

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
December 4, 2012

IN ATTENDANCE

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

County Administrator R. Lamont Pagenhardt

PUBLIC SESSION

CALL TO ORDER OF PUBLIC SESSION

PRAYER & PLEDGE OF ALLEGIANCE

1. Additions/deletions to public meeting agenda. Mr. Pagenhardt indicated there was one addition and no deletions to the Public Meeting Agenda for December 4, 2012. The Board will provide an update on the review, interview, and appointment process for the vacant Director of the Department of Economic Development position. 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 Agenda for December 4, 2012.
2. The Board of County Commissioners, on a motion by Chairman Raley, which was seconded by Commissioner Gatto, and made unanimous by Commissioner Crawford, approved the Public Meeting Minutes for November 20, 2012 and Executive Session Minutes for November 28, 2012.
3. The Board of County Commissioners provided an update on boards, commissions, and committees dates.
4. James Torrington, Division Chief, Division of Permits and Inspections, Department of Planning and Land Development presented and reviewed with the Board of County Commissioners an Approved Building Permit report for January through November 2012.
5. John Nelson, Director, Department of Planning and Land Development briefed the Board of County Commissioners on legislation that was enacted during the 2012 Session of the Maryland General Assembly. Deborah Carpenter, GIS Specialist, Department of Planning and Land Development, Mr. Torrington, and William Atkinson with Maryland Department of Planning were in attendance for this session. State law adopted under SB 236 now requires all Maryland counties to divide land within their jurisdiction into 4 land classification tiers based on use, availability of public water and sewer, and anticipated growth as follows:
 - a) TIER 1: the County will not be allowed to approve a residential subdivision unless all houses have a sewer hookup. No septic systems allowed inside tier one, regardless of size.

- b) TIER 2: an area County officials believe will grow and thus plan to extend public water and sewer to, at some point. Minor subdivisions in tier two will be allowed to have a septic system, although only until public water and sewer can reach those houses. No major subdivisions will be allowed on septic, only on public water and sewer.
- c) TIER 3: includes sections of the county where substantial growth isn't expected in the future and the county does not plan to hook up to public water and sewer service.
- d) TIER 4: minor subdivisions will be allowed to have a septic system but no major subdivisions will be allowed to connect.

The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, approved the Garrett County Tier Map as presented on this date and which had also been recommended for approval by the Planning Commission.

- 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 sale of Lot 2 at the McHenry Business and Technology Park and authorized Chairman Raley and Mr. Pagenhardt, on behalf of the Board, to execute all documents relative to this transfer of property to include a Resolution allowing the plat to be recorded.
- 7. Mr. Pagenhardt presented an update to the public on the status of interviewing and recommendation for the position of Director of the Department of Economic Development.
- 8. Linda Lindsey, Director, Department of Public Utilities, briefed the Board of County Commissioners on the following departmental matters:
 - a) Thayerville Water System and Pee Wee Hill Water Project. (Project description attached as Exhibit 1)
 - b) Friendsville Sewer System – Maple Street Sewer Line Extension Project and Deep Creek Lake Conveyance. (Project description attached as Exhibit 1)
 - c) Other departmental matters to include status of completion of the County Water and Sewer Master Plan.
 - d) Recommendation that the Board approve Change Order #3 for Frank Arnold Contractors, Inc. – Thayerville Water System – Contract 2, Water Treatment Plant in the amount of \$474.84 (replacement of booster station transmitter). The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, approved the Change Order as presented/recommended.
 - e) Recommendation to approve Pergin Private Water Association Operating Agreement. The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, approved the Agreement as presented/recommended.
- 9. Cathy Ashby, Director, Ruth Enlow Library of Garrett County briefed the Board of County Commissioners on the following matters:
 - a) Update on internet and telecommunication usage at all Branches.

- b) Presentation of 2012 Annual Report to include materials circulated, materials collected, registered borrowers, and programs.
- c) Staffing requirements and replacement of staff that have retired or resigned.
- d) Preparation of Master Plan is underway as required by Maryland Department of Education.
- e) Other agency matters.

10. Carol Riley-Alexander, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming weeks.
11. DaVina Griffin, Risk Manager presented County Employee Biggest Loser Contest winners. This contest had 25 males and 12 females participate in this round. The top 3 females “losers” were Barbara Fike 3rd, Cheryl Uphold 2nd, and Gloria Burns the biggest female loser. The top 3 male “losers” were Barry Glotfelty, 3rd Joseph Wise, 2nd, and James Shreve the biggest male loser.
12. Public Commentary.

Ed Gates, Bernard Kahl, and James McCann expressed their opinion to the Board of County Commissioners by requesting that the Board take regulatory action related to the establishment of wind turbine regulations, forwarding the Draft Land Use Management to the Planning Commission for the required process of final approval, and including prominent ridgelines as sensitive areas in the Garrett County Comprehensive Plan.

Richard Helbig voiced his opinion against countywide zoning as it relates to the opinions expressed during this public commentary session.

13. The Board of County Commissioners, on a motion by Chairman Raley, which was seconded by Commissioner Gatto, and made unanimous by Commissioner Crawford appointed Angelene Harrison to the Garrett County Mental Health Advisory Committee. An official letter under the signature of Chairman Raley will be sent to Ms. Harrison outlining the terms of appointment.
14. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for November 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 and carried by Chairman Raley, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to discuss personnel matters. Commissioner Crawford was not able to attend due to a prior commitment. Jay Moyer, General Superintendent, County Roads Department was in attendance for this session. The same motion ended the Executive Session.

The Board of County Commissioners reviewed the applications for candidates to be recommended for appointment as Laborer with the County Roads Department. Mr. Pagenhardt and Mr. Moyer reviewed the interview process that included the 3 general roads foreman who participated in the initial phase. The following candidates were appointed:

Matthew Bach
Scott Beitzel

Jesse Harvey
Kraig Margroff
Joshua McKnight

Official letters of appointment were sent to each new employee by Mr. Pagenhardt which outlined the terms and conditions of appointment.

ADMINISTRATIVE SESSION

Chairman Raley was not in attendance for the Administrative Session. He traveled to Annapolis to testify before the Interagency Committee on School Construction (IAC) for funding for the renovation of Southern Garrett Middle School.

1. Mr. Pagenhardt reviewed a number of administrative and managerial matters under his authority and jurisdiction with the Board of County Commissioners.
2. The Board of County Commissioners met with the following individuals to discuss gypsy moth infestation and the associated suppression cost for Garrett County.
 - a) Willie Lantz, Garrett County Extension Agent
 - b) Cheryl DeBerry, Natural Resources Business Specialist
 - c) Wendy Yoder, Director, Department of Financial Services

Mr. Pagenhardt requested that Mr. Lantz facilitate a follow-up meeting with the United States Department of Agriculture and the State of Maryland Department of Agriculture. The Board determined that this matter should be considered high priority.

3. The Board of County Commissioners, on a motion by Chairman Raley (prior to leaving), which was seconded by Commissioner Gatto, and made unanimous by Commissioner Crawford, reappointed Bruce Swift as alternate to the Garrett County Planning Commission. An official letter under the signature of Chairman Raley will be sent to Mr. Swift outlining the terms of appointment.

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

Robert G. Gatto, Chairman
Board of County Commissioners

Date

EXHIBIT 1

Department of Public Utilities

Departmental Update

December 4,, 2012

Water:

a. Thayerville Water System

Contract 1 – Distribution System – Excavating Associates

Work is approximately 50% complete. Distribution piping installed in the Quarry Road, Fox Den Road, Overlook, and Leo Friend Road areas. Contractor is working on completing the main line and service laterals in the Mt. Side development and will continue to work as weather permits. Contractor anticipates working on Glendale Road and Route 219 segments after winter shutdown.

Original Contract	\$3,742,630.50
Change Orders to Date (#1)	<u>+ 35,782.50</u>
Total Revised Contract to Date	\$3,778,413.00

Contract 2 – Water Storage Tanks – Dutchland, Inc.

Contract is 99% complete. Only remaining items are installation of air breaks on both tank's overflows. Once installed, a final inspection will be conducted.

Original Contract	\$ 874,055.00
Change Order #1	<u>+ 412,500.00</u>
Total Revised Contract	\$1,286,555.00

Contract 2A – Water Treatment Plant/Booster Station – Frank Arnold Contractors

Work is approximately 45% complete. Chlorine contact tank has been set in the water treatment plant and pipe work started. Contractor anticipates installing block foundation this week so that walls and roof can be set prior to winter shutdown.

Original Contract	\$791,235.00
Change Orders to Date (#1 2, & 3)	<u>+ 33,836.84</u>
Total Revised Contract to Date	\$825,071.84

b. Pee Wee Hill Water Project

Project is complete and customers are connecting to the water system.

Sewer:

a. Friendsville Sewer System – Maple Street Sewer Line Extension Project

Contract 1 – Winters General Contractor, Inc.

Work is approximately 30% complete. Contractor has encountered difficulty with completing borings due to river rock. A new drill company is scheduled to be on site this week to perform the river crossing. One-half of the grinder pumps have been installed and contractor is working on installing main sewer lines via the open-cut trench method.

Original Contract	\$175,600.00
Change Order to Date (#1)	<u>+ 44,375.00</u>
Total Revised Contract to Date	\$219,975.00

b. Deep Creek Lake Western Conveyance

The easement plats for required right-of-ways from the Rachuba Group and the Wisp Master Association due to a pipeline realignment along Marsh Hill Road were received from the design engineers last week. Pat Hudnall and Gary Love are reviewing the plats and will be preparing the easement documents for signature.

Administrative:

a. Master Plan

Kick-off meetings were held with the consultant, Environmental Resources Management (ERM) on September 20th and 21st. On November 19th, John Nelson, Steve Sherrard, and Linda Lindsey travelled to Frederick, Maryland to meet with the consultant and representatives from MDE’s Water Resources Planning Unit. Information is being compiled by DPU, Planning and Land Development, and Environmental Health and forwarded to the consultant who is working on updating the text. Pat Hudnall is completing the revised service area mapping. The consultant along with DPU will be meeting with various Towns in January to obtain their updated information. It is anticipated to have a rough draft compiled in March/April, 2013.