

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
AUGUST 13, 2013

IN ATTENDANCE

Chairman Robert G. Gatto

Commissioner Gregan T. Crawford

Commissioner James M. Raley

County Administrator R. Lamont Pagenhardt

Prior to the Call to Order the Board of County Commissioners reviewed the incident status of the sanitary sewage overflow that occurred on August 9, 2013 at Deep Creek Lake. A public update will be presented after the commencement of the Public Session.

PUBLIC SESSION

CALL TO ORDER OF PUBLIC SESSION

PRAYER & PLEDGE OF ALLEGIANCE

1. Additions/deletions to public meeting agenda. Mr. Pagenhardt indicated there was one addition and no deletions to the Public Meeting Agenda for August 13, 2013. An update on the status of the sanitary sewage overflow that occurred on August 9, 2013 at Deep Creek Lake will be presented. The Board of County Commissioners, on a motion by Commissioner Raley, which was seconded by Chairman Gatto, and made unanimous by Commissioner Crawford, approved the Public Meeting Agenda for August 13, 2013.
2. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, approved the Public Meeting Minutes for July 16, 2013, Executive Session Minutes of July 16, 2013, Executive Session Minutes of August 1, 2013, and Administrative Session Minutes of August 6, 2013.
3. The Board of County Commissioners provided an update of the boards, committees, and commission meetings they have attended and participated in since the last public meeting.
4. The Board of County Commissioners reviewed the incident status of the sanitary sewage overflow that occurred on August 9, 2013 at Deep Creek Lake. Jeff Broadwater, Assistant Director with the Department of Public Utilities, County Health Officer Rodney Glotfelty, and Health Department Director of Environmental Health Services Stephen Sherrard were in attendance and provided relative information to the Board, media, and the public.
5. As part of the Public Hearing conducted by the Board of County Commissioners on July 16, 2013 an announcement was made that a decision on the Petition to transfer ownership of Wisp Mountain Road to the Garrett County Roads System would be made on this date. The Board will defer a final decision at this time and take this matter under continued advisement to include meeting with the County Engineer and County Roads Department management in administrative session on this date.
6. The following departments and agencies presented updates to the Board of County Commissioners:

- a) Adventure Sports Center International (ASCI)
 - b) Garrett County Airport
 - c) Garrett County Animal Shelter
 - d) Garrett County Board of Elections
7. The Purchasing Department presented a recommendation of bid award for a Recycling Hauling Contract (bid #13-0627R). The Board, on a motion by Commissioner Raley, which was seconded by Commissioner Crawford, and made unanimous by Chairman Gatto, approved an award to Sunrise Sanitation Services. Price per ton totals are on file with the Purchasing Department.
 8. The Purchasing Department presented a recommendation of bid award for General Carpentry Services (bid #10-0819C). The Board, on a motion by Commissioner Crawford, which was seconded by Chairman Gatto, and made unanimous by Commissioner Raley, approved an award to Thomas & Thomas Construction LLC for basic labor rates for licensed carpenter of \$28.00 per hour and percentage markup for material of 12%.
 9. The Board of County Commissioners reviewed extending the Residential Fire Sprinkler System Incentive Program Policy. This policy, administered by the Department of Planning and Land Development Division of Permits and Inspections, terminated on June 30, 2013. The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, agreed to extend the Program Policy for a period of July 1, 2013 through June 30, 2015. The Board executed an official Policy Resolution.
 10. The Board of County Commissioners reviewed and adopted Agreements between the Board and the Mayors and Town Councils of Mountain Lake Park and Grantsville – Enforcement of the Town’s Flood Plain Ordinance, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto.
 11. Commissioner Raley presented an update on the number of visitors to the Youghiogheny Welcome Center that re-opened in June of 2013. The Chamber of Commerce President and CEO will provide a more detailed summary of visitor information at the end of the summer season.
 12. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, approved and executed a Memorandum of Understanding – Deep Creek Lake Management Plan between the State of Maryland Department of Natural Resources and the Board of County Commissioners and in conjunction with the Secretary of the State of Maryland Department of Natural Resources Joseph Gill, appointed of following task force member of the Deep Creek Lake Management Plan Steering Committee:
 - a) David Myerberg, Resident Representative
 - b) Robert Hoffman, Resident Representative
 - c) Peter Versteegen, Resident Representative
 - d) Lulu Gonella, Resident Representative
 - e) John Forman, Forestry Representative
 - f) Steve Green, Recreation Representative
 - g) Robert Browning, Business Representative
 - h) Willie Lantz, Agricultural Representative
 - i) Michael Sabad, Power Plan Representative

On behalf of the Board and Secretary Gill, official letters of appointment will be sent to each appointee under the signature of Chairman Gatto.

13. Public Commentary.

- a) James Stanton asked for an update on follow-up meetings between the Board of County Commissioners and the Elected Members of the Board of Education. The Board responded that no specific date had been set for such a meeting.
 - b) Ken Fisher noted that he would present his opinion on the Deep Creek Watershed Management Plan in written form to the County Administrator.
 - c) Jerry Plauger voiced questions on the petition for the County accepting Wisp Mountain Road into the County Roads System. The Board noted that this issue will be addressed during the administrative session on this date.
14. Commissioner Crawford made a statement that the Editorial in the August 12, 2013 *Cumberland Times News* was not accurate. This editorial read that the Board of Garrett County Commissioners is planning to join the Maryland Rural Counties Coalition. Mr. Pagenhardt will write to the Editor and ask that accurate information be printed.
15. Mr. Pagenhardt noted that the Executive Session to discuss economic development matters planned for this date will need to be cancelled. The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, agreed with this agenda amendment. The Board will schedule an executive session for August 20, 2013 as part of the public meeting agenda for that date.
16. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for July 16, 2013 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 Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to discuss legal matters. The same motion ended the Executive Session.

In attendance were the following staff persons:

Gorman Getty, County Attorney (all sessions)
Michael Koch, Director, Department of Economic Development (sessions a, b, and c)
Scott Weeks, Assistant Director, Department of Financial Services (sessions a and b)
Brian Bowers, Purchasing Agent (sessions a and b)
Jay Moyer, General Roads Superintendent, County Roads Department (session b)
John Nelson, Director, Department of Planning and Land Development (session d and e)
David Ritchie, Project Engineer, County Department of Engineering (session d)
Chad Fike, Planner, Department of Planning and Land Development (session d)

- a) Discussion on request for proposals for retail business at the Adventure Sports Center International (ASCI). The Board determined to proceed with publishing a request for proposals (RFP) for the commercial lease space and to allow for open negotiations with the successful bidder to allow for other potential uses of the building, grounds, and staff. Mr. Bowers will assure that the RFP is published on July 25.
- b) Discussion on road improvements on Marsh Hill Road. Mr. Pagenhardt reported that he had met with Wisp Resort principals and they are in the process of designing an

intersection/roundabout at the entrance to the Resort. Wisp has agreed to cover the cost of the engineering design and material for paving and associated costs. The Board agreed to proceed with the project and improvements which will commence after Labor Day. It should be noted that the Roads Department had plans for improvements on this roadway due to current condition of the road, the number houses, and traffic count.

- c) Mr. Koch presented discussion points that will not be made public at this time.
- d) The Board of County Commissioners discussed a request that the County accept ownership of a parcel of land and associated right-of-ways of Deere Road.
- e) Mr. Nelson, on behalf of the Planning Commission presented the Board of County Commissioners with the Recommendation from the Garrett County Planning Commission relative to text amendments submitted by Bill Meagher on behalf of Lakeside Commercial Properties, LLC that was received on July 16, 2013. The Board will take this matter under advisement. There has been no public hearing date scheduled at this time.

- 17. Carol Riley-Alexander, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the Board's meeting and committee schedule for the forthcoming weeks.

ADMINISTRATIVE SESSION

- 1. Mr. Pagenhardt reviewed a number of administrative, personnel, and managerial matters under his authority and jurisdiction with the Board of County Commissioners.
- 2. Mr. Pagenhardt presented a request from Garrett Cooperative Ministry, Inc. – Christian Crossing Thrift Shop asking for consideration of reduction of the building permit fee for the demolition of its present building and construction of a larger new structure.
- 3. The Board of County Commissioners discussed the Petition to transfer ownership of Wisp Mountain Road to the Garrett County Roads System. Dwight Emory, County Engineer and Jay Moyer, General Superintendent, County Roads Department participated in this discussion and provided input.
- 4. On July 16, 2013 as part of the Public Meeting the Board of County Commissioners had acknowledged that the recommendation from the Garrett County Planning Commission relative to text amendments submitted by Bill Meagher on behalf of Lakeside Commercial Properties, LLC would be taken under advisement at this time. The Board addressed this matter with John Nelson, Director and William DeVore, Zoning Administrator, Department of Planning and Land Development at this time. The Board is required to schedule a public hearing on this matter and it was determined on this date to schedule the public hearing for September 24, 2013.

Attest:

By Order of the Board,

R. Lamont Pagenhardt
County Administrator

Robert G. Gatto, Chairman
Board of County Commissioners

Date