

**BOARD OF GARRETT COUNTY COMMISSIONERS**  
**PUBLIC MEETING**  
**DECEMBER 20, 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 or deletions to the Public Agenda for December 20, 2005.
2. Minutes of the Public Meeting of December 13, 2005 and Executive Session of December 13, 2005 were read and approved on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg.
3. Carol Riley, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming week.
4. County Resident Charles Thorne met with the Board of County Commissioners to propose legislation that would amend the Annotated Code of the State of Maryland and provide a waiver for residents with adequate and acceptable water and/or sewer systems to defer connection to a public system. Mr. Thorne provided a letter to the Board outlining the reasons for this request. The Board will take this request by Mr. Thorne, which is inconsistent with the long-term plans for providing public water and sewer service/infrastructure managed by the Department Public Utilities and the Garrett County Sanitary District, Inc., under advisement. The Board indicated that they would review this matter with staff as part of the legislative review during administrative session later in the day.
5. John Nelson, Director, Department of Planning Land Development updated the Board of County Commissioners on the following issues:

- a) Public Hearing on proposed amendment to the Deep Creek Watershed Zoning Ordinance pertaining to the Garrett County Airport, specifically related to height restrictions, will be held on January 17, 2006 at 11:00 AM.
  - b) Review of Transient Vacation Rental Ordinance. Mr. Nelson distributed a summary of comments from the Planning Commission and requested that a public hearing be scheduled to receive commentary prior to final review and adoption by the Board of County Commissioners. It was determined to schedule two (2) public hearings on Saturday January 14 at Garrett College and Tuesday January 17 during the Board's Public Meeting.
  - c) A public hearing will need to be scheduled to review the County Land Use/Recreation Plan. It was determined to schedule this hearing for Tuesday January 24 during the Board's Public Meeting.
  - d) State of Maryland Board of Licensing proposed legislation as it pertains to an apprenticeship program. Local contractors have presented this subject to the Board of County Commissioners and requested local licensing requirements.
  - e) Mr. Nelson reminded the Board of County Commissioners that the terms for (3 members) on the Planning Commission and (1) Deep Creek Watershed Zoning Appeals Board will be ending in the coming months. Names of prospective members were taken under advisement for consideration of appointment.
  - f) Proposal for change in Schedule of Fees – Deep Creek Watershed Zoning Ordinance and meeting stipend for Board Members. A recommended/modified schedule was presented. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved an increase in all fees as presented, with a Resolution noting these amended changes executed by Chairman Gregg and Mr. Pagenhardt. All fees will be effective January 1, 2006.
  - g) Year to date building permit activity and subdivision applications were presented for review to the Board of County Commissioners.
6. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for December 13, 2005 is hereby documented on this date, the next open/public meeting of the Board of County Commissioners.
- a) The Board of County Commissioners, on a motion by Commissioner Beard, 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 discuss personnel issues. The same motion moved back into Public Session.

In attendance for this session was Rodney Glotfelty. In compliance with the requirements of the State of Maryland Department of Health and Mental

Hygiene and Board of County Commissioners Policy, a review of Mr. Glotfelty's performance for the past year was undertaken on this date.

- b) The Board of County Commissioners, on a motion by Commissioner Beard, 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 discuss economic development issues. The same motion moved back into Public Session.

James Hinebaugh, Director, Department of Economic Development briefed the Board of County Commissioners on the following issues:

ClosetMaid facility  
Keyser's Ridge Business Park  
BFS Wastewater Treatment Plant  
Southern Garrett Business Park expansion project  
Exhibit/Trade Center project  
Exhibit/Trade Center access road and bridge  
Quality Machine facility at Central Garrett Industrial Park  
Phenix Technology facility at Central Garrett Industrial Park  
Adventure Sports Center project  
Adventure Sports access road project  
Workforce housing matters  
Community Athletic Recreation Center  
Decision to update assessable base/personal property tax analysis  
Board of County Commissioners scholarship program

#### **ADMINISTRATIVE SESSION**

1. Mr. Pagenhardt reviewed a number of correspondences and communications with the Board of County Commissioners.
2. The Board of County Commissioners and Mr. Pagenhardt reviewed proposed legislative issues for the 2006 Maryland General Assembly. The Board will meet with Delegate George Edwards and Senator John Hafer on December 22, 2005 to officially present issues for the forthcoming session. Chairman Gregg stated his opinion that he will consider withdrawing his support for the repeal of this local tax and requested that further discussion by the Board be undertaken. Commissioner Holliday and Beard stated that they would not change their initial opinion to repeal this tax; therefore the issue will be included on the 2006 Legislative Request list.
3. Gary Mullich, Director, Department of General Services, recommended that the Board of County Commissioners review and adopt a Resolution that would amend Resolution

11-5-98 and establish standards providing for the authorization of the consumption of alcoholic beverages on certain public property. The Resolution reads the County finds that the Casselman Valley Soccer Complex is an appropriate facility to add to the public properties identified in Resolution 11-5-98 and that said Resolution should be amended to include the Casselman Valley Soccer Complex as a public property and facility owned by Garrett County to the identified public properties therein with the managing entity responsible for formulating rules that will be approved by the Board of County Commissioners for said use. The Board, on a motion by Commissioner Beard, which was seconded by Chairman Gregg and made unanimous by Commissioner Holliday, approved the execution of this Resolution with said amendment.

4. Mr. Mullich reviewed the final real property appraisal for the Floyd Ellis property adjacent to the Garrett County Airport. The appraisal reflected an increase in value of \$30,000 since the initial appraisal on April 15, 2004, primarily on the fair market value of the land not the trailer. This appraisal and increase in value will be forwarded to the Federal Aviation Administration for possible eligibility for funding.
5. The issue addressed by the Board of County Commissioners, in furtherance of the request by Charles Thorne to amend existing language in the Annotated Code of the State of Maryland, did not receive a motion to approve. Therefore the request for legislation will not be further considered.
6. Chairman Gregg, on behalf of the Board of County Commissioners, approved a request to transfer equivalent residential units for the following parcels:
  - a) Requested by Karen Myers; five (5) units from Map 50, Parcel 711 to Map 42, Parcel 368.
  - b) Requested by Gregory Mortimer; twelve units from Map 42, Parcel 439 to Map 58, Parcel 503.

### 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

\_\_\_\_\_  
Date