

October 20, 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, seconded by Commissioner Caporale, and duly carried, the Minutes of the October 6, 2022 public business meeting were approved by the Board of County Commissioners.

PRESENTATION

Item 1 – The Honorable George C. Edwards, Maryland State Senator Proclamation – Jacob C. Shade, President, welcomed Senator George C. Edwards and his wife, Linda Edwards, and thanked them for coming to this meeting. Commissioner Shade asked Senator Edwards to come forward for the reading of a Proclamation in his honor, which Commissioner Shade read and then presented to him. A round of applause followed.

Senator Edwards then made brief remarks, thanking the Commissioners and commenting on progress made by working with them.

Commissioners Shade, Brodie, and Caporale all spoke, commending Senator Edwards and thanking the Senator for all of his hard work on behalf of Western Maryland and Allegany County. Commissioner Shade then presented Senator Edwards with a gift from the Commissioners.

Item 2 – Economic Development Week 2022 Proclamation – Jeffrey S. Barclay, Director of Economic and Community Development, and Nathan D. Price, Sr., Project Manager. Jeffrey S. Barclay, Director of Economic and Community Development, first congratulated Senator Edwards on his retirement, then talked about Economic Development Week 2022, to be held the following week, October 24 through October 28, 2022. Mr. Barclay discussed some recent accomplishments in economic development in the County, as set forth on the proclamation attached to and made a part of these minutes.

Following Mr. Barclay's remarks, Commissioner Shade read and presented him with an official Proclamation in honor of Economic Development Week in Allegany County. There was a round of applause.

ACTION AGENDA

Item 3 – Electric Supply Contract – Board of County Commissioners to approve a fixed electricity rate contract for a 24-month period beginning November 1, 2022 through October 31, 2024 to the lowest bidder, and authorize the President of the County Commissioners to sign all necessary contract documents – Adam Patterson, PE, Director of Public Works, presented background and details for this Item, as set forth on his staff report on the subject dated October 14, 2022. He asked for the Commissioners' approval to sign the electric supply contract.

Upon Motion made by Commissioner Caporale, seconded by Commissioner Brodie, and duly carried, the Board of County Commissioners approved a fixed electricity rate contract, for a 24-month period beginning November 1, 2022 through October 31, 2024, to the lowest bidder, and authorized the President of the County Commissioners to sign all necessary contract documents.

Item 4 – River Park Project Engineering – Board of County Commissioners to approve \$70,000 from the Revolving Building Fund to be paid to a Canal Place Authority approved contractor as work is completed for an engineering and cost study for the River Park Project – Jeffrey S. Barclay, Director of Economic and Community Development, told the Commissioners that he was requesting their approval for an advance of \$70,000.00 from the County's Revolving Building Fund to be paid to a Canal Place-approved contractor as work is completed for an engineering and cost study for the River Park Project. Mr. Barclay talked about the funding for the project and explained that one of the funding sources is taking a long time to come through, which is why approval is being sought for the advance of \$70,000.00.

Upon Motion made by Commissioner Brodie, seconded by Commissioner Caporale, and duly carried, the Board of County Commissioners approved \$70,000 from the Revolving Building Fund to be paid to a Canal Place Authority approved contractor as work is completed for an engineering

and cost study for the River Park Project.

Item 5 – Resolution 22-24 – Riverside Industrial Park Loan Agreement – Board of County Commissioners to approve the Riverside Industrial Park Loan Agreement with Maryland Department of Commerce to provide for the forgiveness of up to \$1.5 Million Dollars in debt based upon the creation and maintenance of employment in the Riverside Industrial Park, and authorize the President of the County Commissioners to sign all necessary closing documents – Jeffrey S. Barclay, Director of Economic and Community Development, provided some details about this Item, explaining that the County originally had a \$2.5 million investment agreement with the Maryland Department of Commerce for the buildings. He added that now some valid businesses have ended up doing lease purchase agreements and owning their buildings. Mr. Barclay further explained that the County wishes to enter into a new Agreement with the Department of Commerce, as set forth on the Motion attached to and made a part of these Minutes.

Upon Motion by Commissioner Caporale, and seconded by Commissioner Brodie, the Board of County Commissioners approved the Riverside Industrial Park Loan Agreement with Maryland Department of Commerce to provide for the forgiveness of up to \$1.5 Million Dollars in debt based upon the creation and maintenance of employment in the Riverside Industrial Park, and authorized the President of the County Commissioners to sign all necessary closing documents.

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 6 – Scattered Sites Housing Program – Board of County Commissioners approved the offer of \$50,000 from Tonia M. Coffman and Elias J. Wilkinson, Jr., Cumberland, Maryland, to purchase the property know as 121 Arch Street, Cumberland, Maryland, Property Tax Account Number 04-032241, and authorized the President of the County Commissioners to sign the closing documents and the deed for the sale of the property.

Item 7 – 2023-2025 Hazardous Materials Emergency Preparedness Grant Acceptance – Board of County Commissioners approved the 2023-2025 Hazardous Materials Emergency Preparedness Grant in the amount of \$5,000 for hazard materials planning and training as well as modification to Budget 1440 to reflect this grant. This grant is provided through the Maryland Emergency Management Agency.

Item 8 – Allegany County Mental Health Advisory Board Appointment – Board of County Commissioners approved the appointment of Keith Arnold to the Mental Health Advisory Board. He will be fulfilling a vacant position as of result of a member resignation. His term will expire on June 30, 2025.

Item 9 – Allegany County Commission for Women Board Appointment – Board of County Commissioners approved the appointment of Melanie Chapman as a member of the Allegany County Commission for Women. Her term will expire on July 1, 2025.

County Administrator Jason Bennett congratulated Senator Edwards and commented on the great experiences he always had when working with the Senator.

Administrator Bennett then read into the record a letter of support regarding the Allegany County Board of Education. A copy of this letter is attached to and made a part of these Minutes. Mr. Bennett then asked the Commissioners to sign the letter if they chose to do so. The Commissioners agreed to sign the letter.

County Attorney Lee Beeman also congratulated Senator Edwards and told him that it has been a pleasure working with him.

Attorney Beeman also discussed his attendance, along with Sheriff Craig Robertson, at the Maryland Sheriffs Association meeting earlier in the day. He remarked that Sheriff Robertson is doing a wonderful job representing Allegany County throughout the State.

Commissioners' statements, comments, recognition –

Commissioner David Caporale had no further remarks to make at this evening's meeting.

Commissioner Creade Brodie had no further remarks to make at this evening's meeting.

Commissioner Jacob Shade talked about the ARC Conference held this week at Rocky Gap. He said that the attendees had many good things to say about Allegany County. Commissioner Shade expressed his thanks to everyone who was involved in making this event a great one for Allegany County.

Constituents – In order of sign-up sheet –

Ms. Carla Rigger discussed her concerns about elections held in Allegany County and the voting machines used. She shared some written materials she brought with her with the County Commissioners.

County Attorney Lee Beeman told Ms. Rigger that the County Commissioners have no input, influence, or authority over voting machines or voting procedures, and that they are all set by the Maryland State Board of Elections.

Commissioner Jacob Shade commented that elections held in Allegany County are fair.

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, November 17, 2022, 5:00 p.m.

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:45 p.m.

Jacob C. Shade, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary

Item 2

Whereas, the Allegany County Department of Economic and Community Development (DECD) is an active member of the Maryland Economic Development Association (MEDA); and

Whereas, in partnership with MEDA, the DECD works to enhance the business climate in Allegany County; and

Whereas, the DECD works to retain and grow existing businesses and to attract new entities as well as workforce development initiatives. These actions lead to an increase in the tax base and enhance the quality of life in Allegany County; and

Whereas, FedEx Ground, a subsidiary of the FedEx Corporation, is in the process of expanding their existing operations and footprint in Allegany County. FedEx Ground will relocate to a new, 193,000 square-foot facility located on Route 51, adjacent to the North Branch Industrial Park, upon its completion before the end of the year. FedEx Ground partnered with Allegany County to make this project possible, which represents \$38,000,000.00 in direct investment and considerable growth to its existing employee base.

Now, therefore, we, the Board of County Commissioners of Allegany County, Maryland, hereby proclaim the week of October 24-28, 2022 as

ECONOMIC DEVELOPMENT WEEK

in Allegany County. We ask all to join with us to recognize and reaffirm the value and importance of economic development local, regionally, and statewide.

In Witness Whereof, we have hereunto set our hands and caused the seal of Allegany County to be affixed this 20th day of October in the year 2022.



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 3

BOARD OF COMMISSIONERS

Jacob C. Shade, *President*

Creede V. Brodie, Jr.

David J. Caporale

County Administrator
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: Adam Patterson, P.E., Director of Public Works
DATE: October 14, 2022
RE: Electric Supply Agreement
Request to Sign Contract

AP

For the Agenda of: October 20, 2022 Public Meeting

1. BACKGROUND

The City of Cumberland and the City of Frostburg have previously secured fixed pricing for electricity in prior years. The City of Cumberland's electric supply agreement will expire on November 1, 2022. The Cities of Frostburg and Cumberland, LaVale Sanitary Commission, and Allegany County have partnered together to secure a fixed electric price. The partnership utilized Tradition Energy services to bid our electric demand to various electric supply companies. The partnership increases our purchasing options by combining our electricity demands in hopes of securing a lower kilowatt per hour price.

The partnership is recommending a 24-month agreement with the lowest bidder that would be effective as of October 20, 2022 and would fix our electric rates from November 1, 2022 to October 31, 2024.

2. ISSUES

N/A

3. FINANCIAL IMPACT

The fixed pricing contract will secure electricity rates for a period of 24-months and will likely save the County money.

4. ALTERNATIVES

Do not enter into the contract.

5. OTHER CONSIDERATIONS

N/A

6. CONFORMITY TO COUNTY POLICY

Conforms to County policy.

7. RECOMMENDATION

Authorize the President of the County Commissioners to sign necessary contract documents with the lowest bidder to secure a fixed electricity rate for a 24-month period beginning November 1, 2022 through October 31, 2024.

Item 5

MOTION

By motion duly carried by the County Commissioners of Allegany County, Maryland, the following action was authorized as part of the Action Agenda for the October 20, 2022 Commissioners' Public Meeting:

Board of County Commissioners to approve the Riverside Industrial Park Loan Agreement with Maryland Department of Commerce to provide for the forgiveness of up to \$1.5 Million Dollars in debt based upon the creation and maintenance of employment in the Riverside Industrial Park and authorize the President of the County Commissioners to sign all necessary closing documents.

JCS

CVB

DJC

CERTIFICATION

I, Linda A. Simpson, County Clerk to the Commissioners of Allegany County, Maryland, hereby certify that the above action of the Commissioners is a part of the formal, written record of the public meeting held on October 20, 2022.

By: _____
Linda A. Simpson, County Clerk

S E A L



ALLEGANY COUNTY, MARYLAND

The Board of County Commissioners

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Cumberland, MD 21502
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Jacob C. Shade, *President*
Creade V. Brodie, Jr.
David J. Caporale

Jason M. Bennett, CPA, *County Administrator*
T. Lee Beeman, Jr., *County Attorney*

October 20, 2022

Marcia Alvarado
JAEC Support Staff
Maryland Department of Legislative Services
90 State Circle
Annapolis, MD 21401

Dear Ms. Alvarado:

We, the Allegany County Commissioners are writing today to support an exemption for the Allegany County Board of Education from the Maryland Office of Legislative Audits next round of legislative audits beginning in fiscal year 2023.

We have had an outstanding relationship with our Board of Education and they have dramatically improved both their finances and financial audit timing in recent years. Our intention with this request is to allow the staff at the Board of Education to be able to keep their focus on providing a quality education for our children as we continue our recovery from the pandemic without having to allocate time and resources to a legislative audit.

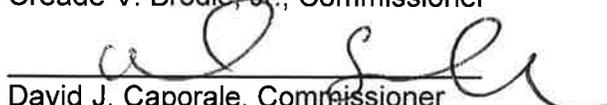
We understand that this is the only opportunity to request an exemption for the next audit cycle and that the Board of Education would not be eligible for exemption in the next audit cycle. We would be happy to answer any further questions you may have about the request. Thank you for your consideration.

Sincerely,

The Board of County Commissioners


Jacob C. Shade, President


Creade V. Brodie, Jr., Commissioner


David J. Caporale, Commissioner

cc: Western Maryland Delegation
Mr. Jeffrey S. Blank, Superintendent of Schools