

**BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
APRIL 30, 2002**

IN ATTENDANCE

Chairman Ernest J. Gregg, Jr.
Commissioner Wendell R. Beitzel
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 agenda for the Public Meeting of April 30, 2002.
2. Minutes of the Public Meeting of April 23 2002, Executive Session of April 23, 2002, and Administrative Session for April 25, 2002 were read, amended, and approved on a motion by Commissioner Holliday, which was seconded by Commissioner Beitzel, and made unanimous by Chairman Gregg.
3. The Board of County Commissioners conducted the Monthly Staff Meeting for March. The following agencies and departments were in attendance:

Ruth Enlow Library
Department of Social Services
Department of Economic Development
Mountain Top Mental Health Associates
Department of Planning and Zoning
Garrett County Chamber of Commerce
Department of Solid Waste and Recycling
Garrett County Health Department
Garrett County Roads Department
Department of General Services
Western Maryland Consortium
Tri-County Council for Western Maryland
Garrett County Extension Service
Garrett County Community Action Committee
Garrett College
Office of the State's Attorney

4. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for April 23, 2002 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 Chairman Gregg, which was seconded by Commissioner Holliday, and made unanimous by Commissioner

Beitzel, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to meet with Department of Financial Services and Department of Solid Waste and Recycling staff to discuss the landfill revenue bond defeasance analysis. Also in attendance was James Murray, Independent Auditor from Rodeheaver and Associates. The same motion moved back to public session.

Mr. Murray and Wendy Yoder, Director of the Department of Financial Services reviewed actual interest received and interest due calculations as it pertains to the defeasance of the bond. It was the determination of the Board of County Commissioners to not proceed with any partial or total defeasance at this time based on the fact that the difference in actual interest and principal paid on the debt was not financially justified at this time. The Board also concurred with the recommendation of Mr. Pagenhardt and Department of Financial Services staff to expense all operational and capital requests for Fiscal Year 2003 out of the fund balance in the landfill bond. In Fiscal Year 2003, the general fund of the County will not be required to appropriate any funding. The Board will continue to evaluate a defeasance during budget deliberations for Fiscal Year 2004 and 2005.

5. The Board of County Commissioners visited Pine Hill Road and Sweitzertown Road at the request of Audrey Friend who had requested that the Garrett County Roads Department upgrade each road from a tar and chip surface to bituminous pavement. Mr. Friend also requested excavation work be completed on a section of Pine Hill Road that in his opinion would eliminate periodic closure during peak snowfall times. Neither project issues are planned for improvement or included in the three (3) year road improvement report. The Board of County Commissioners directed Fred Polce, General Superintendent of the County Roads Department (who was in attendance for this session) to prepare a cost estimate of both projects and evaluate the financial and long term construction benefit of approving and completing this work. Mr. Pagenhardt will respond to Mr. Friend after Mr. Polce completes this review.
6. The Procurement Office conducted bid openings for the following:
 - ∇ Excavation and Site Work – Lions Club Park (bid #02-0430E)
 - ∇ Demolition and Disposal of Former Board of Education Building (bid #02-0430D)
 - ∇ Invitation to Bid – Excess Property for Sale (bid #02-0430)

The Board of County Commissioners directed the Procurement Office to review all bids and prepare a recommendation of award as soon as feasible.

7. John Nelson, Director of the Department of Planning and Zoning presented the following issues to the Board of County Commissioners for a review and decision:
 - ∇ A waiver/approval requested by the Mayor and Town Council of Oakland pertaining to the proposed annexation and proposed zoning designation for properties located in the Memorial Drive area. The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beitzel, and made unanimous by Chairman Gregg, approved this waiver and approval. A letter addressed to the Mayor and Town Council

was executed by the Board outlining the specifics of this action and Chairman Gregg signed, on behalf of the Board, a consent of annexation agreement.

- ∇ The Board of County Commissioners, on a motion by Commissioner Beitzel, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, approved and executed a Resolution amending the Deep Creek Watershed Zoning Ordinance. All text amendments specified in the Resolution will be effective on this date.

ADMINISTRATIVE SESSION

1. A letter from the Town of Kitzmiller requesting assistance for the construction a retaining wall on Spring Street was reviewed. Upon receipt of the letter, Mr. Pagenhardt had requested and received a cost estimate from the Garrett County Roads Department in the amount of \$26,573. It was the decision of the Board of County Commissioners to appropriate \$15,000 to the Town for this project.
2. The Board of County Commissioners, on a motion by Commissioner Beitzel, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, re-appointed Charlotte Sebold to the Board of Directors of Mountain Top Mental Health Associates. An official letter be sent to Ms. Sebold outlining the terms of this appointment.
3. The remainder of the day was spent in administrative session.

ADJOURNMENT

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

Ernest J. Gregg, Jr., Chairman
Board of County Commissioners

Date