

**BOARD OF GARRETT COUNTY COMMISSIONERS  
PUBLIC MEETING  
OCTOBER 1, 2002**

**IN ATTENDANCE**

Chairman Ernest J. Gregg  
Commissioner Wendell R. Beitzel  
Commissioner Frederick A. Holliday  
County Administrator R. Lamont Pagenhardt

**CALL TO ORDER OF PUBLIC SESSION**

**PRAYER & PLEDGE OF ALLEGIANCE**

**PUBLIC SESSION**

1. Additions/deletions to Public Meeting Agenda. Mr. Pagenhardt indicated that there was one (1) addition to the agenda for October 1, 2002. The Board of County Commissioners will meet with Gorman Getty, County Attorney in executive session to discuss legal matters.
2. Minutes of the Public Meeting of September 24, 2002, Executive Session of September 24, 2002, and Administrative Session September 26, 2002 were read and approved on a motion by Commissioner Holliday, which was seconded by Commissioner Beitzel, and made unanimous by Chairman Gregg.
3. Wendy Yoder, Director of the Department of Financial Services, met with the Board of County Commissioners to receive approval of requested carryover funding based on the actual undesignated/unreserved fund balance as of June 30, 2002. The Board, on a motion by Commissioner Beitzel, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, approved the funding as recommended by Ms. Yoder and Mr. Pagenhardt for carryover requests for Fiscal Year 2002 and also for approved budgetary appropriations for Fiscal Year 2003. This listing, which was reviewed in detail during the Board's Administrative Session on September 26, 2002, is on file with the Office of the Board of County Commissioners and the Department of Financial Services. Notification will sent to all departments and agencies indicating approval or disapproval of all requests.
4. Included in the approved budget amendments for Fiscal Year 2003 was a decision by the Board of County Commissioners for supplementary funds from the Garrett County Chamber of Commerce for the restricted purchase of vacation guides. The Board of County Commissioners, by official action on this date, approved the supplemental appropriation of funds for this request based on the following criteria. The County currently funds 54 % of the Chamber's total budget for Fiscal Year 2003. The Board agreed to fund an amount equal to 54% of the cost to purchase additional vacations guides. The original request for supplemental funding presented to the Board of County Commissioners on September 24, 2002 indicated the Chamber was considering the purchase of either 50,000 or 70,000 copies. The Chamber indicated that there was a need for 70,000 copies and therefore the Board will provide supplemental and designated funding in the amount of \$37, 143. The County Budget for Fiscal Year

2003 will be amended to reflect this funding listed as a specific line item. The Chamber's approved budget of \$450,000 will not be amended.

5. Fred Polce, General Superintendent of the Garrett County Roads Department met with the Board of County Commissioners to address the following issues:
  - ∇ The Board concurred with the recommendation of Mr. Polce to employ Whitney, Bailey, and Cox to do a traffic study on Chestnut Ridge Road and New Germany Road. The primary purpose of this study is evaluate existing speed limits and traffic count data.
  - ∇ Dwight Emory, County Engineer presented a brief overview of bridge construction projects, utility permit fee structure, and other right-of-way issues.
6. "Maryland Most Beautiful Person" for Garrett County was conducted with all nominees in attendance. Carol Riley, Coordinator for Garrett County's selection process, introduced all nominees considered by the committee. Employees with Wayne's Water and Wells were awarded this award and will represent Garrett County at the State of Maryland Ceremony in Annapolis on November 13, 2002.
7. The Board of County Commissioners conducted a bid opening for air conditioning and fired suppression system. All bids received were referred to the Procurement Office for a review and recommendation of award.
8. The Board of County Commissioners, on a motion by Commissioner Beitzel, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to address legal issues with Gorman Getty, County Attorney. The same motion moved back to public session.
9. The Board of County Commissioners conducted a public hearing at 7:00 PM at Northern Garrett High School on proposed amendments to land classification in the Garrett County Sub Division Ordinance.

#### **ADMINISTRATIVE SESSION**

1. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for September 24, 2002 is hereby documented on this date, the next open/public meeting of the Board of County Commissioners.
  - ∇ The Board of County Commissioners, in furtherance of the Keyser's Ridge Industrial Park public hearing conducted on August 27, 2002 and the Executive Session conducted on September 3, 2002, met with Gorman Getty, County Attorney, Jim Hinebaugh, Director of the Department of Economic Development, John Nelson, Director of the Department of Planning and Zoning, and Delegate George Edwards.
  - ∇ Mr. Nelson requested the legal opinion and advice from Mr. Getty and the Board of County Commissioners in reference to a letter from Eagle Rock Construction pertaining to the building code inspection. Specifics of action taken by the Board are on file with the Department of Planning and Zoning.
  - ∇ Mr. Getty and Mr. Pagenhardt reviewed a correspondence from the Department of Legislative Services, addressed to both individuals, pertaining to locating and

identifying those provisions of the Code of Public Local Laws for Garrett County that refer to or are otherwise dependent upon the assessment of real property for real property tax purposes. It was the recommendation of Mr. Getty and Mr. Pagenhardt to change the provisions referenced by the Department of Legislative Services to be consistent with the methodology for assessment based on the one hundred percent of market value of real property. The Board of County Commissioners agreed to this recommendation and Mr. Getty will correspond this action to the Department of Legislative Services.

- ∇ Mr. Getty and Mr. Hinebaugh requested that the Board of County Commissioners execute a vacation and release agreement between the County and John R. Hershberger. An explanation was provided on this property and road right-of-way located in the Northern Garrett Industrial Park. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beitzel, and made unanimous by Chairman Gregg, executed the agreement, a copy of which is on file with the Department of Economic Development.
2. Chairman Gregg executed on behalf of the Board of County Commissioners the annual project report to the Maryland Department of Human Resources for the Supportive Housing Grant administered by Garrett County Community Action Committee.
  3. The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beitzel, and made unanimous by Chairman Gregg, declared the property referred to as Chase Way as surplus.
  4. The disposition of an inventory of surplus County property (shotguns) determined to be obsolete by the Garrett County Sheriff's Department was discussed. The Board of County Commissioners, on a motion by Chairman Gregg, which was seconded and carried by Commissioner Beitzel, agreed to do a sealed bid for the disposition of this property. Commissioner Holliday was in opposition to this process and indicated that it should be delayed until the next scheduled County public auction preliminarily scheduled for August of 2003.
  5. Chairman Gregg, on behalf of the Board of County Commissioners, executed the Small Cities Community Development Block Grant Program Agreement between the County and ClosetMaid Corporation (MD01-Ed74). Gorman Getty, County Attorney had reviewed the agreement for legal sufficiency prior to the official execution by Chairman Gregg on behalf of the Board.
  6. The remainder of the day was spent in administrative session.

## **ADJOURNMENT**

**Attest:**

**By Order of the Board,**

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R. Lamont Pagenhardt,  
County Administrator

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Ernest J. Gregg, Chairman  
Board of County Commissioners

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Date