

**BOARD OF GARRETT COUNTY COMMISSIONERS**  
**PUBLIC MEETING**  
**August 5, 2014**

**IN ATTENDANCE**

*Chairman Robert G. Gatto*  
*Commissioner Gregan T. Crawford*  
*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 August 5, 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 August 5, 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 July 15, 2014, Executive Session Meeting Minutes for July 25, 2014, and Administrative Session Meeting Minutes for July 28, 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. BOARD ACTION :
  - Amendment – Garrett County Water and Sewer Service Area Boundaries. On July 15, 2014 the Board conducted a *Public Hearing* to receive public commentary on this subject. On this date the Board, on a motion by Commissioner Crawford, which was seconded by Chairman Gatto, brought this matter to discussion on a vote of approval. Discussion took place on notification of ad valorem tax and other related connection service subjects plus the required compliance of accurate service area boundaries. Commissioner Crawford's motion to then vote did not receive a second. Further discussion took place and Commissioner Crawford again entered a motion of approval which did not receive a second. Commissioner Raley and Chairman Gatto decided to continue to take this matter under advisement and assure that they will provide staff with their respective comments and questions relative to final approval in a timely manner. Commissioner Raley made this process direction an official motion which was seconded by Chairman Gatto, and made unanimous by Commissioner Crawford.
  - Agreement – American Woodmark Covenant Modification – Keyser's Ridge Business Park. The Board, on a motion by Commissioner Crawford, which was seconded by Chairman

Gatto, and made unanimous by Commissioner Raley, approved the execution of the Agreement as presented.

- Resolution – Four Mile Wind Energy, LLC. The Board, on a motion by Commissioner Crawford, which was seconded by Chairman Gatto, and made unanimous by Commissioner Raley, approved the execution of all documents as presented.
- Amendment to Maryland Department of Business and Economic Development – Garrett County Government Agreement. The Board, on a motion by Commissioner Crawford, which was seconded by Chairman Gatto, and made unanimous by Commissioner Raley, approved the execution of all documents as presented. This Grant Agreement is in connection with the McHenry Business Park development and expansion.
- Resolution – Garrett County Memorial Hospital. The Board, on a motion by Commissioner Crawford, which was seconded by Chairman Gatto, and made unanimous by Commissioner Raley, approved the execution of the Resolution as presented.
- Resolution – Designation of Road Name Adoption (Upper Medallion Drive). The Board, on a motion by Commissioner Raley, which was seconded by Commissioner Crawford, and made unanimous by Chairman Gatto, approved the execution of the Resolution as presented.

5. The Board of County Commissioners was presented with a briefing on the Heritage Area Grant Application by the Mayor and Town Council of Grantsville. Robin Jones, Town of Grantsville Clerk was in attendance and requested that the Board provide the required \$25,000 matching funds. Commissioner Raley entered a motion to approve the appropriation, which was seconded by Chairman Gatto, and made unanimous by Commissioner Crawford.
6. Department and Agency Updates:
  - Sheriff's Department
  - Department of Social Services
  - Department of Solid Waste and Recycling
7. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Chairman Gatto, and made unanimous by Commissioner Raley, approved a bid award for Refuse Containers (bid #14-0717C) to Custom Container Solutions. Award included (4) 40 Yard Open Top Containers at \$5,000 per unit and (1) 30 Yard Closed Container is \$5,650 for a total bid award cost of \$25,650.00. Specifics of containers are on file with the Purchasing Department.
8. Department of Public Works management presented an update of the Western Conveyance Water and Wastewater Project to the Board of County Commissioners. This discussion included a staff recommendation to have the authorization to proceed with the legal process of eminent domain for certain deeds of easement. In attendance were the following staff:
  - Jay Moyer, Director, Department of Public Works
  - Patrick Hudnall, Division Chief, Department of Public Works – Utilities Division
  - Gary Love, Project Engineer, Department of Engineering

On this date, Commissioner Raley and Chairman Gatto determined to continue to take this matter under advisement and the Board will then issue a decision during a to be determined administrative session. Commissioner Crawford requested that the Board proceed with the legal process of eminent domain at this time. The request was not moved upon.

9. Duane Yoder, President, Garrett County Community Action Committee presented a briefing on the Community Service Block Grant Project to the Board of County Commissioners. Mr. Yoder asked that the Board draft a letter of support for a continuation of funding for the project. The Board agreed with this request.
10. Public Commentary.
  - Roy Deniker voiced his opinion on the inclusion of his property at Keyser's Ridge into the proposed service area. This service area was included in the Amendment to the Garrett County Water and Sewer Master Plan. The Board thanked Mr. Deniker for his comments.
11. 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.
12. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for July 25, 2014 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 and financial matters related to Deep Creek 2014. The same motion ended the Executive Session. There will be no public disclosure of these matters at this time.

## **ADJOURNMENT OF PUBLIC SESSION**

### **ADMINISTRATIVE SESSION**

1. The Board of County Commissioners discussed a number of public safety and emergency management issues. In attendance for this session were the following persons:
  - John Frank, Director, Garrett County Department of Public Safety and Emergency Management
  - Kenneth Mallette, Executive Director, State of Maryland Emergency Management Agency (MEMA)
  - Dick DeVore, Director, Allegany County Department of Emergency Services
  - Virginia Smith, Emergency Preparedness Planner, Department of Public Safety and Emergency Management
  - Kevin Lewis, Director, Washington County Department of Emergency Management
  - Charlie Summers, Assistant Director, Washington County Department of Emergency Management
  - Jay Moyer, Director, Department of Public Works
  - Michael Koch, Executive Director, Department of Community Planning and Development
  - Deep Creek 2014 Emergency Operations Plan and Incident Action Plan
  - Garrett County Emergency Operations Center (EOC). Commissioner Crawford asked that the Board approve proceeding with securing appraisals on the 130 Sky View Drive Property, McHenry, MD. Commissioner Raley and Chairman Gatto decided to take this matter under advisement.

\*After the Administrative Session concluded, Commissioner Crawford and Chairman Gatto agreed to proceed with securing appraisals.

2. The Board of County Commissioners met at the request of Dr. Rick Jenkins, DVM, Pineview Veterinary Hospital, who expressed his opinion with the operations of HART for Animals (HART). In attendance for this session were County Animal Control Manager Bonnie Zimmerman; Mr. and Mrs. Michael Pellet and Caroline Robison from HART; Dr. Casey Holbert, DVM and Dr. Steve Anderson, DVM, Pineview Veterinary Hospital.

Points of concern were Dr. Jenkins opinion that the County has not directed operational funding for the County Animal Shelter at an appropriate level. Dr. Jenkins also expressed his opinion on the funding of different areas of the County budget to include County funds being directed to HART which he believes is in competition with private business. Mrs. Pellet explained the vision and mission of HART which is to save as many animals as possible and also provided statistics and cooperative programs with the County Animal Shelter.

The Board expressed their appreciation to everyone in attendance for the open dialog and also expressed their wish for the Animal Advisory Committee to be reinstated and reconvened.

3. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, appointed Traci Royce to the Garrett County Health Planning Council. An official letter will be sent to Ms. Royce under the signature of Chairman Gatto outlining the terms of appointment.
4. 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