

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
November 15, 2011

IN ATTENDANCE

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

County Administrator R. Lamont Pagenhardt

PUBLIC SESSION

CALL TO ORDER OF PUBLIC SESSION

PRAYER & PLEDGE OF ALLEGIANCE

1. Additions/deletions to Public Meeting Agenda. Mr. Pagenhardt indicated there were no additions or deletions to the Public Meeting Agenda for November 15, 2011. Mr. Pagenhardt also noted matters to be discussed during the administrative session on this date.
2. The Board of County Commissioners and John Griffin, Secretary of the State of Maryland Department of Natural Resources conducted a presentation on issues related to Deep Creek Lake. This session was conducted at St. Peter The Apostle Catholic Church Social Hall. Secretary Griffin and staff from the Department of Natural Resources and Maryland Department of the Environment spoke on a variety of issues followed by public commentary. State officials' presentation was recorded and is on-line at www.garrettcounty.org as is the power point presentation entitled Maryland's Environmental Monitoring Efforts in Deep Creek Lake, 2010 – 2011. (The presentation is included with these public meeting minutes).
3. John Nelson, Director , Department of Planning and Land Development presented a Draft Garrett County Phase II Watershed Implementation Plan to the Board of County Commissioners. The Plan needs to be approved by the Board and forwarded to the Maryland Department of the Environment by November 18, 2011. Plan language recommended by Mr. Nelson includes a provision that "the County will rely on erosion and sediment control on extractive land to achieve the desired nutrient and sediment reductions. By implementing this strategy, and with reductions achieved by agriculture, the County expects to achieve 2017 and 2020 targets without reductions from other sectors". On this date the Board, on a motion by Chairman Crawford, which was seconded by Commissioner Gatto, and made unanimous by Commissioner Raley, approved the Draft Plan.
4. The Board of County Commissioners, on a motion by Commissioner Gatto, which was seconded by Commissioner Raley, and made unanimous by Chairman Crawford, approved the Public Meeting Minutes for November 1, 2011, Executive Session Minutes of November 1, 2011, and Administrative Session Minutes of November 8, 2011.

5. Mr. Pagenhardt, on behalf of the Purchasing Department, presented a recommendation of bid award for Replacement of Court House Chiller (bid #11-1020CC) to the Board of County Commissioners. The Purchasing Department, on October 4, 2011 presented a recommendation that all bids be rejected to allow further review of the specifications of the unit. The Board agreed with this recommendation. Subsequently on November 1, 2011 a recommendation of bid award was presented to the Board which was not approved based on a request by Commissioner Raley and Commissioner Gatto that the bid process be reviewed by the County Attorney prior to approval. The County Attorney reviewed the bids and bid process and found that the process employed did not violate the provisions of the State or County Code. The determination to reject all of the initial bids was consistent with the rights reserved by the County in respect to the bid and the bid process followed in rebidding the unit was consistent with the requirements as well. On this date, a motion to approve the bid award to Beitzel Corporation for \$114,829.00 was made by Chairman Crawford, which was seconded by Commissioner Gatto, and made unanimous by Commissioner Raley.
6. Mr. Pagenhardt presented a recommendation of bid award for Fire Prevention Systems Services (bid #11-1103FP). The Board, on a motion by Chairman Crawford, which was seconded by Commissioner Raley, and made unanimous by Commissioner Gatto, approved an award to a number of vendors for specific services and locations which are on file with the Purchasing Department. It was the determination of the Board to drop Bloomington Elementary School from the location service.
7. The Board of County Commissioners, on a motion by Chairman Crawford, which was seconded by Commissioner Gatto, and made unanimous by Commissioner Raley, approved Chairman Crawford and Mr. Pagenhardt to execute an 5 Year Tax Setoff Agreement by and between the Board of County Commissioners and The Mayor and Town Council of Mountain Lake Park beginning on July 1, 2012.
8. The Board of County Commissioners, on a motion by Chairman Crawford, which was seconded by Commissioner Gatto, and made unanimous by Commissioner Raley , approved amendments to the Rules and Regulations of the Classified Service of Garrett County, Maryland. The Board had requested that County Attorney and Mr. Pagenhardt provide a comprehensive review of all provisions and articles of the Rules and Regulations as an update or auxiliary language for explanation.
9. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for November 1, 2011 is hereby documented on this date, the next open/public meeting of the Board of County Commissioners.

The Board of County Commissioners, on a motion by Chairman Crawford, which was seconded by Commissioner Raley, and made unanimous by Commissioner Gatto, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to discuss personnel, procurement, and executive matters with Mr. Pagenhardt. The same motion ended the Executive Session.

10. Chairman Crawford and Mr. Pagenhardt executed a Resolution authorizing the County to purchase certain real property known as Lot No. 3, Southern Garrett Business and Technology Park, also known as 65 Enterprise Drive, Oakland, Maryland from the Maryland Economic

Development Corporation (MEDCo) for a purchase price of \$1,150,000 and authorizing the County to finance a portion of the purchase price with the Maryland Economic Development Assistance Fund (MEDAF) in the amount of \$660,148 and authorizing the County to pay the balance of the purchase price and to execute and to direct that appropriate officers and agents of the County execute any and all documents as may be necessary to effect the purchase of the real property from MEDCo.

11. The Board of County Commissioners discussed the designation of Chairman of the Board. Commissioner Gatto recommended proceeding with rotating the Chairmanship on the anniversary date of the swearing in date as agreed to on December 14, 2010. Commissioner Raley will assume to Chairmanship on December 13, 2011 and will serve in this capacity for a 1 year period.
12. Commissioner Raley will replace Chairman Crawford as Ex- Officio Member of the Garrett County Board of Education. This change will be effective January 1, 2012.

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

Gregan T. Crawford, Chairman
Board of County Commissioners

Date



MARYLAND DEPARTMENT OF NATURAL RESOURCES

The State of Deep Creek Lake, 2010 - 2011

**Maryland's Environmental Monitoring Efforts
in Deep Creek Lake, 2010 - 2011**

McHenry, Maryland 21341

**Presentation to:
Garrett County Commissioners
15 November 2011**

**John R. Griffin, Secretary
Maryland Department of Natural Resources
Annapolis**

Image USDA Farm Service Agency



Imagery Date: Jun 6, 2007

39° 29.535' N 78° 20.029' W

Eye alt 19103 ft



“A lake is a reflection of its watershed” ...

DNR manages only a small portion of the Deep Creek Lake watershed - mostly the lake and buffer areas at the end of each sub-watershed. Private holdings make up most of the watershed.

As land use changes occur in the watershed, characteristics of the lake also will change. Addressing stresses in the watershed will slow changes in the quality of the lake and will maintain current conditions for this important asset for the county and State.

- low density residential
- medium density residential
- high density residential
- commercial/industrial
- agriculture
- forest
- water
- wetlands

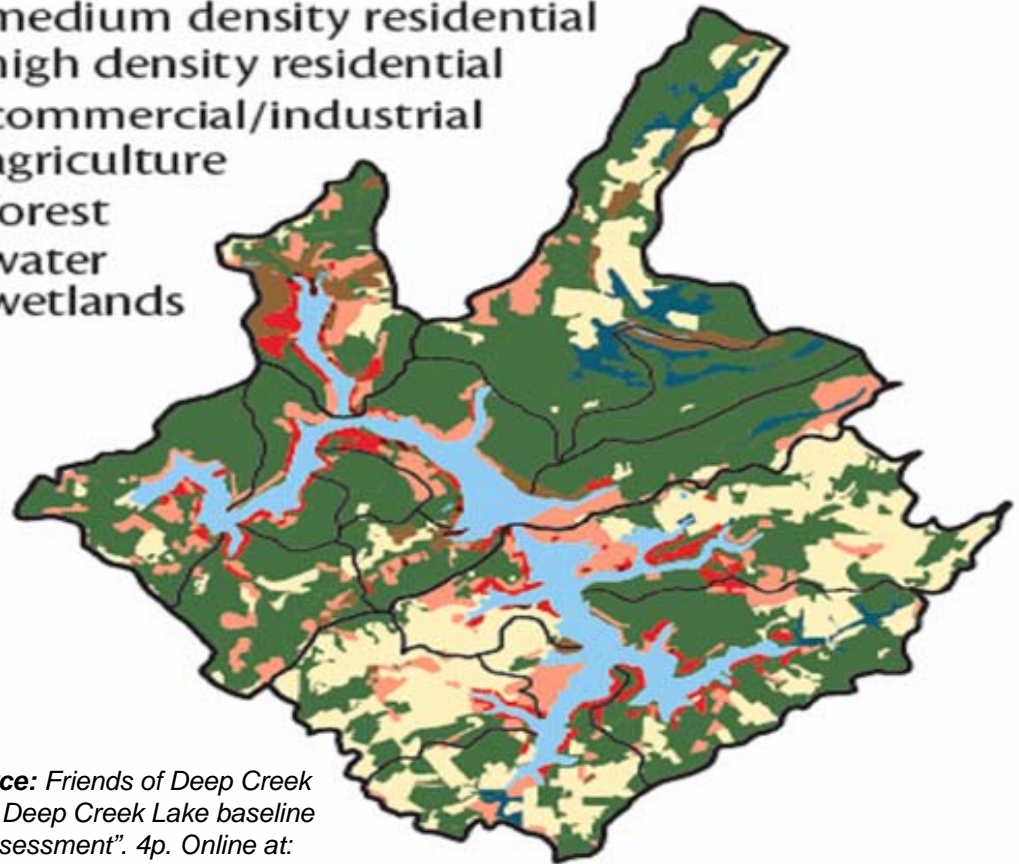


Image source: Friends of Deep Creek Lake. 2011. Deep Creek Lake baseline condition assessment". 4p. Online at: <http://www.eco-check.org>



Goals for Deep Creek Lake

- to protect the lake as a man-made resource,
- preserve its ecological balance, and
- maintain its use as a recreational and economic asset.



Monitoring Summary

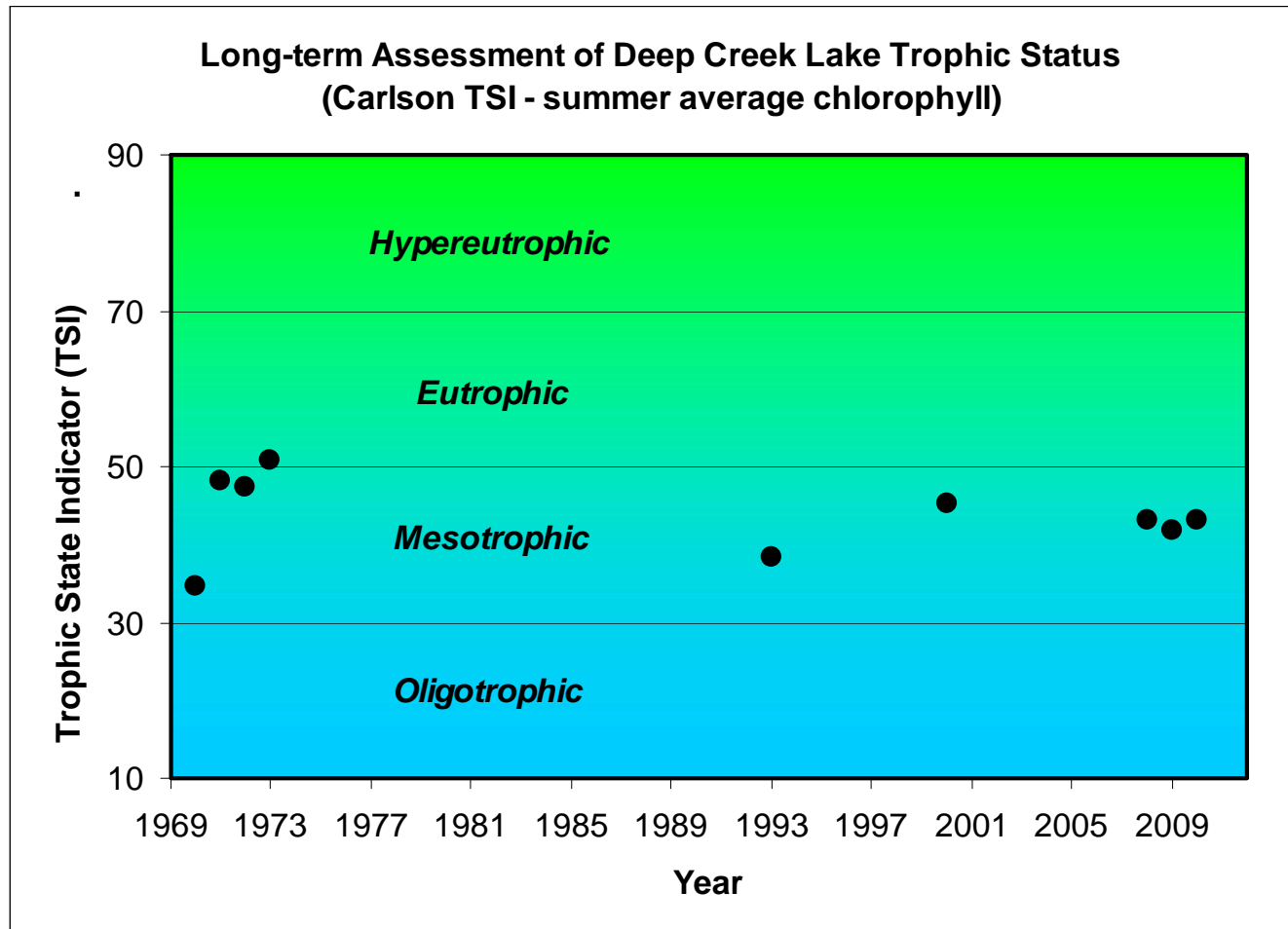
- Current monitoring program establishes a baseline to define trends that will allow us to evaluate changes in population and land use in the watershed to help us make decisions to protect the lake.
- Water quality supports aquatic life, recreational activities (swimming, fishing, boating), industrial (hydropower, irrigation) and downstream uses.
- The lake has a diverse aquatic plant community with a wide range of species ranging from microscopic phytoplankton species to vascular aquatic plants.
- Sedimentation rates in some cove areas can vary – some coves have gotten deeper, some have not changed and some are shallower.



Overall State of the Lake is healthy:

- ***Good water quality***
- ***Diverse plant and animal life***
- ***Moderate loads of nutrients***

Trophic condition - mesotrophic



nutrient pollution

overenrichment

moderate nutrients
supports diverse aquatic
habitat and fisheries

nutrients poor

Deep Creek Lake Workgroup – formed in 2008

Composition

- Technical staff and scientists from:
 - * MD Department of Natural Resources
 - * MD Department of the Environment
 - * US Geological Survey
- County representatives
- Citizen representatives – 2 from POA

Purpose

- forum for discussion
- review results of water quality monitoring
- distribute information to other interested groups



MARYLAND DEPARTMENT OF NATURAL RESOURCES

The State of Deep Creek Lake, 2010 - 2011

And now...

...Details about the...

...Deep Creek Lake monitoring program

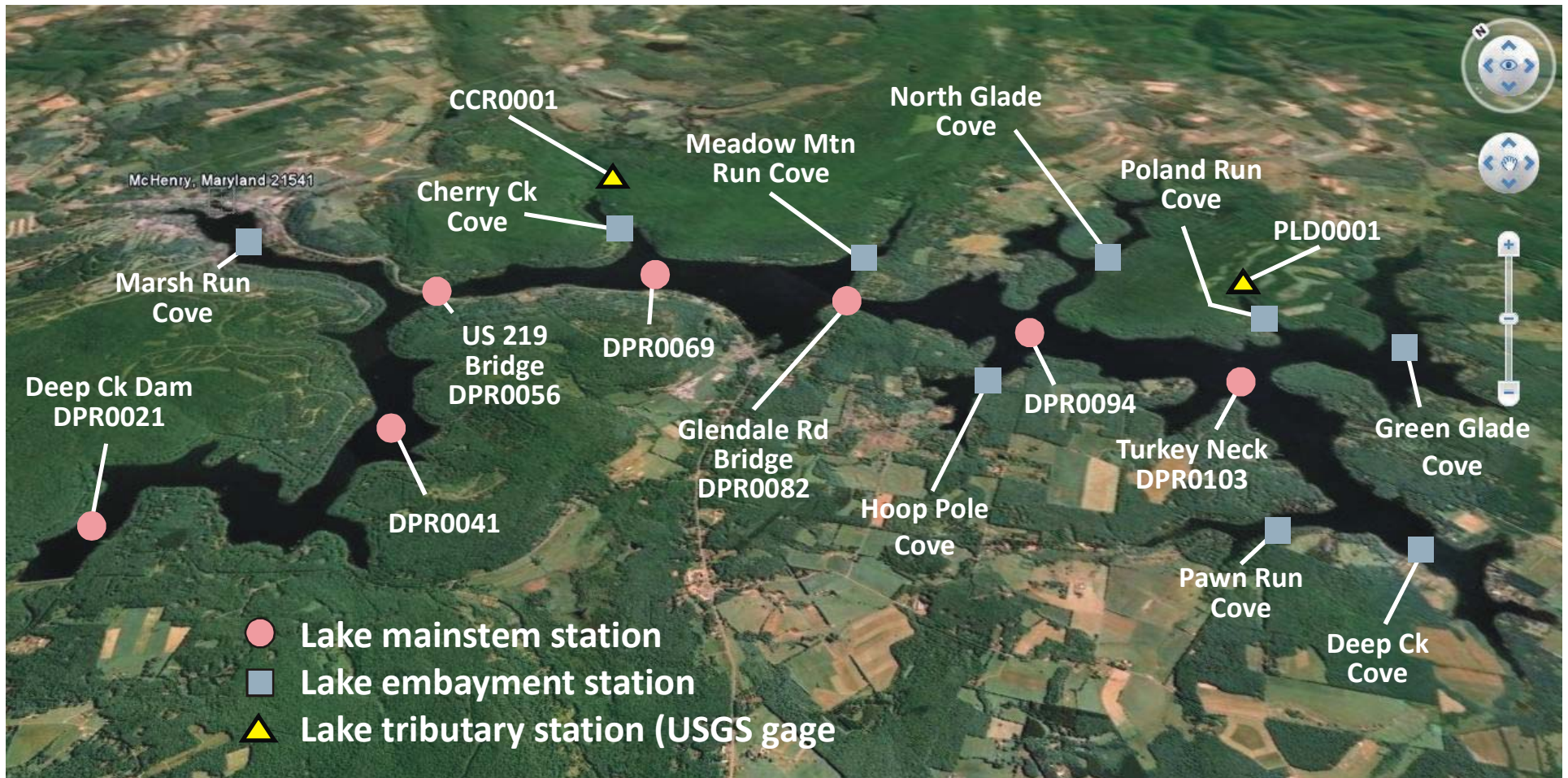
...and some results...

presented by

**Bruce D. Michael, Director
Resource Assessment Service
MD Department of Natural Resources
Annapolis, MD**

Water quality monitoring goals:

- *characterize existing water quality conditions in the lake and its tributary coves – physical and chemical characteristics, levels of nutrients and primary productivity*
- *establish baseline conditions to evaluate trends in water quality conditions*
- *define the existing phytoplankton community*
- *monitor water quality conditions at tributary stream gage sites to eventually determine nutrients and sediment loads entering the lake from the watershed*





Deep Creek Lake water quality monitoring plan

Location – 7 sites in the mainstem lake; 9 sites in select coves

Season – Samples at all sites in Spring (Mar), Summer (May-Sep), Fall (Nov)

also

- 2 mainstem sites sampled in Winter (Jan or Feb) through ice cover

Field monitoring – Water clarity and vertical profile (surface to bottom) of temperature, oxygen, pH and conductivity recorded at all sites

Water samples – Samples analyzed for nutrients (N, P), chlorophyll, turbidity

Initiated in 2010-2011

DNR-RAS - Aquatic plant survey along transects at select sites in the lake and an aerial survey to identify species and distribution of plants in Deep Creek Lake

DNR-MGS - Assess quality of sediments and accretion/loss in select areas in Deep Creek Lake.

MDE - Assess nutrients and algae at shallow water sites in lake and cove areas in upper lake (upstream of Glendale Rd. bridge) in response to complaints about algal blooms and fish kills. Results may be used to define these waters as being impaired and require the development of a nutrient/pollutant loading limit for the watershed.



Deep Creek Lake - Water quality condition (I)

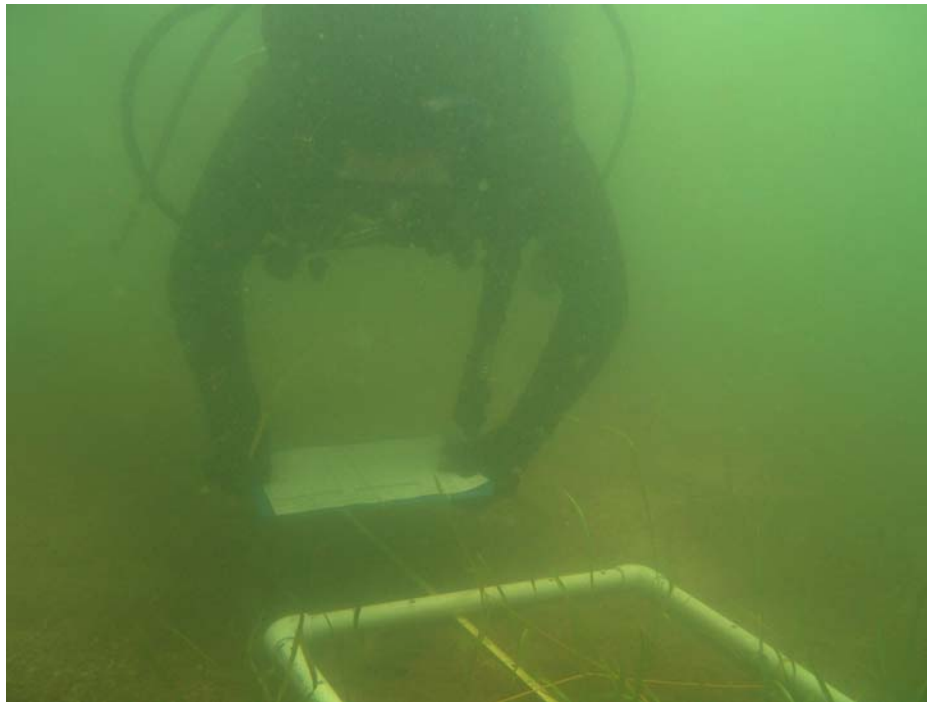
Measured surface water quality conditions in Deep Creek Lake during 2009-2010 support the defined uses of the lake.

Water quality collected by DNR data show:

- no observations of dissolved oxygen levels below 5 mg/L
- only a single observation of a low pH measure (6.0; less than 6.5) out of 279 observations; no high pH measures above 8.5 were observed.
- many surface water temperature observations during the summer were above the temperature criteria of 20 degrees C (68 degrees F). These are due to natural insolation (solar radiation) and are not considered an exceedance of State criteria.

The Garrett County Health Department did not report any high levels of bacteria in Deep Creek Lake in their 2011 routine beach monitoring program.

Assessing aquatic vegetation



DNR divers surveying aquatic plant species and abundance along transects at selected shallow water sites in Deep Creek Lake (2010)

In summer of 2010 and 2011, DNR biologists surveyed selected transects to identify: type, distribution and abundance of aquatic vegetation in the lake.

Sixteen vascular plants and 2 macroalgae were identified in these surveys.



Summary of aquatic plant surveys

- Deep Creek Lake has a healthy, thriving and diverse mix of aquatic vegetation growing as deep as 16 to 20 feet.
- Fish were present in all vegetated areas using the plant stems/leaves as habitat and refuge
- Water near piers where aquatic vegetation had been removed were more turbid than where aquatic plants remained.
- Eurasian Watermilfoil did not change from 2010 to 2011, but DNR plans to implement a survey in 2012 with a reconnaissance survey conducted November 15, 2011



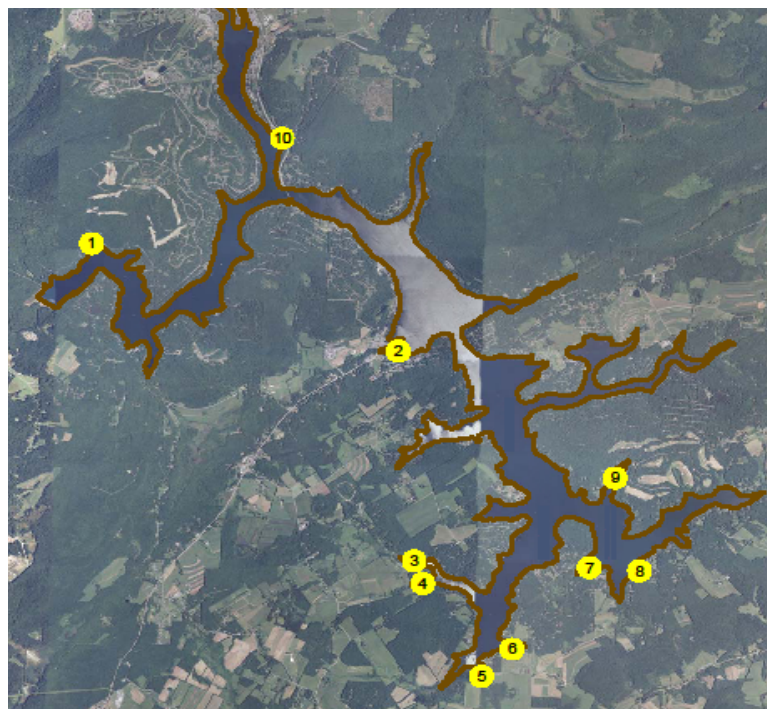
Assessing Eurasian watermilfoil

To address Eurasian watermilfoil (EWM) in the lake, DNR will:

- Conduct EWM reconnaissance on November 15, 2011 – providing quantitative measures of the extent of the EWM beds.
- Develop targeted strategy and budgets to assess spatial distribution
- Recommend additional monitoring that may be necessary.
- Evaluate results of existing SAV survey and the EWM-specific survey to guide lake management in control measures for implementation in spring of 2012
- 2012 SAV surveys will occur in June

Sediment Survey sites – FY 2011

Site #	Location
1	Brushy Run
2	Arrowhead Cove
3	Pawn Run Cove
4	Penn Cove
5	Chadderton School Cove
6	Hickory Ridge Cove
7	Turkey Neck Cove
8	Hazelhurst Cove
9	Poland Run Cove
10	Gravelly Run Cove



Difference between 1974 bathymetry and measured bathymetry in 2010 and 2011 defines:

- **Erosional sites** (deeper than 17 years ago),
- **Depositional sites** (shallower than 17 years ago) and
- **No change areas** (<6 in increase or decrease)

Summary of sedimentation survey

Erosional Sites—Mean observed changes < -0.5 feet accumulation:

- **Site 1 (Brushy Run)**
- **Site 10 (Gravelly Run Cove)**

No Change—Mean observed changes between -0.5 and 0.5 feet:

- **Site 6 (Hickory Ridge Cove)**
- **Site 7 (Turkey Neck Cove)**
- **Site 8 (Hazelhurst Cove)**

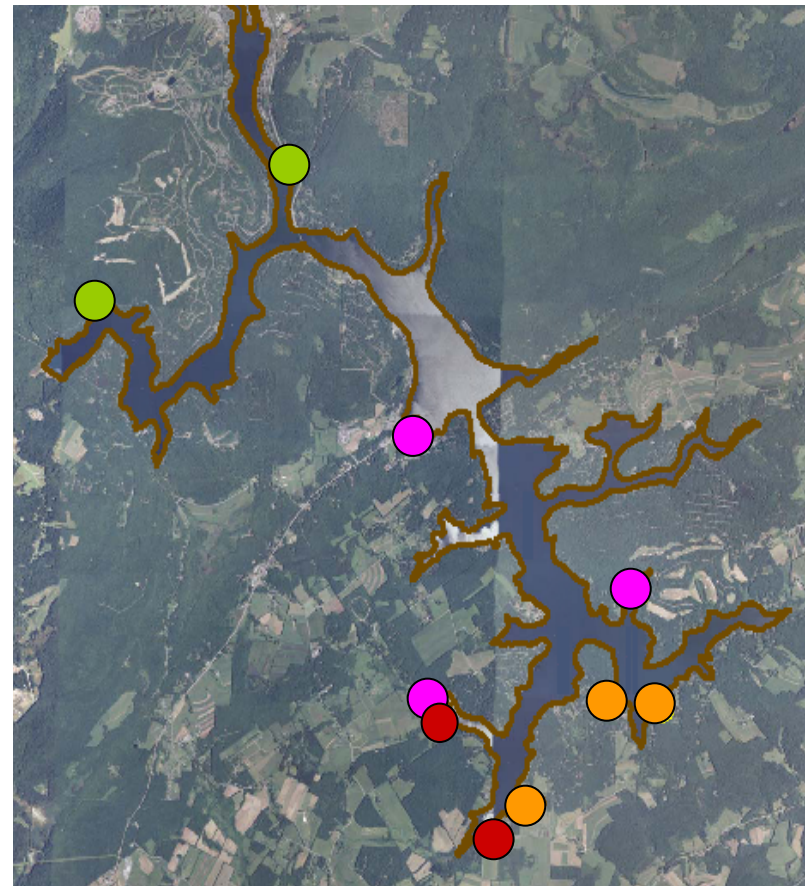
Depositional Sites – Mean observed changes > 0.5 feet accumulation

at depth:

- **Site 4 (Penn Cove)**
- **Site 5 (Chadderton School Cove)**

throughout cove:

- **Site 2 (Arrowhead Cove)**
- **Site 3 (Pawn Run Cove)**
- **Site 9 (Poland Run Cove)**





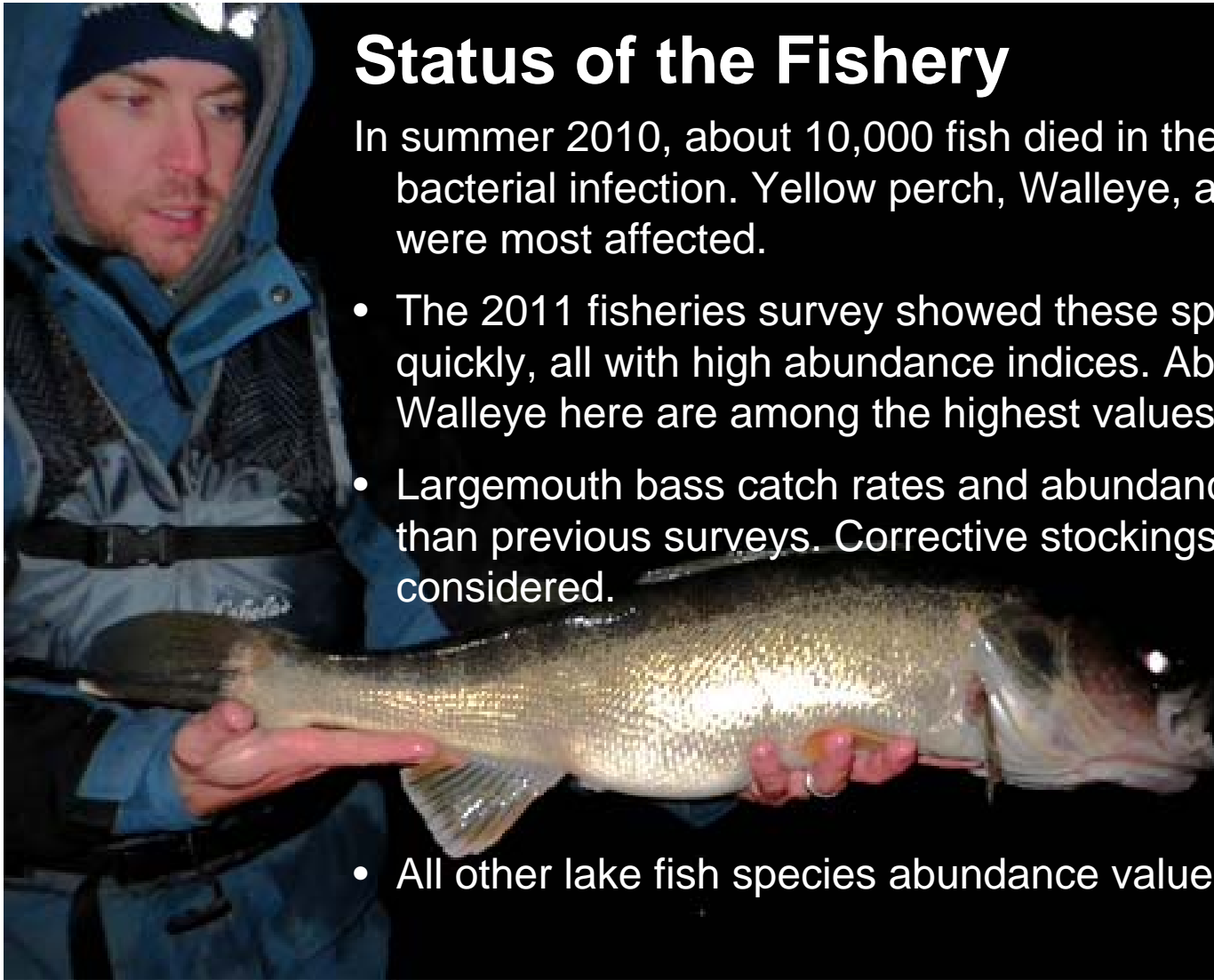
Phase II Sediment Management Plan

- Quantify and characterize the accumulated sediment
- Conduct Alternatives Analysis – identify realistic, feasible, sustainable alternative to address accumulated sediments
- Identify Sediment Input Reductions – minimize additional accumulated sediments

Status of the Fishery

In summer 2010, about 10,000 fish died in the lake from a bacterial infection. Yellow perch, Walleye, and Smallmouth bass were most affected.

- The 2011 fisheries survey showed these species rebounded quickly, all with high abundance indices. Abundance indices for Walleye here are among the highest values observed to date.
- Largemouth bass catch rates and abundance indices are lower than previous surveys. Corrective stockings are being considered.
- All other lake fish species abundance values remained stable.





Affect on Water Levels for 1999 and 2005-2010

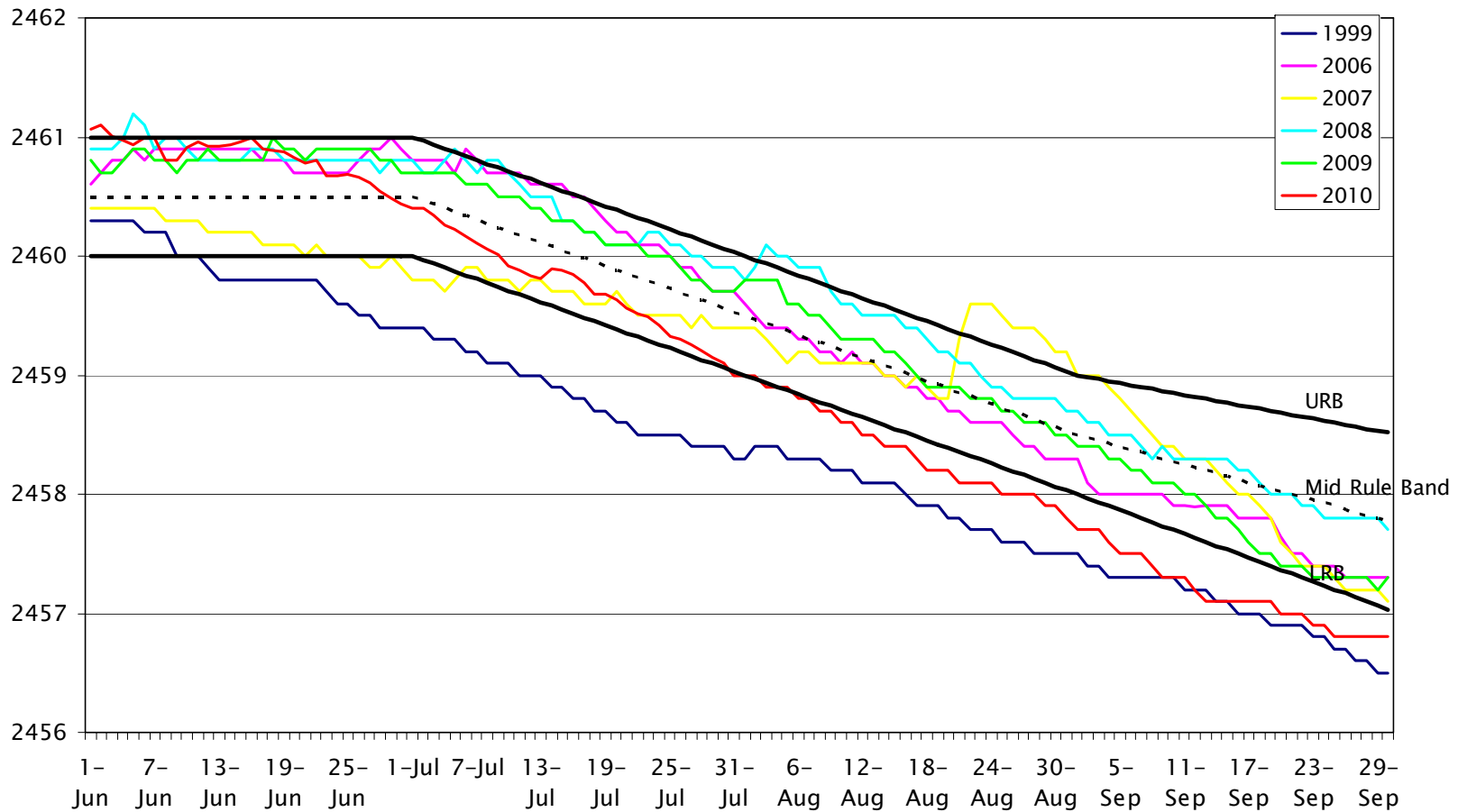
Total Feet of Pool, July thru September							
Category	1999	2005	2006	2007	2008	2009	2010
Measured Change Starting June 1	(2.90)	(3.10)	(3.60)	(2.80)	(3.10)	(3.40)	(3.47)
WWR	(0.55)	(1.17)	(1.43)	(1.48)	(1.75)	(1.79)	(1.29)
TER	(0.47)	(0.35)	(0.44)	(0.15)	(0.21)	(0.42)	(0.76)
Discretionary and Rule Band	(0.06)	(0.84)	(1.56)	(3.05)	(2.03)	(0.44)	(0.07)
Wickett	(0.44)	(0.42)	(0.40)	(0.39)	(0.41)	(0.41)	(0.42)
Bypass	(0.42)	(0.13)	(0.12)	(0.04)	(0.19)	(0.24)	(0.38)
Recreational Industries	-	-	-	(0.01)	(0.02)	(0.03)	(0.01)
Other Loses, Inc Evap	(1.94)	(3.11)	(1.16)	(1.65)	(1.34)	(1.07)	(1.45)



MARYLAND DEPARTMENT OF NATURAL RESOURCES

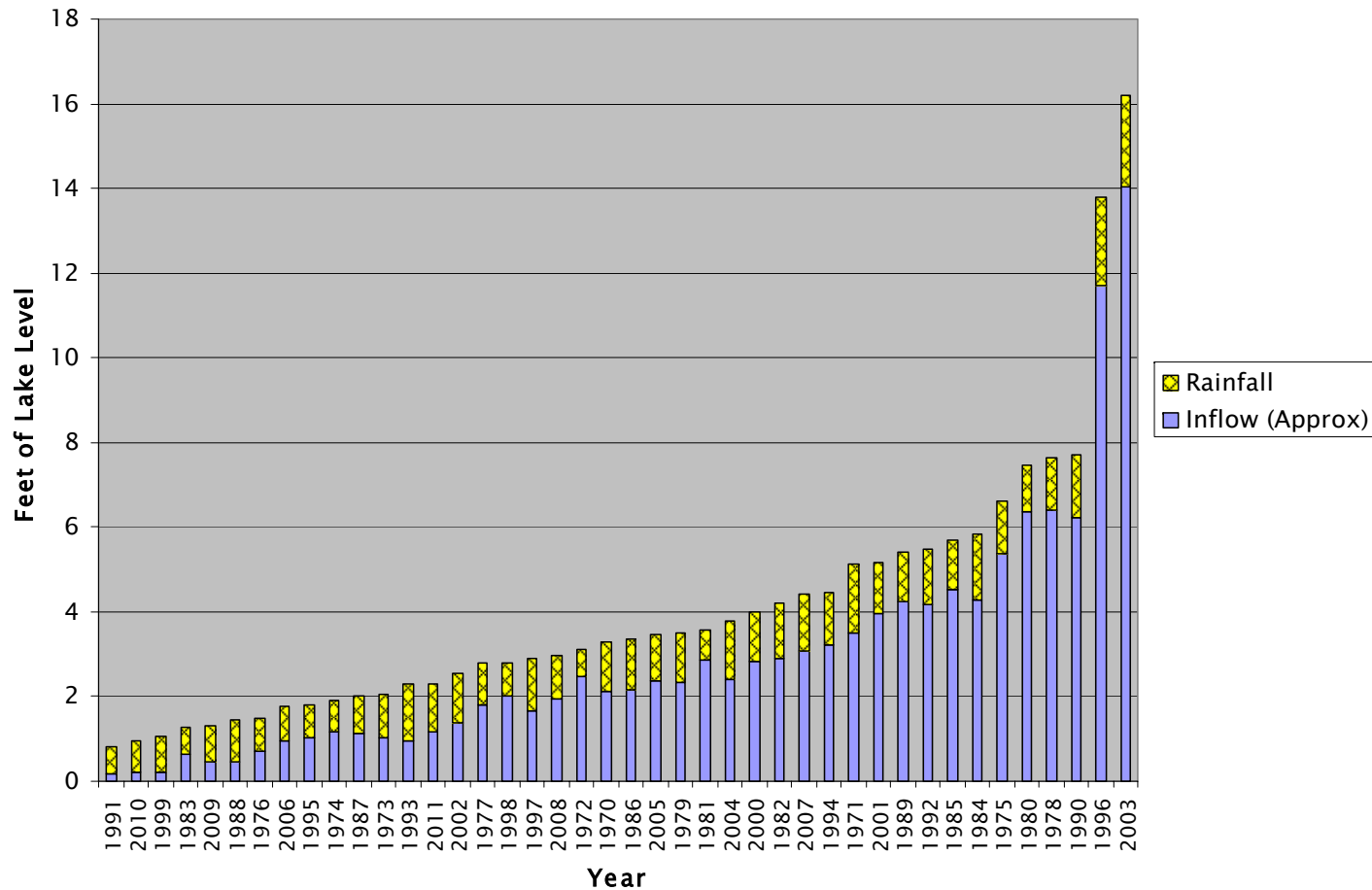
The State of Deep Creek Lake, 2010 - 2011

Deep Creek Summer Season Lake Levels in Selected Years



The State of Deep Creek Lake, 2010 - 2011

Deep Creek Lake: July Thru Sept Inflow Into the Lake and Rainfall On to the Lake Surface For 1970 to 2011

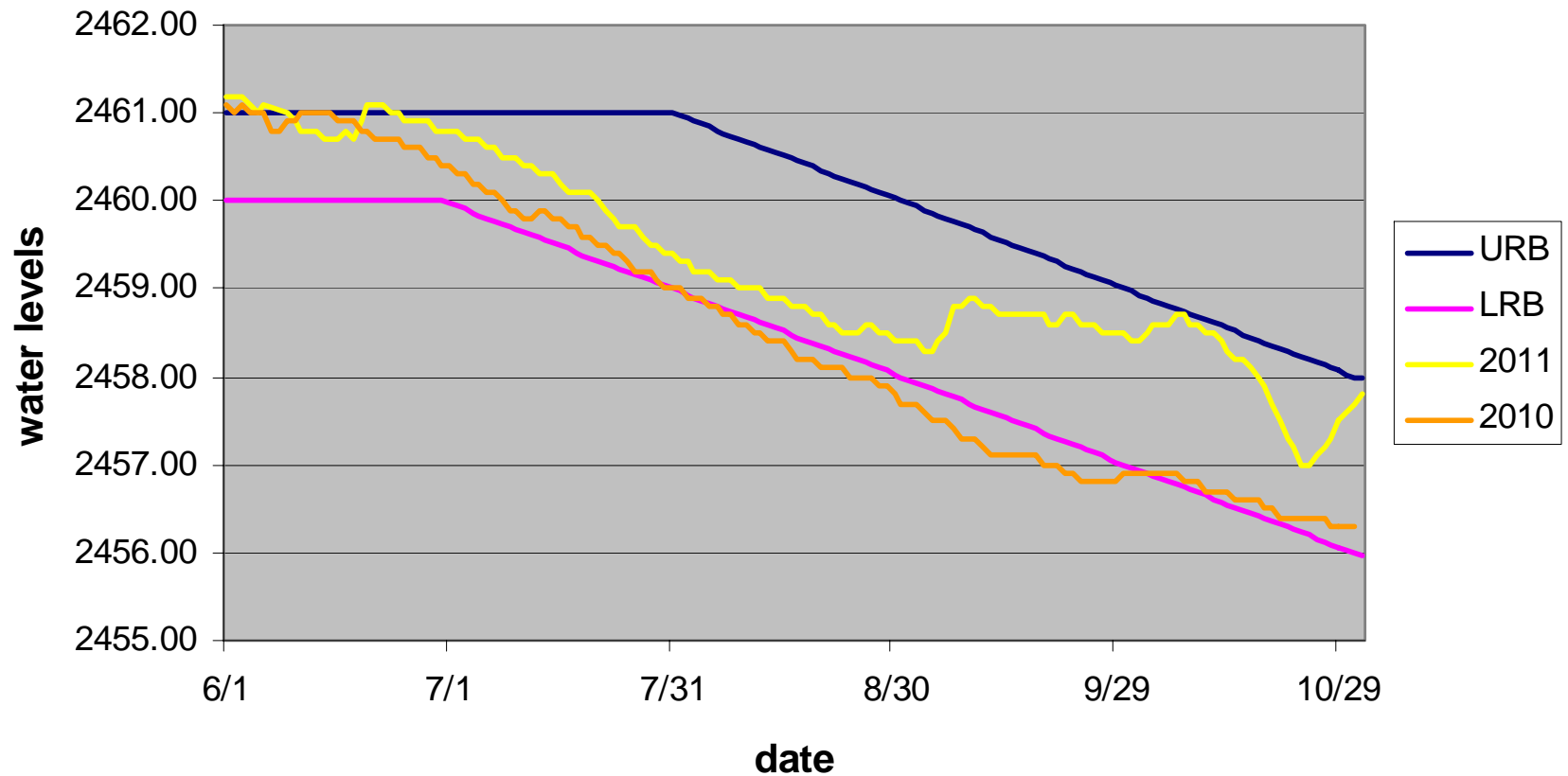




Brookfield Power 2011 Permit

- **Reflected input from all stakeholders**
- **Preserved lower rule band**
- **Modified upper rule band to allow more water in lake in summer**
- **Preserved whitewater scheduled releases**
- **Cancelled TERs on whitewater release days**
- **Reduced by-pass flow releases**
- **Required plan for addressing wicket gate leakage by December 31, 2011**

**Deep Creek Lake water levels for 2010 and 2011
and current rule bands**





Looking ahead...

The following are areas of concern that will require further investigation and continued collaboration among partners:

- **Management of aquatic plants**
- **Management of stormwater and sediment**
- **Protection of shorelines**
- **Protection of the buffer strip**
- **Management of recreational uses**



MARYLAND DEPARTMENT OF NATURAL RESOURCES

The State of Deep Creek Lake, 2010 - 2011

Our greatest collective challenge...

**To take a watershed approach to
future lake management.**