

**BOARD OF GARRETT COUNTY COMMISSIONERS**  
**PUBLIC MEETING**  
**September 20, 2011**

**IN ATTENDANCE**

*Chairman Gregan T. Crawford*  
*Commissioner Robert G. Gatto*  
*Commissioner James M. Raley*

*County Administrator R. Lamont Pagenhardt*

ADMINISTRATIVE SESSION

(Prior to the Call to Order of the Public Session the Board of County Commissioners met in Administrative Session to discuss and review the following matters. County Attorney Gorman Getty was in attendance for the Administrative Session)

1. Mr. Pagenhardt reviewed a number of informational administrative issues with the Board of County Commissioners. No action was taken on these matters.
2. Staff with the Department of Financial Services participated in a review of undesignated/unreserved fund balance for Fiscal Year 2011. As of this date, the Board determined to approve/designate the following. An official action of approval will take place in Public Session on this date:
  - a) \$1 million to replenish the assigned fund balance – subsequent year’s budget.
  - b) \$1.250 million for replacement of Roads Department equipment and road improvements.
  - c) \$113,673 for Court House Chiller replacement (County’s share of project funding).
  - d) \$25,000 for Deep Creek 2014 seed funding.
  - e) \$20,000 for Garrett County Chamber of Commerce events coordinator position matching funds
  - f) \$250,000 for the transfer of Appalachian Regional Commission (ARC) funds from purchase of the MEDCO Building to the STEM Project at Garrett College
  - g) \$182,926 for the County’s share of ARC matching funds. (College has contribution funds of \$82,000).
3. John Nelson, Director, Department of Planning and Land Development updated the Board on PlanMaryland. The Board of County Commissioners will further address this matter during the public session agenda on this date. Chairman Crawford recommended that the Board execute a Resolution suggesting that PlanMaryland be delayed for a period of one year. Commissioner Gatto and Commissioner Raley concurred with this proposition and official action will be taken during the Public Session on this date. Mr. Nelson was directed to draft the document and the Board will place approval and execution on the Public Meeting Agenda for October 4, 2011.
4. Frank Shap, Assistant Director, Department of Economic Development reviewed economic development priorities with the Board. (Recommended list is under #10 of Public Session agenda

matters). The Board of County Commissioners will further address this matter during the public session agenda on this date.

5. Linda Lindsey, Director, and Jeffrey Broadwater, Assistant Director, Department of Public Utilities met with the Board of County Commissioners to preview recommended policies for the McHenry Water System that will be presented for commentary at the October 1, 2011 Public Hearing on this subject. The Board will take 2011-1 - Fees for Water Connections and Policy 2011-2 - Mandatory Connection to the McHenry Water System under advisement and both policies will be placed on the Garrett County Government web site to allow for public review prior to the Public Hearing on October 1, 2011. No final determination has been made as to final approval.

### **PUBLIC SESSION**

#### **CALL TO ORDER OF PUBLIC SESSION**

#### **PRAYER & PLEDGE OF ALLEGIANCE**

1. Additions/deletions to Public Meeting Agenda. Mr. Pagenhardt indicated there was 1 addition and no deletions to the Public Meeting Agenda for September 20, 2011. Mr. Getty will present a recommended Garrett County Ethics Ordinance for Board of County Commissioners approval. Pagenhardt also noted matters to be discussed during the administrative session on this date.
2. The Board of County Commissioners, on a motion by Commissioner Raley, which was seconded by Commissioner Gatto, and made unanimous by Chairman Crawford, approved the Public Meeting Minutes for September 13, 2011.
3. The Board of County Commissioners executed a Proclamation recognizing "Oakland Civic Club 100 Year Anniversary".
4. County Government employees who participated in the "Biggest Loser" competition were recognized by the Board of County Commissioners and Risk Manager DaVina Griffith. 25 employees participated and 23 stayed with the program for the 2 month competition period. Certificates of award were presented to those employees in attendance.
5. The Board of County Commissioners, on a motion by Chairman Crawford, which was seconded by Commissioner Raley, and made unanimous by Commissioner Gatto, approved an Ethics Ordinance that is in compliance with all the provisions of State Code Chapter 277 of the Laws of Maryland. An official Resolution will be prepared by Mr. Getty and executed by the Board and Mr. Pagenhardt.
6. The Purchasing Department presented the following recommendation of bid awards to the Board of County Commissioners:
  - a) Invitation to Bid – Garrett County Landfill Lateral Expansion Project (bid #11-0915) The Board, on a motion by Commissioner Raley, which was seconded by Chairman Crawford, and made unanimous by Commissioner Gatto, approved an award to Charles J. Merlo, Incorporated for a total bid price of \$2,419,745.00 with an add alternate of \$386,925.00.
  - b) Invitation to Bid – Coraid Ethernet SAN Equipment (bid #11-0615C). The Board, on a motion by Commissioner Raley, which was seconded by Commissioner Gatto, and

made unanimous by Chairman Crawford, approved an award to Amdex Computer, Inc. for \$23,569.75.

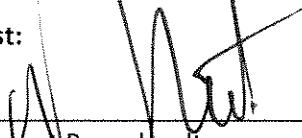
- c) Invitation to Bid – Northern Garrett Industrial Park Identification Sign (bid #11-0811). The Board, on a motion by Chairman Crawford, which was seconded by Commissioner Gatto, and made unanimous by Commissioner Raley, approved an award to Western Maryland Sign Service for \$16,536.82.
5. The Partnership for Children & Families met with the Board of County Commissioners to request funding (\$76,000) for the Partners After School Program at Accident, Oakland, and Grantsville. County Government has provided non-budgeted funds for these programs the past 2 fiscal years. Sponsoring agency staff and parents spoke in support of the Program and encouraged the Board to direct funds again for this school year and sustain the Programs. The Board will take this matter under advisement.
  6. The Board reviewed, approved, and executed a Resolution that would officially designate the Garrett County Health Department, an instrumentality of Garrett County Government, as the Local Management Board to take effect November 1, 2011 and hereby directs the Garrett County Department of Financial Services to provide the Garrett County Health Department necessary funds to administer Local Management Board services on a motion by Chairman Crawford, which was seconded by Commissioner Gatto, and made unanimous by Commissioner Raley.
  7. The Department of Planning and Land Development updated the Board of County Commissioners on the following subjects:
    - a) Mr. Nelson, relative to discussion on this subject during the Administrative Session on this date, presented an update of PlanMaryland. As discussed during the Administrative Session on this date, Chairman Crawford recommended that the Board execute a Resolution suggesting that PlanMaryland be delayed for a period of one year. Commissioner Gatto and Commissioner Raley concurred with this proposition. Mr. Nelson will draft the document and the Board will place approval and execution on the Public Meeting Agenda for October 4, 2011.
    - b) The Board indicated that they will continue discussion for consideration on cost sharing with the other 4 Western Maryland Boards of County Commissioners on a lobbying firm to collectively represent the interests of each/all jurisdictions.
    - c) Update on wind energy project development in Garrett County. James Torrington, Chief, Division of Permits and Inspections, was in attendance and updated the Board on this subject. A project status report was presented for review. This report is attached to these Public Meeting Minutes. Chairman Crawford and Commissioner Raley voiced their opinion on continued development of wind energy development.
  8. The Board of County Commissioners, Mr. Pagenhardt, and Department of Financial Services staff reviewed unaudited fund balance as of June 30, 2011. The Board had taken this matter under advisement and review during the Administrative Session this date and determined to direct and allocate the funds as outlined in the attachment to these Public Meeting Minutes.
  9. Chairman Crawford entered a motion to fund the Partners After School request for funding as presented on this date. The motion was seconded by Commissioner Gatto and made unanimous by Commissioner Raley.

10. Pursuant to discussion during Administrative Session on this date (#4), the Board of County Commissioners reviewed economic development project priorities. The Governor's Office and the State of Maryland Department of Business and Economic Development had requested that the County determine what would be determined as the top 3 priorities. The Board, on a motion by Commissioner Raley, which was seconded by Commissioner Gatto, and made unanimous by Chairman Crawford, determined and approved the following priorities:
  - a. Development of the Marcellus Shale: Development of the Marcellus Shale natural gas deposit in Garrett County has potential for tremendous economic impact. Estimates predict billions of dollars in tax revenue, royalties, lease payments, jobs, and indirect economic benefits. Development of this resource has potential for economic impact that far exceeds that of any other single project or business sector. The County believes this resource can be developed in an environmentally safe and prudent manner that allows the County to realize the tremendous potential economic benefits while protecting the environment and preserving the County's quality of life.
  - b. Broadband: Improved and affordable broadband access is critical to the County's future. Given that the jobs of the future are going to be predominately knowledge based, ubiquitous and affordable broadband access is a must. The County will be the beneficiary of approximately 50 miles of fiber backbone via a federally awarded grant to improve broadband access in Maryland's rural counties. The County recently awarded a contract for the preliminary engineering/design to build on the federally funded backbone. Upon completion of this work, the County plans to follow up with a multi-year capital plan to expand broadband access. The County's goal is to achieve 90% access by 2014.
  - c. Deep Creek 2014: Garrett County will host the International Canoe Federations' 2014 Canoe World Slalom Championships at the Adventure Sports Center whitewater facility September 17-21, 2014. This competition will bring hundreds of paddlers and visitors from all over the world to Garrett County. The last time this competition was hosted in the United States was in 1989 – on the Savage River in Garrett County. There will be a number of "ramp up" events – beginning in 2012 – leading up to the World Championships.
  - d. Other economic development priorities for the County include work force/skill base development and the development of a North/South Transportation Corridor. The County continues to invest heavily in post secondary education via the Garrett County Scholarship Program and the development of a Career & Technology Training Center in partnership with Garrett College. The College was recently awarded a grant for over \$500,000 to upgrade its Science, Technology, Engineering and Math (STEM) curriculum and add a robotics component to its academic offerings. The County continues to work with The Greater Cumberland Committee and neighboring counties in West Virginia and Pennsylvania to build political support for funding and the construction of a North/South Trade Corridor along the I68 Route 219 North and I68 Route 220 South corridors.
11. Carol Riley-Alexander, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming weeks.
12. The Board of County Commissioners, on a motion by Commissioner Gatto, which was seconded by Chairman Crawford, and made unanimous by Commissioner Raley, re-appointed William Ingram

(Member), Bruce Swift (Alternate), and Russell Sines (Alternate) to the Garrett County Planning Commission. Official letters of appointment will be sent to each appointee under the signature of Chairman Crawford.

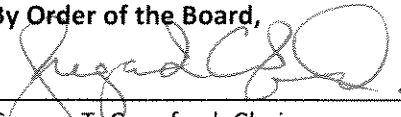
13. Public Commentary. None on this date.

Attest:

  
\_\_\_\_\_  
R. Lamont Pagenhardt,  
County Administrator

10/4/11  
Date

By Order of the Board,

  
\_\_\_\_\_  
Gregan T. Crawford, Chairman  
Board of County Commissioners

# Garrett County Commissioners

## Projected Fund Balance (Unaudited)

June 30, 2011

### Fiscal Year 2011 Fund Balance Breakdown

Nonspendable Fund Balance - Inventory	\$ 730,696
Restricted Fund Balance - Agricultural Preservation	77,621
Assigned Fund Balance - Self Funded Health Care	3,342,261
Assigned Fund Balance - Carryovers from FY11	10,579,835
Assigned Fund Balance - Additional Items for Subsequent Year's Budget	1,841,599
Assigned Fund Balance -Subsequent Year's Budget	1,000,000
Unassigned Fund Balance - 5% of Operating Revenues (per County Policy)	3,425,000
Unassigned Fund Balance	2,489,048
<b>Total Fiscal Year 2011 Fund Balance</b>	<b><u>\$ 23,486,060</u></b>

### Carryovers From Fiscal Year 2011 to Fiscal Year 2012

Water & Sewer Master Plan	\$ 145,479
After School Program	47,751
Economic Development Small Equipment/Projects	58,000
Detention Small Equipment/Projects	42,975
* Facilities & Maintenance Small Equipment/Projects	59,609
* Fair Ground Building/Exhibit Hall	710,337
Chet Kelly Bridge G-84	75,000
Swanton Bridge G-27	100,000
Short Span Bridges	50,000
Board of Education - Furniture	3,882
Board of Education - Chiller Project	64,559
Garrett College - Community Athletic Recreation Center	6,898,350
* Glendale Road Realignment project	514,949
* Accident Friendsville Bridge	34,400
* Swallow Falls Bridge	25,120
* Bayard Corona Bridge	122,224
* McHenry Business Park	72,946
* Cherry Glade Access Road	210,836
* CTTC Phase II project	343,419
* Keyser's Ridge Water	1,000,000
<b>Total Carryovers</b>	<b><u>\$ 10,579,835</u></b>

\* Projects listed are County share (net of any grant revenue).

### Additional Assigned Items for Subsequent Year's Budget

Road's Capital Equipment & Road Improvements	\$ 1,250,000
Courthouse Chiller	113,673
Deep Creek 2014 seed money	25,000
Chamber of Commerce - Activities Director	20,000
MEDCO Building-ARC matching funds replenishment	250,000
Garrett College STEM ARC funds project match	182,926
	<b><u>\$ 1,841,599</u></b>

GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT

Permits and Inspections Division  
2008 Maryland Highway, Suite 3  
Mt. Lake Park, Maryland 21550  
301-334-7470 • Fax 301-334-7469

E-mail: [permitsandinspections@garrettcounty.org](mailto:permitsandinspections@garrettcounty.org)

Garrett County  
Wind Energy Projects  
Update - 9/20/11

1. Criterion Power Partners, LLC  
Project nearing completion
  - Issued twenty-eight (28) conditional use certificates for turbines – 1/10/11. Still waiting on approval from Department of Labor, Licensing and Regulation on approval of lift system within turbine tower
  - Maryland Department of Environment has released the project from sediment & erosion control phase, contractor currently working at the site to convert to final stormwater management – as-builts, construction inspections and final inspection from County required before stormwater bond is released by the County.
  - Operations and maintenance facility (1/7/11) and two small modular buildings (11/16/10) within the substation issued use and occupancy permits. Waiting on as-builts, construction inspections and final inspection by County to release current stormwater bond.
  - County one-year (1) roads warranty remains in place.
2. Synergics Roth Rock Wind Energy, LLC  
Project nearing completion
  - Issued twenty (20) conditional use certificates (7/6/11). Still waiting on approval from Department of Labor, Licensing and Regulation on approval of lift system within turbine towers.
  - Maryland Department of Environment has released the project from sediment & erosion control phase, contractor currently working at the site to convert to final stormwater management – as-builts, construction inspections, and final inspection from County required before stormwater bond is released by the County.
  - Operations and maintenance facility (2/14/11) and two small modular buildings (6/29/11) within the substation issued use and occupancy permits. Waiting on as-builts, construction inspections, and final inspection by County to release current stormwater bond.

Both projects have approved permanent meteorological towers within the project boundaries, Criterion in 2005 and Synergics in 2011.

3. Meteorological Towers – to measure wind speeds and characteristics for site assessment viability for potential wind projects. Typically 198 feet in height
  - Currently two approved permits – Synergics
    - i. Off Frostburg Road (Fourmile Ridge), Spangler property
    - ii. Off Pine Swamp Road (below Elbow on Rhodes Hill), Broadwater property
  - One application – EDP Renewable
    - i. Off Pigs Ear Road (Winding Ridge), George property  
Additional construction plans and fee required prior to issuance.
  - Current discussion with Clipper for additional MET Tower south of the constructed twenty-eight (28) turbine project on Backbone Mountain. Possible site of a new wind project to be known as “Fair Wind”. Possible thirty (30) megawatt project, 12-turbine project
4. Miscellaneous
  - Grading permit approved for intersection improvements at Maryland Route 946 – Finzel Road and Sampson Rock Road – Big Savage, LLC will require a County Roads Department Utility Permit prior to construction of intersection improvements.