

***BOARD OF GARRETT COUNTY COMMISSIONERS***  
***PUBLIC MEETING***  
***NOVEMBER 9, 2004***

**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 two (2) additions to the Public Meeting of November 9, 2004. First, State's Attorney Lisa Thayer Welch requested time in Executive Session to meet with the Board of County Commissioners to discuss legal matters. Secondly, Gary Mullich, Director, Department of General Services requested time to present a proposal for training of dog sled teams on County owned property adjacent to the Garrett County Airport.
2. Minutes of the Public Meeting of October 26, 2004 and Administrative Session October 28, 2004 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 motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, issued a Proclamation that designated October as "Physical Therapy Month"
4. The Board of County Commissioners, on motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, issued a Proclamation designating November as "World Kindness Month".
5. The Board of County Commissioners, on a motion by Commissioner Beard, which was seconded by Chairman Gregg, reviewed and approved the following policies related to the Department of Public Utilities – Garrett County Sanitary District, Inc. that will minimize current and projected inequities in public water and wastewater service to all County Sanitary Districts. Commissioner Holliday voted in opposition to all policy

recommendations. These matters were discussed in detail by the Board and Department staff on October 28, 2004 and also prior to this Public Meeting session.

- a) The Garrett County Department of Public Utilities will be provided with an appropriation from the Garrett County General Fund to cover Capital Projects to minimize user rates, tap fees, and / or debt service obligations for all customers.
- b) The Deep Creek Sanitary District capacity fees (ERU) for the sewer service will remain at \$6,500 to cover the capital costs of the wastewater treatment plant expansion. The new capacity fees will be reviewed annually and adjusted if required to cover additional project costs directly attributable to the Deep Creek Lake Waste Water Treatment Plant, collection and conveyance system expansion and upgrade.
- c) The McHenry Water District capacity fee will remain at \$2,800. Except for the Deep Creek Sanitary District, all water and sewer capacity fees will be set at \$2,000 for water and \$2,000 for sewer with \$1,000 of each of these capacity fees being escrowed and set aside for reserves.
- d) Impact Fees for Deep Creek Lake Sewer System will be calculated as follows: Minimum capacity charge shall be \$6,500 for one residential dwelling. This capacity fee is intended to accommodate one (1) ERU or 262.5 gallons of daily wastewater flow from a traditional household. A residence constructed with excess of 3.5 bathrooms will be assessed an additional impact fee based on the potential additional wastewater flow per day. (Each additional ½ bathroom beyond the 3.5 capacity upper control limit has the potential to generate an additional 15% or 40 gallons of wastewater flow per day. Therefore an additional \$975.00 will be assessed for each ½ bathroom above the 3.5 UCL to cover the cost of the additional impact to the collection system and treatment facility.)
- e) Impact Fees for all other Garrett County Sewer Systems will be calculated as follows: Minimum capacity charge shall be \$2,000 for one residential dwelling. Each additional ½ bathroom beyond the 3.5 capacity upper control limit has the potential to generate an additional 15% or 40 gallons of wastewater flow per day. Therefore, an additional \$975.00 will be assessed for each ½ bathroom above the UCL to cover the cost of the additional impact to the collection system and treatment facility.
- f) Additional connection charges will apply to the Deep Creek Sewer District based on the additional capital cost of the collection system. All other district connection fees will be included in the appropriate ERU or capacity fee, with additional costs being covered by an Ad Valorem tax if necessary.

- g) The Garrett County Department of Public Utilities reserves the right to entertain requests for exception to lump sum capacity purchased based on financial hardship situations. The exception shall be based on a maximum of one ERU. An established team of Department of Public Utilities' employees will evaluate the requests individually. Decisions will be rendered based on a majority vote.
6. The Board of County Commissioners met with the State Highway Administration and Garrett County Roads Department to review potential partnership road projects. In attendance for this session were Fred Crozier, District Engineer, State Highway Administration; Fred Polce, General Superintendent, Garrett County Roads Department; Dwight Emory, County Engineer, Garrett County Roads Department; and John Nelson, Director, Department of Planning and Zoning. A brief overview of the following potential projects was presented and included MD 495 and New Germany Road; MD 495 and Spring Lick Road; US 219 and King's Run Road; and US 219 and the spur to Deep Creek Drive (across from Mosser Road). The Board directed County Roads Department staff to schedule a work session with State Highway Administration personnel to further discuss the feasibility of partnering on the funding priority of all projects.
  7. The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved a recommendation of bid award for Compact Excavator (bid #04-1019CE) to American Rent All for \$32,506.10. The Board, on the same motion of approval, waived certain exceptions within the specifications.
  8. The Board of County Commissioners, on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, approved a recommendation of bid award for Requests for Proposals – Consulting Services – Garrett County Detention Center Facility Program (RFP #04-0917) to Carter Goble Associates, Inc. for \$27,000 plus travel expenses not to exceed \$600.
  9. The Board of County Commissioners, on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, approved a recommendation of bid award for Requests for Proposals – Lease for Office/Storage Space (RFP #04-1007) to Henry F. Moomau, 13631 Garrett Highway for \$1,700 per month.
  10. Mr. Mullich presented a proposal for training of dog sled teams on County owned property adjacent to the Garrett County Airport. This proposal was communicated to the County by Linda Herdering. The Board of County Commissioners approved this proposal with the condition that all liability contingencies are met. Mr. Mullich, on behalf of the Board of County Commissioners, will further discuss the specifics of this proposal with Ms. Herdering.

11. The Board of County Commissioners reviewed commentary on proposed amendments to the Deep Creek Watershed Zoning Ordinance submitted by Karen F. Myers relating to the sale and rental of boats within the Deep Creek Watershed Planning Area. The Board, on a motion by Commissioner Beard, which was seconded by Chairman Gregg, and made unanimous by Commissioner Holliday, remanded the request for amendment modification back to the Planning Commission based on the fact that the Board had received a number of public comments expressing the opinion that the Planning Commission had not been presented with an objective viewpoint from interested parties in opposition to requested changes. Also, Ms. Myers has indicated that she may revise the original proposal to exclude certain provisions for rental use.
12. Carol Riley, Secretary to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming week.
13. The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to legal matters with Ms Thayer Welch. The same motion moved back into Public Session.

#### **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 the lease agreement between the Board of County Commissioners and Garrett College Board of Trustees for Garrett Hall.
3. The Board of County Commissioners met with their Advisory Board comprised of County Government department heads to discuss the following issues:
  - a) Status of new Detention Center
  - b) Design and construction plans for Public Works Facility
  - c) Reorganization/expansion of Department of Planning and Zoning
  - d) Fiscal Year 2006 Budget planning
  - e) Exhibit/Trade Center construction.
  - f) Department of Public Utilities capital projects schedule and capacity fee policy
  - g) Homeland Security Program funding plans
  - h) Proposed self funded pension plan
  - i) Health Department

4. The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded and carried by Chairman Gregg, decided to expand the square footage of the Exhibit/Trade Center to 30,000 square feet. Commissioner Beard voted in opposition to this motion. This decision will require additional funding of \$2,042,308. Jim Hinebaugh, Director, Department of Economic Development and Mr. Mullich will coordinate the continued planning of this project.
  
5. As part of Fiscal Year 2005 Budget, the Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, committed to funding for the Garrett College Community Athletic Recreation Center of \$9,200,000. This was based upon a total project cost of \$23,000,000. The State of Maryland has determined that the County's share of the project has been amended to \$11,000,000 based on the percentage calculation for educational funding eligibility. This increase in County funding can be reduced by the amount of funds raised through the Garrett College Foundation and other additional funding sources that can be identified (this is projected to be \$2,000,000-\$3,000,000. However, the County has to commit to the non-State or local share of the funding at this time in order to get the project into the State planning process.

**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