

BOARD OF GARRETT COUNTY COMMISSIONERS
ADMINISTRATIVE SESSION
February 14, 2012

IN ATTENDANCE

Chairman James M. Raley

Commissioner Gregan T. Crawford

Commissioner Robert G. Gatto

R. Lamont Pagenhardt, County Administrator

1. The Board of County Commissioners and Department of Public Utilities staff reviewed recent petitions received from residents and property owners of Silver Ridge Condominiums on Glendale Road in opposition to connection to the Thayerville Water System. The petitions received do not meet the requirements of Title 9, Subtitle 652 of the Environment Article of the Annotated Code of Maryland. The Code provides that following a public hearing on proposed improvements, the Board shall issue a decision on the proposed project. The public hearing was held and the decision to proceed with the Thayerville Water Project was issued on April 5, 2011. The code further provides that landowners who would be served by the proposed project have the right to petition for a second public hearing. The petition must be signed by at least 25 resident landowners and be filed with the Board within 10 days after the decision is issued. Due to the petition from the Silver Ridge property owners being received after the 10-day filing period, the document does not meet the statute. Chairman Raley suggested that a meeting be scheduled with residents and property owners of the Condominiums and explain. This session will be scheduled. It was noted that the project needs to be bid and approved for construction by the end of March 2012.
2. Chairman Raley, on behalf of the Board of County Commissioners, executed a Memorandum of Agreement between the Department of Public Utilities and State of Maryland Department of the Environment Land Management Administration, Abandoned Mine Land Division for lime dosing station at the Kitzmiller Wastewater Treatment Station. The original Agreement was misplaced by the State and this Agreement replaces it.
3. Discussion on House Bill 446 – Environment – Bay Restoration Fund – Fees. Department of Public Utilities staff was in attendance for this session. Based on the context of the legislation, the Board of County Commissioners were in objection and a letter stating this opinion will be executed and sent to the appropriate Committee.
4. Sheriff Corley was in attendance to present a policy recommendation for public safety personnel holiday compensation. Wendy Yoder, Director, Department of Financial Services, and Scott Weeks, Assistant Director, Department of Financial Services was in attendance for this session.
 - a. Sheriff Corley and Mr. Pagenhardt presented a recommendation to compensate public safety employees for all annual holidays in a lump sum whereby applicable employees would be paid in advance. This policy revision would greatly improve and save funds. The Board will take this matter under advisement.

- b. Sheriff Corley and Mr. Pagenhardt presented a recommendation that would include law enforcement personnel in the County Government Deferred Compensation Plan. In 2002, these employees were withdrawn from eligibility in the Plan when the Law Enforcement Officers Pension Plan was approved. The Board will also take this matter under advisement with any decision to approve to be part of Fiscal Year 2013 Budget review.
5. The Board of County Commissioners reviewed Garrett County and State Highway Administration (SHA) cost share projects and other County capital project priorities for budget approval. Jay Moyer, General Superintendent, County Roads Department; Dwight Emory, County Engineer, Ms. Yoder; Mr. Weeks; John Nelson, Director, Department of Planning and Land Development; James Hinebaugh, Director, Department of Economic Development; and Meg Ellis, Project Manager, Department of Economic Development were in attendance for this session. A list of projects is attached to these administrative session minutes as an Exhibit. The County/State cost share 495/New Germany Road intersection was also reviewed. The Department of Financial Services provided input on budget projections and the County 5-Year Capital Plan.

The Board agreed to designate the McHenry Business Park Access Road as the top priority and directed Mr. Hinebaugh to inform all funding sources of project status and assure that approved funds from other projects can be re-designated.

6. Ms. Yoder presented a request for amendment to the collections of hotel rental tax statute that was presented by Wisp Resort. Mr. Nelson was also in attendance for this session. The Board agreed to submit a request for legislation that would add Garrett County to existing that will be effective July 1, 2012 to add to Article 24, Section 9-301 (f)(2) that in Frederick County, Washington County and (adding) Garrett County, "transient charge" means a hotel charge for sleeping accommodations for a period not exceeding 30 days.
7. The Board of County Commissioners reviewed a letter for the State of Maryland Department of Natural Resources asking for comments on a proposed purchase of property. This property is the James Shank Property, SPM 68, Grid 21, parcel 20, ID #1-005766, 71.97 acres for \$500,000. Mr. Nelson was in attendance for this session. The Board will take no position or submit any comments. Mr. Nelson will respond on behalf of the Board.
8. The Board of County Commissioners reviewed a number of 2012 legislative issues. Commissioner Crawford, who is a member of Maryland Association of Counties Legislative Committee, presented a list of legislation that the General Assembly is considering that will have a direct impact on Garrett County.
9. Other administrative and personnel matters.

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

James M. Raley, Chairman
Board of County Commissioners

Date

EXHIBIT

GLENDALE INTERSECTION IMPROVEMENTS & GLENDALE ROAD REALIGNMENT

COST:

\$ 1,256,000	Highland Engineering estimate (Sept. 2009)
-- 2,052,591	Revised estimate (design/engineering, construction & 25% contingency) as of Jan. 2012
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\$ 796,591	Increase in estimated cost

FUNDS/SOURCES:

\$ 873,068	ARC - ARC TEA21/LAR (80/20)
+ 326,932	County
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\$ 1,200,000	Total

COSTS VS. FUNDS AVAILABLE:

\$ 2,052,591	Revised costs
-- 1,200,000	Funds available
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\$ 852,591	Deficit

INVESTED TO DATE:

\$289,241.17	Utility relocation (sewer, electric) Al. Power, Verizon, BYCO & plan spec credit
+ 36,251.22	ROW acquisition including well
+ <u>33,184.36</u>	SHA reimbursement at 20%
\$358,676.75	Total invested to date.

OPTIONS:

1. Drop project?
 - Can ARC TEA21 funds be used to pay expenses (\$205,000) incurred to date?
80/20 = \$41,000 county funds

2. Delay project 1 year?
 - Can ask, but ARC might not approve

3. Go forward with project?
 - Request additional ARC TEA21/LAR funds (80/20)? County additional cost = \$170,518
 - Use ARC Area Development Funds (50/50)? Probably have to delay 1 year. County = \$426,296

CHERRY GLADE
BUDGET REVIEW
February 14, 2012

Phase I

ARC (SAFTEA)	\$600,000
County	<u>\$150,000</u>
TOTAL	\$750,000

Phase II

ARC (SAFTEA)	\$200,000
ARC (AD)	\$184,000
County	<u>\$ 96,000</u>
TOTAL	\$480,000

TOTALS

\$984,000	ARC
<u>\$246,000</u>	COUNTY
\$1,230,000	

Neither grant would allow engineering, so that is to be paid from non ARC match county funds. So the budget is \$835,560 for Phase I including engineering.

The total County investment for Phase I is

\$150,000	ARC match
<u>\$ 85,560</u>	Non ARC match for engineering, for both phases
\$235,560	Total County investment

Highland's Contract for design for both phases is	\$74,832
Total expenditures to date	<u>\$42,025</u>
Balance	\$32,807 available to finish Phase II

Phase I expenses (mostly Beitzel Contract). This phase is complete:

\$750,000	Funds available for ARC eligible costs
<u>\$368,550</u>	Expenditures or ARC eligible costs
\$381,450	Available funds toward Phase II

As we discussed with John Sanders 2/3, they are finalizing Phase II design and cost estimates. It appears if ARC/SHA allows the transfer of the available Phase I funds we would have a total of:

\$381,450	Remaining Phase I
\$480,000	Phase II total funding
<u>\$ 32,807</u>	County funded engineering.
\$894,257	Available for Phase II

No expenditures from Phase II yet.

REVENUE

Clear Mt. Bank	\$425,000
Dairy Queen	<u>\$500,000</u>
TOTAL	\$925,000

BOTTOM LINE

\$925,000	Revenue Received
<u>-\$235,560</u>	County Phase I Expenses
\$689,440	Net Gain

McHENRY BUSINESS PARK ACCESS ROAD

February 14, 2012

ESTIMATED COSTS

\$945,000	Thrasher Engineering (Sept. 2009)
<u>\$1,381,534</u>	Revised estimate (with 10% contingency)
\$436,534	Increase in estimated cost

FUNDS/SOURCES

\$536,858	ARC TEA21/LAR
\$100,000	DBED
<u>\$72,964</u>	COUNTY
\$709,822	TOTAL

COSTS VS FUNDS AVAILABLE

\$1,381,534	Revised costs
<u>\$709,822</u>	Available funds
\$671,712	Deficit

OPTIONS

1. Go ahead as proposed
 - a. Request additional ARC TEA21/LAR funds (80/20); County = \$134,342
 - b. Request ARC AD funds (50/50); County = \$335,856

2. Modify project

\$101,500	Take out lighting (except conduit)
<u>\$162,000</u>	Have County Roads do paving (labor/equipment)
\$263,500	Cost reduction

\$1,381,534	Estimated cost
<u>-\$263,500</u>	w/o lighting & Roads doing paving
\$1,118,034	Revised Project Cost

\$408,212 Short

Request additional ARC TEA21 Funds (80/20) County = \$81,642

Request additional ARC AD Funds (50/50) County = \$204,106

3. Move funds from Glendale Road Project/stay with full scope

\$671,712	Needed to finish	\$671,712	
20%	w/o changes	80%	
\$134,342	County	\$537,370	TEA21/LAR
\$326,932	Glendale TEA21	\$873,068	
<u>-\$134,342</u>		<u>-\$537,370</u>	
\$192,590	Residual	\$335,698	