

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
October 16, 2012

IN ATTENDANCE

Chairman James M. Raley
Commissioner Gregan T. Crawford
Commissioner Robert G. Gatto

County Administrator R. Lamont Pagenhardt

ADMINISTRATIVE SESSION

1. The Board of County Commissioners met at the Adventure Sports Center International (ASCI) site to discuss a request from the Maryland Department of the Environment that ASCI, through Recreational Industries, submit a proposal regarding the drawing of water from Deep Creek Lake and the associated Lower Rule Band. In attendance for this session was Michael Logsdon, Acting Executive Director, ASCI; Steven Ritchie, Recreational Industries; Robert Yaste, Recreational Industries; and Joseph Schroyer, Operations Manager, ASCI. (Commissioner Crawford did not attend this session and Senator George Edwards was included by teleconference.)
2. The Board of County Commissioners met with Frank Shap, Assistant Director, Department of Economic Development to discuss matters related to the Keyser's Ridge Business Park. Specifics and agreements to include confidential non-disclosure subjects are on file with the Department of Economic Development.
3. The Board of County Commissioners and Mr. Shap reviewed a public information request relative the Garrett County Economic Development Strategic Plan.
4. The Board of County Commissioners met with Linda Lindsey, Director, Department of Public Utilities to review a request from Mountainside Home Owners Association for:
 - a) Consideration of a reduction in the ad valorem tax rate based upon the significant economic and supply contribution Mountainside has made to the Thayerville Water System. The County Attorney has researched provisions of the Annotated Environmental Code and the opinion for a lower tax is not permitted. The Association has agreed to all easements as presented by the County as the same cost per square foot was offered to all property owners. The process for assessing additional value to the agreed to easements solely for Mountainside Home Owners Association would result in additional costs to all users of the Thayerville Water Sanitary District.
 - b) Written confirmation that permanently disconnected wells from any water supply system or irrigation system to be abandoned must be filled and sealed. Ms. Lindsey has been in contact with the Health Department on this matter as the State (Health Department) has the regulatory jurisdiction and all guidelines are not within the authority of the County.

Ms. Lindsey will draft a response on behalf of the Board of County Commissioners to answer these requests for consideration.

5. The Board of County Commissioners met with the following persons to discuss strategic matters related to ASCI. In addition to Mr. Logsdon, Mr. Schroyer, and Mr. Shap from ASCI Wendy Yoder, Director, Department of Financial Services; Scott Weeks, Assistant Director, Department of Financial Services; and Richard MacLennan, President, Garrett College were in attendance. Discussion and review on this date included actual and estimated financial data, draft ASCI Five Year Plan, property condition assessment report, and countywide recreational goals and opportunities. An additional planning meeting will be scheduled for November 14, 2012 to include groundwork for a final draft of the Five Year Plan.
6. The Board of County Commissioner discussed potential candidates to serve on the Board of Directors of Garrett County Community Action Committee. The Board will solicit names of potential appointees.
7. Mr. Pagenhardt reviewed a number of administrative and managerial matters under his authority and jurisdiction with the Board of County Commissioners.

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 October 16, 2012. The Board of County Commissioners, on a motion by Commissioner Gatto, which was seconded by Commissioner Crawford, and made unanimous by Chairman Raley, approved the Public Meeting Agenda for October 16, 2012.
2. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, approved the Public Meeting Minutes for October 2, 2012 and Executive Session of October 9, 2012.
3. The Board of County Commissioners provided an update on boards, commissions, and committees dates.
4. The Board of County Commissioners was presented with a Proclamation designating October 21-27, 2012 as Forest Products Week.
5. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, approved Department of Public Utilities Policy 2012-1 – Equivalent Residential Unit Allocation Policy for Subdivisions. The Policy is attached to the Public Meeting Minutes as Exhibit 1.
6. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, approved the Residential Fire Sprinkler System Incentive Program Policy. The policy is attached to these Public Meeting Minutes as Exhibit 2.
7. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, approved an

amendment to the Garrett County Law Enforcement Officers Pension Plan to add a Deferred Retirement Option Program (DROP). The Board had reviewed a recommendation to amend the Plan to add this provision/option from the Garrett County Law Enforcement Officers Pension Board of Trustees and Sheriff Robert Corley.

8. Public Commentary.

- a) Dick Bolt voiced his opinion on a number of issues related to hiring local residents, accessibility to the Garrett County Government website, and utilization of governmental services.
- b) Nicole Christian, President and CEO, Garrett County Chamber of Commerce provided an update on the past weekend's Autumn Glory Festival.

9. Carol Riley-Alexander, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming weeks.

10. The Board of County Commissioners, on a motion by Chairman Raley, which was seconded by Commission Gatto, and made unanimous by Commissioner Crawford reappointed and appointed the following persons to the Garrett County Local Emergency Planning Committee for a two-year term:

<u>Member</u>	<u>Alternate</u>	<u>Agency</u>
Richard DeWitt	Alicia Streets	Department of Social Services
Duane Yoder		Community Action Committee
John Feather		Fire & Rescue Association
Edward Wildesen		Board of Education
Linda Lindsey	Jeffrey Broadwater	Department of Public Utilities
Jeffrey Hinebaugh		Garrett County Memorial Hospital
Erica Mowbray		MD Emergency Management Agency
Anthony Crawford	Richard Cosner	State Highway Administration
Jay Moyer	Larry Lewis	Roads Department
Mark Rodeheaver	Steven Vincent	Maryland State Police
Robert Corley	John Frank	Sheriff's Department
Rodney Glotfelty	Craig Umbel	Health Department
Duane Kitis		MD Emergency Medical Services
Bradley Frantz	Virginia Smith	Public Safety & Emergency Management
Louis Battistella		Emergency Services Board
James Raley		Board of County Commissioners
Dave Marple		MD Department of Natural Resources
Donald Shilobod		Constellation Energy
Jean Tressler		Garrett College

11. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for October 9, 2012 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 Gatto, which was seconded by Commissioner Crawford, and made unanimous by Chairman Raley, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to discuss personnel matters. The same motion ended the Executive Session.

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

James M. Raley, Chairman
Board of County Commissioners

Date

POLICY 2012 – 1

**Equivalent Residential Unit Allocation Policy
For Subdivisions**

Explanation

The Garrett County Sanitary District, Inc. (the "District") operates sewer systems (the "Systems") throughout the County. Allocation of and payment for capacity in a sewer system is required prior to approval of a final plat for lots in a subdivision. Capacity in a sewer system is expressed in terms of Equivalent Residential Units ("ERUs"). One ERU represents 262.5 gallons of daily wastewater flow.

The County desires to establish a procedure for allocation of and payment for ERUs for subdivisions in order to promote residential growth and development within sewer service areas.

1. At the time of allocation, a down payment of ten percent (10%) of the prevailing ERU fee shall be paid to the Department of Public Utilities for each ERU to be allocated.
2. At the time of closing on the sale of a lot which an ERU has been allocated in accordance with Subsection 1 of this Policy, the balance of the ERU fee shall be paid in full.
3. The term for allocation of ERUs under this policy shall not exceed five (5) years from the date of allocation. At the end of the five year term, the balance of the ERU fee shall be paid in full or amortized over five (5) years at Five Percent (5%) simple interest.
4. In accordance with Policy 2008 – 1, Inactive Equivalent Residential Unit (ERU) Sewer Fees, the Sewer Inactive Fee for all ERUs allocated with respect to available sewer capacity that remain in an inactive status beyond a period of two years from the date of purchase and/or allocation shall be assessed a charge of one hundred percent (100%) of the annual sewer user rate as established by the most recent action of the Board of County Commissioners.

This Policy shall become effective on the _____ day of _____ 2012.

BOARD OF COUNTY COMMISSIONERS
OF GARRETT COUNTY, MARYLAND

James M. Raley, Chairman

Gegan T. Crawford, Commissioner

Robert G. Gatto, Commissioner

ATTEST:

R. Lamont Pagenhardt
County Administrator

RESIDENTIAL FIRE SPRINKLER SYSTEM
INCENTIVE PROGRAM POLICY

Explanation

Garrett County Government administers and enforces a building code as mandated by the Maryland Building Performance Standards (MBPS). The MBPS implements the 2012 International Residential Code, which requires residential fire sprinkler systems (Section 313.2) in all new homes. During the 2012 General Assembly, the Maryland Legislature adopted House Bill 366, which mandates the effective date for sprinkler requirements to be October 1, 2012. Pursuant to an Announcement dated June 28, 2012, Mr. Edward Landon, Director of the Maryland Codes Administration, informed local governments that a local jurisdiction may adopt local amendments to weaken the 2012 IRC sprinkler requirements provided the 2012 IRC and amendments are enacted prior to October 1, 2012. The County approved its Building Code Ordinance effective September 28, 2012 and deleted the residential fire sprinkler section thereby delaying the sprinkler system requirement in new homes until the next Code cycle (2015). While County agrees that the installation of sprinkler systems in new homes is an important safety benefit in saving lives and reducing fire-related injuries, the County believes that the delay in the mandatory implementation of the code may continue to disadvantage certain segments of the building industry which are not exempt; therefore, the County desires to establish an incentive program to promote and encourage the installation of residential fire sprinkler systems in new homes.

1. The County shall provide a one-time incentive payment of \$2,500 to those citizens that install a residential fire sprinkler system in their new home.
2. This incentive program shall be effective for all approved building permits for new homes during the period of July 1, 2012 thru June 30, 2013 unless the term of this incentive program is extended by a majority vote of the Board of County Commissioners.
3. In order to qualify for the incentive, the new home must be constructed with a residential fire sprinkler system that is properly inspected and approved.
4. Payment shall be provided to the new homeowner by the County Finance Office upon written verification that the Use and Occupancy Permit has been approved by the Permits and Inspections Office.

This Policy shall become effective on the _____ day of _____, 2012.

**BOARD OF COUNTY COMMISSIONERS
OF GARRETT COUNTY, MARYLAND**

James M. Raley, Chairman

Gregan T. Crawford, Commissioner

Robert G. Gatto, Commissioner

ATTEST:

R. Lamont Pagenhardt
County Administrator