

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
MARCH 1, 2005

IN ATTENDANCE

Chairman Ernest J. Gregg
Commissioner David C. Beard
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 were no additions and one deletion to the Public Meeting of March 1, 2005. The Proclamation for “National Professional Social Work Month” will be deferred to March 8, 2005.
2. Minutes of the Public Meeting of February 22, 2005 and Executive Session of February 22, 2005 were read and approved on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg.
3. The Board of County Commissioners conducted a Public Hearing to review commentary on amendments to and a readoption of the Garrett County Building Code. A summary of proposed changes and draft Ordinance was presented by staff with the Department of Planning and Land Development that would adopt the International Residential Code (2003 Edition) with local amendments consistent with COMAR .05.02.07. Changes had previously been sent to all County building contractors for a review and commentary prior to this session and as of the time of this hearing, the Department had received no written annotations. The Board and Department staff listened to a number of contractors who were in attendance and will take each opinion under advisement prior to official approval/adoption. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, agreed to hold the public commentary record open until March 15, 2005 for additional input.
4. Brian Bowers, Procurement Officer, presented the following recommendation of bid award to the Board of County Commissioners:
 - a) Bid Award – Medium Duty Single-Axel Dump Truck (bid #05-0210). The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved an award to Freightliner of Hagerstown for \$75,119.

- b) Bid Award – Mobile Command Post Trailer (bid 05-0217). The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved an award to Specialty Vehicle Solutions for \$74,476.
 - c) Request for Proposals – Consulting Services - Feasibility Study – Shared-Use-Value-Added-Milk Processing Facility (RFP #05-0104). The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved an award to Agricultural & Community Development Services (ACDS) for \$46,667.
5. The Board of County Commissioners conducted a Public Hearing to review commentary on a request made by Karen F. Myers for amendments to the Deep Creek Lake Watershed Zoning Ordinance as follows. (This matter had previously been remanded to the Planning Commission with recommended changes to the Ordinance noted). John Nelson, Director, Department of Planning and Land Development presented a brief history of the process of this request for amendment, to include the recommendation of the Planning Commission. Ms. Myers, as the petitioner, provided a detailed overview for the appeal for amendment. The Board also listened to commentary from interested parties to include residents and condominium associations on Deep Creek Drive and representatives from Bill's Marine Service.
- a) Add a new use to the Table of Use Regulations, Section 301.C.21 to read: Section 21. Sale of boats and other watercraft and all accessory equipment including assembly of such vehicles and equipment. Such use would be permitted in RD, TC, and C Zones, Special Exception in TR, CRI, and CR2 Zones, and not permitted in LR zone.
 - b) Add a new category under the Table of Dimensional Requirements for Principal Uses Section 401B to read: Sale of boats other watercraft: 10,000 square feet use, minimum lot width of 100 feet, and setbacks of 20 feet front, 15 feet side, and 25 feet rear.
 - c) Add a new use to Article 6 – Off-Road Parking and Loading 600 C.5 to read: Boat or watercraft sales: 1 space for each 600 square feet of showroom area plus 1 space for each full-time employee.

The Board will review all documentation and commentary on this matter and issue a decision later in the day. This decision is reflected in Item 2. Administrative Session of the Public Meeting Minutes on this date.

6. The Board of County Commissioners conducted a Public Hearing to review commentary on an amendment to the Garrett County Water and Sewer Master Plan. The Board considered an amendment to the Plan as it relates to Holy Cross Development Public Sewer Service. Mark Tonkovich, Director, Department of Public Utilities, on behalf of the Board, presented a brief description of the amendment to include background on prior public hearings on this matter.

The Board of County Commissioners, on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, approved and executed a Resolution the amendment as presented.

7. Carol Riley, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming week.
8. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for February 22, 2005 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 Holliday, which was seconded by Commissioner Beard, 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 economic development matters. The same motion moved back into Public Session. Also in attendance for this session was Jim Hinebaugh, Director, Department of Economic Development.

Mr. Hinebaugh and Edward Sisler, a principal with Sisler Lumber Company, Inc. addressed the Board of County Commissioners on the status of this company purchasing a parcel in the Southern Garrett Industrial Park. Background on this matter is outlined in the Executive Session Minutes of February 8, 2005. The primary focus of this session was to evaluate long term plans for Sisler for their Maryland and West Virginia operations.

Mr. Hinebaugh also reviewed progress plans for the construction of the Performing Arts Center and potential funding by County Government.

9. The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, 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 personnel subject matter. (Due to inclement weather, additional discussion with department heads and legal counsel in Executive Session on this date will be deferred until March 2, 2005. This session will include a number of department heads and the Board will not be in attendance for this session). The same motion moved back into Public Session.

ADMINISTRATIVE SESSION

1. Duane Yoder, President, Garrett County Community Action Committee, Inc., met with the Board of County Commissioners on projections for potential future fiscal year funding shortfalls, specifically with Community Service Block Grant monies. A series of letters of support were sent to federal and state elected officials. Mr. Yoder will proceed with the standard budgetary review process with the County Administrator and Department of Financial Services staff; however, a briefing with the Board was granted.

2. In furtherance of the Public Hearing on Amendments to the Deep Creek Lake Watershed Zoning Ordinance conducted on this date, the Board of County Commissioners, after much deliberation, to include a number of department heads, took the following position. There was no motion entered by any of the Board of County Commissioners to approve amendment changes to the Ordinance, therefore no action was taken.
3. Mr. Pagenhardt reviewed a number of correspondences and communications with the Board of County Commissioners.
4. Carol Riley, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming week.
6. The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, appointed Beverly Beard, Beverley Williams, and Barbara Hornyak and reappointed Jonna Frazee to the Garrett County Commission for Women. Official letters of appointment will sent to each appointee outlining the terms of appointment under the signature of Chairman Gregg.

ADJOURNMENT

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

Ernest J. Gregg, Chairman
Board of County Commissioners

Date