

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
MARCH 29, 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 was two additions and no deletions to the Public Meeting of March 29, 2005. The Procurement Office has requested that the Board consider a recommendation to declare specific County property as surplus. Also, Mr. Pagenhardt informed the Board that an amendment to the capital budget for the Board of Education would be reviewed.
2. Minutes of the Public Meeting of March 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, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, issued a Proclamation designating April 6, 2005 as "Arbor Day".
4. Board Members from the Garrett County Highland Festival presented the Board of County Commissioners with an overview of the Festival, asked for support of a proclamation, and issued an invitation for a tree planting ceremony to be held on Arbor Day. The Board, on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, issued a Proclamation designating the first week in June to be "Garrett County Celtic Heritage Week" in perpetuity.
5. The Board of County Commissioners conducted the Department Head Staff meeting. Representatives from the following departments, offices, and agencies were in attendance:
 - a) Department of Planning and Land Development
 - b) Department of Social Services
 - c) Office of the State's Attorney

- d) County Roads Department
- e) Garrett County Chamber of Commerce
- f) Department of Public Utilities
- g) Garrett County Health Department
- h) Department of Economic Development
- i) Department of General Services
- j) Department of Emergency Management
- k) Ruth Enlow Library of Garrett County
- l) Western Maryland Consortium
- m) Garrett College
- n) Garrett County Board of Education

6. The Board of County Commissioners, on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, awarded a recommendation of bid award for Request for Proposals – Engineering Services – Water and Sewer Line Extension to the Garrett County Airport (RFP #05-0125) to The EADS Group for the total cost of \$28,000. (Bid was awarded on composite evaluation rating as opposed to comparative cost).
7. The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, declared a 1992 Terex 3066 Off-Road Dump Truck (#4231055) as surplus County property. The property will be put out for sealed bid after this declaration as surplus property.
8. The Board of County Commissioners, in furtherance of a Public Hearing conducted on March 15, 2005 to consider amendments to the Garrett County Subdivision Ordinance, executed the following decision. Public commentary suggested changes pertaining to entrance provisions were taken under advisement and are included in final draft.
 - a) Add a new Article 12 to the Subdivision Ordinance for Planned Residential Development (PRD) outside of the Deep Creek Watershed. The Article as drafted is similar in nature to the text established for Planned Residential Development in the Deep Creek Watershed Zoning Ordinance. The Article establishes specific eligibility requirements, standards, specification and review procedures for planned developments located out of the zoning area. The Article is intended to provide flexibility in design of development, encourage innovations in residential structures and encourage more efficient use of land.
 - b) Amend Section 1002G.5 of the Subdivision Ordinance to establish design standards relating to radii and sight distance for private roads based upon AASHTO publications for Geometric Design of Highway and Streets and Geometric Design of Very Low Volume Local Roads (ADT < 400).
 - c) Amend Section 1002.H of the Subdivision Ordinance to establish design standards relating to Sight Distances at Intersections for all private roads based upon AASHTO publication for Geometric Design of Highway and Streets and Geometric Design of Very Low Volume Local Road (ADT < 400). Also to

establish standards for intersections of private roads with public roads based upon County Road or State Highway entrance standards.

- d) Amend Section 1002.I.2 of the Subdivision Ordinance to establish appropriate hammerhead turn-around at the end of any private road serving 10 dwellings or less.
- e) Amend Section 1002.I.3 of the Subdivision Ordinance to establish a requirement for any dead end turn around serving more than 10 dwelling units to have a cul-de-sac with a minimum radius of 25 feet.

The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved all amendments as modified and recommended. The Board and Mr. Pagenhardt executed an official Resolution. The adoption of this Resolution will assure the implementation of these new departmental standards.

9. The Board of County Commissioners reviewed a proposal by Mettiki Coal, LLC to participate in funding the Table Rock Waterline Project as presented by the Department of Public Utilities. The offer of participation included conditions that are outlined in official letter of agreement from Mettiki Coal to include an exoneration of debt service and connection fees. The Department recommended to the Board that these conditions were not acceptable and that the County must first approve funding sources prior to a commitment to partner in this project. Department staff will respond this decision to Mettiki Coal.
10. Carol Riley, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming week.

ADMINISTRATIVE SESSION

1. Mr. Pagenhardt reviewed a number of correspondences and communications with the Board of County Commissioners.
2. Chairman Gregg and Mr. Pagenhardt executed a deed of property transfer between the Board of County Commissioners and The Town of Oakland to allow Garrett County Memorial Hospital to construct a physician's office complex on the Hospital campus. The revision of this legal document was required to amend language pertaining to use and prior agreement with the Town when the Hospital was originally constructed.
3. Chairman Gregg and Mr. Pagenhardt executed an Easement Agreement between the Board of County Commissioners and Leigh Ann Miller referencing the centerline of the five (5) inch residential roof drain pipeline as constructed for the planned new County Public Works Facility.
4. Mr. Pagenhardt and Wendy Yoder, Director, Department of Financial Services presented the Board of County Commissioners with a request from the Garrett County Board of Education for additional funding for two capital projects. These included Southern

Garrett Middle School/Broad Ford Elementary School boiler system project and Southern Garrett High School roof replacement project. The Board, on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg approved additional funding (\$153,000) for the Southern Garrett High School roof project in Fiscal Year 2006 and will direct the Board of Education to resubmit the Southern Garrett Middle School/Broad Ford Elementary School boiler system project to the State for additional funding in Fiscal Year 2007. Mr. Pagenhardt will convey this message to the Board of Education.

5. The Board of County Commissioners met with County Attorney Gorman Getty and department heads from the Departments of Planning and Land Development, Economic Development, General Services, and Financial Services to discuss the following issues:
 - a) Tax incremental and special tax district financing. The Board determined that under different circumstances this option would be considered; however, the proposal by a developer in the Deep Creek Lake area, as presented to Mr. Getty, would not be discussed further.
 - b) Review of Department of Public Utilities and Mettiki Coal cost share issue for Table Rock Water that was addressed earlier in the day. A review of direction by the Board was concurred with by Mr. Getty.
 - c) Mosser Road/Garrett College Water Project. Mr. Getty and Mr. Pagenhardt will research this issue in more detail and advise the Board of connection fees for other properties abutting the main line.
 - d) Franklin Family Trust Agreement. Recommended changes sent to the Department of Public Utilities for inclusion. After a review of recommended changes and consultation with legal counsel and staff, the Board directed Mr. Getty to inform the Department of Public Utilities that these changes to the agreement were unacceptable.
 - e) DC Development and Recreational Industries equivalent residential unit assignment issue. Approved after review by Mr. Getty and Department of Planning and Land Development.
 - f) Deep Creek Brewing Company expansion project, specifically the points of equivalent residential units and parking variance. Further review on this matter is required by the Garrett County Chamber of Commerce as tenants of the Visitor's Center to include concurrence to all terms and conditions of any agreement. There are also compliance issues with zoning requirements that must be met.
 - g) DC Development/Department of Public Utilities - Western Conveyance Sewer Project. Legal counsel will review all documents and historical information and advise.
 - h) Department of Public Utilities Laboratory discount policy. Legal counsel and Department of Financial Services staff will review all documents and historical information and advise.
 - i) DC Development/JMT Engineering/Department of Public Utilities agreement status. Mr. Getty has communicated with legal counsel for DC Development to discuss contractual agreement entered into by the all parties.
 - j) Personnel.

ADJOURNMENT

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

Ernest J. Gregg, Chairman
Board of County Commissioners

Date