

**BOARD OF GARRETT COUNTY COMMISSIONERS**  
**PUBLIC MEETING**  
**July 15, 2014**

**IN ATTENDANCE**

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

*County Administrator R. Lamont Pagenhardt*

The Board of County Commissioners attended the Chamber of Commerce Business Before Hours and presented the Fiscal Year 2014 State of the County Summary. Commissioner Raley's written comments are attached to these Public Meeting Minutes as **Exhibit 1**.

**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 July 15, 2014. The Board, on a motion by Commissioner Raley, which was seconded by Chairman Gatto, and made unanimous by Commissioner Crawford, approved the Public Meeting Agenda for July 15, 2014.
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 June 17, 2014.
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 conducted a ***Public Hearing*** to consider a proposed Amendment for Water and Sewer Service Area Boundaries. The Service Areas included in the Amendment are included as **Exhibit 2** of these Public Meeting Minutes.

The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, closed the *Public Hearing*. Commissioner Crawford entered a motion to hold the record open until August 5 and include a review session with the County Attorney prior to that time. This motion was seconded by Commissioner Raley and made unanimous by Chairman Gatto. Commissioner Raley asked that the Department of Public Works – Roads Division staff be proactive with oversight and inspection of the project and keep the public informed.

5. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Chairman Gatto, and made unanimous by Commissioner Raley, approved and authorized

Chairman Gatto and Mr. Pagenhardt to execute a Road Use Agreement between the Board of County Commissioners and Fourmile Wind Energy, LLC.

6. Public Commentary:

- Mountain Haven Wellness and Recovery Center followed up with a request for funding assistance for lease space for their food pantry located at Mountain View Engineering and Surveying. Mountain View had requested \$300 per month during the Board of County Commissioners Public Meeting on June 17, 2014. Commissioner Crawford entered a motion, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, to appropriate the funding request.

7. 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.

Note to the Public Meeting Minutes. On June 17, 2014 the Board of County Commissioners nominated John Pucciano for appointment to serve as an Alternate Member of the Board of Assessment Appeals. It was determined that Mr. Pucciano was not eligible to serve of this board due to the fact that he is actively employed in the real estate market which disqualifies him from appointment consideration by the Governor's Office of Appointments. During the solicitation of persons of interest for this nomination Mr. Pucciano was the only person to express an interest.

## **ADJOURNMENT OF PUBLIC SESSION**

### **ADMINISTRATIVE SESSION**

1. The Board of County Commissioners met with Brian Bowers, Purchasing Agent to discuss the sale of County property on Francis Sanders Drive. Mr. Bowers had previously met with the Board to discuss the sale of the two (2) small parcels of property along Francis Sanders Drive to an interested party who then decided to not pursue the purchase. In May 2014 Mr. Bowers was contacted by Colin Miller expressing interest in purchasing approximately .92 acre tract. The County Attorney issued his opinion that because Mr. Miller is an adjoining property owner he believes that the sale can be handled as a "lot line adjustment" and does not need to go through the sealed bid process. At this time, Mr. Miller has made an offer of \$3,500 for the approximate .92 acre tract. He will also be responsible for the cost of the surveying services and deed preparation estimated at \$1,000.

The Board decided to ask Mr. Miller if he had interest in purchasing additional acreage at \$3,500 per acre. If there is no interest then the Board will agree to sell the .92 acre as presented.

2. The Board of County Commissioners met with Jay Moyer, Director, Department of Public Works and David Ritchie, Project Engineer, Engineering Department to discuss Aaron's Run Road – Mine Subsidence and the issue of County acquisition of land for the relocation of this road. Mr. Ritchie is working on finalizing an Agreement with property owners that are adjacent to this road where the mine subsidence occurred. A small parcel of land may be required for the relocation of the road surface from its present location and may require compensation to the property owners.

The Board directed Mr. Ritchie to proceed with negotiations with the adjacent property owners and advise.

3. The Board of County Commissioners met with Deborah Carpenter, Assistant Director, Planning and Land Management Office, Department of Community Planning and Development to discuss the following issues:

- Discussion on Proposed Countywide Transit Centers. Mr. Moyer was in attendance for this session. The Board agreed proceed with further staff review and move forward.
- Final Board approval of Maryland Department of Transportation Priority Capital Projects. Mr. Moyer was in attendance for this session. The following priority list was presented to the Board in advance on June 17, 2014 for review. There were no changes in this priority list.

**Section 1 - Planning Priorities**

- 1) Truck Corridor Feasibility Study – MD 495 & US 219
- 2) Oakland By-Pass

**Section 2 - Safety Priorities**

- 1) Loch Lynn Bridge Project – Planning phase
- 2) MD 135 & Sand Flat Road intersection – safety improvements
- 3) Expansion of use of message signs, especially during inclement weather

**Section 3 - System Preservation Priorities**

- 1) Stormwater Drain Repair on US 219 at Burger King
- 2) Stormwater Drain Repair on Oakland Drive

**Section 4 - Traffic Flow Enhancement Priorities**

- 1) Signal Warrant Project Quarry Road and US 219, Thayerville

**Section 5 - Sidewalk/Streetscape Priorities**

- 1) MD 826 A to Deer Park Ave Project

**Section 6 - Trail & Pedestrian Priorities**

- 1) Pedestrian Crossing at US 219 and Mosser Road
- 2) Evaluate pedestrian crossings at UNO's and Traders Landing for safety improvements

**Section 7 - Transit Priorities**

- 1) Transit Service expansion
- 2) Oakland Passenger Train Feasibility Study

**Section 8 - Regional Transportation Priorities**

- 1) US 219 N Reconstruction/Relocation
- 2) Regional Transportation Committee

- Proposed Federal Rule Changes. The County is required to submit comments to the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (the Corp) in response to the proposed rule regarding *Definition of Waters of the U.S. Under the Clean Water Act*. This proposed rule would amend the definition of "waters of the U.S." and expand the range of waters that fall under federal jurisdiction. The Board will execute a letter to EPA and the Corp stating their opposition to this rule change.

- Request for additional County funding by the State Department of Natural Resources (DNR) for the Deep Creek Lake Watershed Management Plan. The University of Maryland, who is the consultant completing the Plan has informed Ms. Carpenter that all funds allotted in the Memorandum of Understanding (MOU) have been expended and the total overage for the project is \$13,356.50. DNR has asked the County to pay 40% of this amount (\$5,342). This percentage would be consistent with the provisions of the MOU.

The Board, on a motion by Commissioner Raley, which was seconded by Commissioner Crawford, and made unanimous by Chairman Gatto, agreed to fund the additional amount requested.

4. The Board of County Commissioners was presented with the following requests for abatement of real property taxes:

- Garrett County Memorial Hospital
  - Lots 61-69 Pythian Avenue (Tressler)
  - 15.94 Acres W/S Pythian Avenue (Undeveloped)
  - Lots 70-80 Pythian Avenue (Medical Office Building)
  - 307 North Fourth Street (Browning House)
  - S/S Francis Sanders Drive W (Storage Building)
  - 222 North Fourth Street (Darby House)
  - 79.98 Acres 0.3 Miles W Rt. 219 North (Lapp Land)
  - 25.00 Acre Parcel 1-B W/S Rt. 219 (Lapp Land)
- Garrett County Community Action Committee
  - Overlook Early Child Education Center
  - Grantsville Senior Center
  - Lot – 112 Liberty Street – Transportation Museum
  - Liberty Street Center
  - Former M&T Bank Building – Kitzmiller
  - Transit Maintenance Facility
- Swanton Community Center

The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, approved all abatements as presented.

5. Mr. Pagenhardt reviewed a number of administrative, personnel, and managerial matters under his authority and jurisdiction with the Board of County Commissioners.

**Attest:**

**By Order of the Board,**

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

\_\_\_\_\_  
Robert G. Gatto, Chairman  
Board of County Commissioners

\_\_\_\_\_  
Date

STATE OF THE COUNTY COMMENTS BEFORE THE GARRETT COUNTY CHAMBER OF COMMERCE BY  
COMMISSIONER JIM RALEY JULY 15, 2014

Dear Chamber Members:

Thank you for this opportunity to share my insights with you for the final time today. I want to start by thanking you for standing up with your white paper position on the "safe development of shale gas" which we know are very open to interpretation even with the release of the BMP's by Maryland and the future match to the risk analysis being conducted. I want to thank you for taking a position on the insurance coalition benefit to the County between County government, the Board of Education and the College. I want to thank you for accepting a revenue neutral budget and making in work, while clearly enhancing the revenues collected by the County in the area of accommodations taxes. I want to ask that you continue to stand by this Board and the new Board of Commissioners on issues critical to the needs of our County.

As I look back upon the past year (and even four years) I think of the many things that were accomplished when we worked closely together and I also have to look at the many things that did not get done because of our failure to work together or forces beyond any of our control. So here is a quick glimpse at the past year from my eyes:

We established a Deep Creek Watershed Steering Committee in cooperation with the State of Maryland to address fundamental changes needed in order to protect this precious financial and environmental resource of Deep Creek Lake. Many thanks go out to the many advocacy groups that stand up for the preservation and protection of the Lake and the watershed.

We completed the Phase II Deep Creek Lake study in cooperation with DNR and the POA. This document provides useful future insights into lake concerns.

We continued to build out our broadband network and continued to provide funding to leverage federal ARC funds and other funds to make a broader service area with a focus on key anchor institutions along with areas either underserved or not served.

We merged two County departments to create better service for the citizenry who seek assistance from these governmental services; including the new Department of Public Works and the Department of Community Planning and Development. These moves have saved hundreds of thousands in salary and benefits without reducing services.

We established a regional committee to look into energy and its viability in the region as a job enhancer with the formation of the Mountain Maryland Energy Advisory Committee and placed on board a firm with local ties to oversee this venture named Down Stream Strategies.

We pushed State Highway to repair the dilapidated wall along Route 219 and improve the New Germany and Route 495 intersection at no local cost.

We welcomed Strata as the first tenant to the Keyser's Ridge Business Park and now must work to seek funding to build out the infrastructure to allow for future development. Just last week we put in motion a grant request to seek funding from the Economic Development Administration. We also welcomed several new businesses to the County and the expansion of several businesses to increase operations through partnerships and fiscal jobs agreements that incentivize the climate for creating jobs in the private sector.

We reconstituted the Marcellus Shale Gas Advisory Committee (citizen based with diverse viewpoints) to study reports issued by the State and likewise look into gaps that could exist in regards to local regulations and protections.

We worked to resolve the funding crisis with the Board of Education and the cooperation of the Annapolis delegation to avoid further school closings and job cuts. Unfortunately, we could not meet the additional \$261,000 requested but did allow for adjustments to their current year budget to fill the gap. We also appointed Matt Paugh to the Board of Education following the resignation of Dr. Forrester.

We renewed our commitment to the sprinkler initiative offering an allowance for all single family homes that put said system into a new construction or a modular.

We have hopefully put into motion a better plan for mitigating sewer overflows and a procedure for notification when an accident occurs.

We put an Emergency Operations Center in place located in the airport facility to have the County better prepared in the event of major emergency situations and assigning staff to specific tasks and an integrated approach with other support agencies.

We continued to provide funding for the Welcome Center on Interstate 68 which hosted tens of thousands in the past year from all parts of the US and other countries.

We have assembled a premier event for September to bring the World's to Garrett County and give international exposure to our area.

We provided seed money to the town of Friendsville to work towards a revitalization plan aimed at bringing about population growth and downtown business enhancement.

We will leave with many things yet to be addressed:

The funding issue and the fact that the County budget is contracting remains a concern. The FY 15 budget is created with a structural deficit. The FY 16 budget has potential requests of up to \$20 million in capital expenditures to include Southern Middle School and the Garrett College request for STEM and Performing Arts buildings; coupled with the potential match for infrastructure at the Keyser's Ridge Business Park. The pass off of the pensions for educational employees will likewise hit at a full cost to the County.

At the budget meeting release, I discussed what it takes to raise \$1 million in revenue: 50 new wind turbines, 700 new \$140K homes, a 2.5% increase in property taxes, and several thousand people paying payroll income tax. It is not easy and will not be easy without looking to revenue enhancements or shrinking government. We only need to look to many other states, counties, and municipalities that are being bailed out or are on the brink of failure and collapse. A recent 60 Minutes recap of states problems included the situation in New Jersey where casino revenues are faltering due to increased competition and market saturation. The clip also discussed the escalating cost of unpaid benefits due to retirees on the part of governments and highlighted that Illinois spends more than it takes in to the budget and the City of Harrisburg required bailout to avoid defaulting on obligations. Finally, it discussed the potential default on bonds which are secured by governments at preferred interest rates for capital expenditures and could number hundreds. There will need to be critical decisions made in budget deliberations.

The issue of Marcellus Shale and the future of said development and what it could mean to the infrastructure of the County if there are voids between State regulations and local concerns. As the Governor's Committee nears completion of its work the need for local oversight will be critical. There could well be a period of impact where there are no revenues flowing as the severance tax does not happen until the gas is put into the market and pipelines which exist on a limited basis currently. There will be a need to make informed decisions about how to protect the County while hopefully generating much needed revenues.

We have not addressed the critical need to grow our population to enhance revenues and keep our small communities and schools more viable. Our population remains stagnant and aging with fewer school aged students annually. How do we attract and retain a millennial and generation x and y population? This is a similar issue with most volunteer organizations today as well when we look at the aging of our community volunteer organizations.

I sit on one of the workgroups of the Development Corporation who talks of workforce and the improvement of wages which is an on-going issue. We know the critical need and challenge for rural areas is the need for jobs that pay a living wage.

Our Emergency Operations Center will likely have to be housed elsewhere in the future as the airport site remains problematic in utilizing shared space with the FAA and MAA.

We do not have Maryland TV yet but progress continues.

In closing, and on a positive note: The County has no real debt. The County has a dedicated staff. The County has many bright entrepreneurs. The County offers many amenities not found in other parts. THANK YOU TO EACH OF YOU AND THE SPONSORS OF TODAY'S EVENT.

# Garrett County Sanitary District

## Proposed Changes for the Public Hearing

### **Water Service Areas**

#### **Bloomington Water Service Area:**

Add: That property known as the Upper Savage Wood Yard.  
Remove: Those undeveloped areas within Bloomington lying to the North of SR 135 and along Parson Ave and Gemanell Avenue, and to the West of Brick Row.

#### **Crellin Water Service Area:**

Add: Those properties along Crellin Mine Road to the Southwest of Crellin. Those properties along SR 39 including 2209 and 2219 Hutton Road. Those properties along W Ashby Ellis Road.

#### **Deer Park Water Service Area:**

Add: Those properties along Fricks Crossing Road, Deer Park Hotel Road, and properties adjacent to the intersection of SR 135, Deer Park Hotel Road, and Broadford Road. Those properties along Broadford Road including Hopeland Village. Those properties along Boiling Spring Road.  
Remove: Those properties between Church Street and SR 135 North of 368 Church Street. Those properties within the Deerfield Subdivision.

#### **Friendsville Water Service Area:**

Remove: Those properties along Dave Dixon Road, Ross Avenue, and the properties South of I-68 and between Friendsville Road and Bear Creek Road. Those properties along Maple Street and West of Church Lane.

#### **Gorman Water Service Area:**

Add: Those properties along Table Rock Road from Hoffman Road to A-Portal Road.  
Remove: Those properties along Steyer Gorman Road, White Church Steyer Road, Wayne Harvey Road and Gorman Road to the North of Allen Marple Drive. Those properties along Althouse Hill Road and along Winston Road South of 72 Winston Road. Those properties along Wilson Corona Road Southwest of 1947 Wilson Corona Road and along Fairview Church Road Southeast of 1235 Fairview Church Road.

#### **Keyzers Ridge Water Service Area:**

Add: The properties along US 40 from 5112 National Pike to 5791 National Pike. Those properties along US 219 from 34897 Garrett Hwy to I-68, including Stockyard Road and Ryland Ct.

#### **Kitzmilller Water Service Area:**

Add: Those properties along North American Road to 319 N American Road. Those properties at the terminus or E Main Street.  
Remove: Those undeveloped properties at the terminus of Hazel Street and Homestead Street.

#### **McHenry Water Service Area:**

Add: Those properties along Shingle Camp Road, Sandy Shores Road, Brenneman Lane, Shingle Camp Terrace, Stockslager Road, Sandy Beach Lane and Cabin Lodge Road. Those properties included in the WISP Resort PRD along Hoyes Run Road. That property along Pysell Road, identified as Map 42, Parcel 202.

#### **Mountain Lake Park/Loch Lynn Heights Water Service Area:**

Add: Those properties along Smouse Road to the intersection with Landons Dam Road, and those properties along Landons Dam Road. Those properties outside of Mountain Lake Park Town Limits along Wolf Acres Drive, Weber Rd, SHA Drive, Oakland Drive, Dennett Road from 770 to 780 Dennett Road and Broadford Road from 1210 to 1316 Broadford Road.  
Remove: Those properties within Mountain Lake Park Town Limits along Alexander Lane, Harvey Winters Road and Madison Street.

## Sewer Service Areas

### **Bloomington Sewer Service Area:**

Remove: Those undeveloped areas within Bloomington lying to the North of SR 135 and along Parson Avenue and Gemanell Avenue, and to the West of Brick Row.

### **Chestnut Ridge Sewer Service Area:**

Add: Those areas along US 40 to the East of US 219 including the Garrett County Department of Public Works - Grantsville Roads Garage.

Remove: Those areas along River Road to the North of US 40.

### **Crellin Sewer Service Area:**

Add: Those properties along Crellin Mine Road to the Southwest of Crellin. Those properties along SR 39 between 2209 and 2579 Hutton Road.

### **Deep Creek Lake Sewer Service Area:**

Add: Those properties along Pysell Road, Business Park Drive, Airport Road, Shingle Camp Road, Stockslager Road, and at the intersection of Bray School Road and Oakland Sang Run Road. Those properties including the Ridgeview Valley Subdivision, Sweet Rewards Subdivision, Sandy Beach Subdivision, Holy Cross Subdivision, and Bray Run Subdivision.

Remove: Those properties along Springwood Acres Road, Roberts Road, Moors Hollow Drive, Glendale Road (from 1775 to 1956 and from 2255 to 2543 Glendale Road), Zeddock Miller Road, Linz Lane, Mamie Drive and Waterwheel Road. Those properties including Sunset Ridge Subdivision (except 33 to 145 Sunset Ridge Drive), Mountainside Subdivision (except those properties currently served), Carmel Cove (except those properties currently served), Paradise Point Subdivision, and Map 58, Parcel 412.

### **Deer Park Sewer Service Area:**

Add: Those properties along Fricks Crossing Road, Deer Park Hotel Road, and properties adjacent to the intersection of SR 135, Deer Park Hotel Road, and Broadford Road. Those properties including Hopeland Village.

Remove: Those properties to the West of the intersection of SR 135 and Sand Flat Road, along the South of Boiling Spring Road, and those properties along Edgewood Drive (north of 428 Edgewood Drive).

### **Friendsville Sewer Service Area:**

Add: Those properties along Friendsville Road to include 8025 Friendsville Road. Those properties along I-68 including the property 6172 National Highway.

Remove: Those properties along Dave Dixon Road, Ross Avenue and the properties South of I-68 and between Friendsville Road and Bear Creek Road. Those properties North of Maple Street and West of the Youghiogheny River.

### **Hutton Sewer Service Area:**

Add: Those properties South of Hutton along Hutton Road, including 1014, 1132, and 1642 Hutton Road.

### **Jennings Sewer Service Area:**

Add: The property of 3167 along Bear Hill Road.

Remove: Those properties along Bittinger Road, between Durst Road and Jennings Road.

### **Kitzmiller Sewer Service Area:**

Add: Those properties along North American Road, including 411 N American Road. Those properties at the terminus or E Main Street.

Remove: Those undeveloped properties at the terminus of Hazel Street and Homestead Street. The property of 1611 Oak Street.