodge Durango VIN: 1D4HB48246F141558
- 2005 Subaru Impreza VIN: JF1GD67515H509827
- 1999 Chevrolet S10 VIN: 1GCCS1446XK165513
- 1993 Harley Davidson XLH VIN: 1HD4CAM14PY200486
- 2009 Suzuki GSX 650F VIN: JS1GP74A492100362.

**Item 12 – Resolution 22-23 – Rules & Regulations Governing Employees of Allegany County, Maryland Amendments** – Board of County Commissioners approved, authorized, and passed Resolution 22-23, the amendments to the Rules & Regulations Governing Employees of Allegany County, Maryland.

**Item 13 – 2023 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 2023 Visit Mountain Maryland Destination Guides.

**Item 14 – Allegany County Board of Zoning Appeals Appointment** – Board of County Commissioners approved the re-appointment of Dale L. Dickerhoof, Cumberland, Maryland, as a member of the Allegany County Board of Zoning Appeals. His term will expire on September 25, 2025.

**Item 15 – Fiscal Year 2022 Emergency Management Performance Grant Acceptance** – Board of County Commissioners accepted the Fiscal Year 2022 Emergency Management Performance Grant in the amount of \$93,730.12 for reimbursement of Emergency Management Program costs. This grant is provided through the Maryland Emergency Management Agency.

**Item 16 – Federal Fiscal Year 2022 State Homeland Security Program Grant Acceptance** – Board of County Commissioners accepted the Federal Fiscal Year 2022 State Homeland Security Program Grant in the amount of \$166,946 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 17 – Allegany County Department of Emergency Services American Rescue Plan Funding** – Board of County Commissioners approved \$21,130 from the American Rescue Plan Stimulus funding for the purchase of two self-contained breathing apparatuses with harnesses and two additional cylinders for the Department of Emergency Services.

**Item 18 – Community Promotions** – Board of County Commissioners authorized the County Finance Office to remit \$1,000 budgeted from the Community Promotions Account to support the Joe Howser Memory Walk to be held on Saturday, October 22, 2022, at the Cresaptown PVAA Sports Complex Track, Darrow's Lane, Cresaptown.

**Item 19 – Community Promotions** – Board of County Commissioners authorized the County Finance Office to remit \$1,000 budgeted from the Community Promotions Account to support the annual Savage Mountain Punk Arts Punktober Fest to be held on October 15, 2022 at City Place in Frostburg, and Punk Picnic to be held on May 6, 2023 at Hoffman Park, Frostburg. This organization is dedicated to the preservation, production, and promotion of underground arts in Western Maryland.

**County Administrator Jason Bennett** talked about the Commissioners Work Session held earlier in the day at which the Commissioners were updated regarding Jane's Place.

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

**Commissioners' statements, comments, recognition –**

**Commissioner David Caporale** acknowledged and welcomed Delegate Jason Buckel, present in the audience at this evening's meeting.

**Commissioner Creade Brodie** had no further remarks to make at this evening's meeting, other than to also acknowledge and welcome Delegate Buckel.

**Commissioner Jacob Shade** talked about the recent opening of the LaVale Library and thanked County Engineer Dan DeWitt for all of his efforts concerning this project. Commissioner Shade remarked that it is one of the nicest libraries in the State of Maryland.

Commissioner Shade also talked about the Appalachian Regional Commission (ARC) conference being hosted this year by Allegany County the following week.

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

**Mr. Edward Taylor, Jr.**, of Cumberland, spoke on behalf of the Cumberland Historic Cemetery Organization. Mr. Taylor invited everyone to the unveiling, to be held this coming Saturday, October 8, 2022, at 2 p.m., of a monument in honor of Police Officer August Baker, who was murdered in Cumberland in October 1907.

Mr. Taylor addressed Commissioner Shade, remarking that this will probably be the last meeting he (Mr. Taylor) will be attending while Commissioner Shade is still in office. Mr. Taylor said that he wanted to personally thank Commissioner Shade for everything he has done for Allegany County. He also remarked that in the approximately 40 years he has been attending County Commissioners' meetings, there has never been such good representation on the Board of Allegany County Commissioners as there is at present.

Commissioner Shade thanked Mr. Taylor for his remarks, and also commented that Commissioners Brodie and Caporale will carry on in the same manner.

**Mrs. Betsey Schwab**, of Cumberland, said that she wanted to talk about some ideas for use of the old Allegany High School property in Cumberland. Mrs. Schwab made three suggestions which she described as "intertwined": 1) moderate income housing; 2) playground to serve Cumberland's West Side area; and 3) a three-stage senior living facility, particularly for active seniors who want to

stay or locate to this area. Mrs. Schwab discussed some particulars about her suggestions, then turned the mike over to Dr. Nancy Guinta, who accompanied her to this meeting.

**Dr. Nancy Guinta** started by telling the Commissioners that she has been a resident of Allegany County since 2006. She commented that the 65 and older age group has been the fastest-growing age group in Allegany County between the 2010 census and the 2020 census, and that one in five persons in Allegany County is 65 years of age or older. She also pointed out that the biggest drop in numbers is in the 35 to 49-year-old age group. Dr. Guinta said that she supported Mrs. Schwab's suggestions for use of the former Allegany High School site.

The Commissioners thanked Mrs. Schwab and Dr. Guinta for their remarks. Commissioner Shade reported that there has been a push to get the land ready to go, and that the demolition of the school buildings was delayed by Covid. He added that the next phase would involve putting out an RFP, and he spoke in favor of a recreational facility being part of what is located at the grounds.

County Administrator Bennett reported that demolition is probably two weeks out from being done, and that preparation to issue an RFP has already started.

**Mr. Richard Shearer**, of 13814 Marshall Porter Road, LaVale, accompanied by Earleen Degolyer, discussed issues he is having with a neighbor, Mr. Porter. Mr. Shearer told the Commissioners that this neighbor is causing road damage from illegal logging. He added that this is causing issues for him and Ms. Degolyer, and that runoff of water from the cabin Mr. Porter built that is also causing problems for them. He spoke of some additional problems with this neighbor. Mr. Shearer talked about his contacts with the Department of Planning and Zoning and his dissatisfaction with the results of those contacts. He said that he would like someone from the Department of Planning and Zoning to come out and take a look at the issues.

County Attorney Beeman addressed Mr. Shearer, asking him to recall a conversation the two of them had about a year ago about the logging issue and road damage. Attorney Beeman reminded Mr. Shearer that there are legal remedies available to him through the Civil Court system.

County Administrator Bennett asked Mr. Shearer to provide his contact information to Mr. Bennett after the meeting, so that he could follow up with Planning and Zoning Director Jim Squires' office and get all the details before further discussion.

County Engineer Dan DeWitt spoke from the audience and told Mr. Shearer that the Public Works Department may be able to help with some of the issues Mr. Shearer is having. Mr. DeWitt also pointed out that there has been a good deal of turnover in personnel in the Planning and Zoning Department, and that the Departments could get together and review Mr. Shearer's issues and determine what the County can and can't help with. Mr. Shearer was appreciative of that idea.

County Administrator Bennett asked Mr. Shearer to give the County some time to look into this and discuss it before getting back to him. Mr. Shearer agreed.

**Reminders/Upcoming Meetings –**

**Next Public Business Meeting – Thursday, October 20, 2022, 5:00 p.m.**

**ADJOURNMENT:**

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:400 p.m.

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Jacob C. Shade, President

True Copy  
Attest:

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

*JM*



# ALLEGANY COUNTY, MARYLAND

## *Finance Office*

701 Kelly Road, Suite 205, Cumberland, Maryland 21502  
(301) 777-5916 FAX (301) 777-2072  
[finance@alleganygov.org](mailto:finance@alleganygov.org) [www.gov.allconet.org](http://www.gov.allconet.org)

### BOARD OF COMMISSIONERS

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

Jason M. Bennett, CPA, Administrator  
Pamela S Diaz, Deputy Director of Finance

## STAFF REPORT

**TO:** Jason M. Bennett , County Administrator  
**FROM:** Pamela S Diaz, CPA – Deputy Director of Finance  
**DATE:** September 22, 2022  
**RE:** Budget Amendments

For the Agenda of: October 7, 2022

### 1. BACKGROUND

Throughout the year, various activities require the approval of budget amendments to adjust our expectations for our budget.

### 2. ISSUES

At this point, we need to make six budget amendments for FY 2023 in the total amount of \$1,225,595. We need to recognize spending \$ 575,462 thus far in American Rescue Grant funds for purchases of much needed safety equipment and vehicles. The County has recently received several new grants that need added to the budget: Tourism State grant in the amount of \$ 356,561, Homeland Security grant for purchase of radios for 911 in the amount of \$ 117,455, and state grant for OOC personnel in the amount of \$ 55,349. A budget amendment is also needed to recognize the increase in State Aid for Police Protection in the amount of \$ 104,374 and a budget amendment is needed to recognize payroll adjustment for Drug Court personnel in the amount of \$ 16,394

### 3. FINANCIAL IMPACT

The total amount of these budget amendments is \$1,225,595. The total general fund budget for FY 2023 will increase by \$ 650,133, of which \$ 633,740 will be covered with

grant revenue and the remaining \$ 16,393 will be covered with unreserved fund balance. The \$ 575,462 in American Rescue Plan Grant is being accounted for in our special revenue fund, of which sit outside of our general fund.

**4. ALTERNATIVES**

There is not alternative to this budget amendment

**5. OTHER CONSIDERATIONS**

None.

**6. CONFORMITY TO COUNTY POLICY**

Conforms with County policy.

**7. RECOMMENDATION**

The Finance Department recommends approving this amendment to the FY 2023 budget.