

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
November 1, 2011

IN ATTENDANCE

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

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 November 1, 2011. The Purchasing Department will present a recommendation of bid award for Replacement of Courthouse Chiller to the agenda. Mr. Pagenhardt also noted matters to be discussed during the administrative session on this date.
2. The Board of County Commissioners, on a motion by Commissioner Raley, which was seconded by Commissioner Gatto, and made unanimous by Chairman Crawford, approved the Public Meeting Minutes for October 18, 2011, Executive Session Minutes of October 18, 2011, and Executive Session Minutes of October 27, 2011.
3. The Board of County Commissioners executed a Proclamation designating the week of October 31 through November 6, 2011 as "National Drug Facts Week".
4. Dr. Richard MacLennan, President, Garrett College, briefed the Board of County Commissioners on the following issues:
 - a) The 2011 Fall Semester has more students (greater than 900) than any other semester since the College opened. Dr. MacLennan spoke on the graduate/transfer success that the College has experienced.
 - b) Review of the grand opening of the Community Athletic and Recreation Center and a summary of the operating cost and community membership.
 - c) Notice that planning and community involvement on the long-term objectives and goals of the college is ongoing. The consensus of feedback shows that there is a need for the College and the Garrett County Public School System to continue to interact on numerous long-term educational objectives.
 - d) Budget projections and planning. It was noted that the current number of faculty is the same as 23 years ago.
 - e) Notice that College students will be involved in community service activity
 - f) Appreciation to the Board for funding of the "I Can Swim Program".
 - g) Other related matters.

5. Rodney Glotfelty, County Health Officer, Garrett County Health Department, briefed the Board of County Commissioners on the following issues:
 - a) The Board executed a Proclamation designating November as “National Home Care Month”. Staff presented an overview of the home health program in the County.
 - b) Reconciliation of Fiscal Year 2011 reflected a positive financial audit and the Health Department returned \$169,869.17 in matching funds/settlement to the County. Chairman Crawford, on behalf of the Board, expressed his appreciation.
 - c) The Local Management Board – Partnership for Children and Families is now an instrumentality of the Garrett County Health Department. Effective date of this action is November 1, 2011.
 - d) Health Department accreditation was discussed in detail at the October Health Planning – Board of Health meeting and a briefing on this was provided. The Board will draft a letter of support on behalf of a grant application that is being prepared.
 - e) Update on influenza immunization clinics and public school student vaccinations.
 - f) Maryland Rural Health Conference is scheduled for November and department staff will be attending.
 - g) Other departmental matters.

6. The Board of County Commissioners conducted a *Public Hearing* to examine and take public commentary on an application submitted by Don Nine for a junkyard license to recycle/salvage automobiles at Don’s Classic Car Company located at 5062 Hutton Road, (tax map 77, part or parcel 136), Oakland, Maryland. Letters and emails expressing opinion on this subject were entered into the public commentary record. Also, a number of interested persons expressed opinion on the application for a junkyard license.

§111.21 (F) of the Code of Ordinances of Garrett County reads that “the Board shall approve the application unless the Board makes a written finding of fact stating the reasons why approval would be contrary to the public interest or detrimental to the public health, safety, or general welfare.”

The Board, on a motion by Chairman Crawford, which was seconded by Commissioner Gatto, and made unanimous by Commissioner Raley, agreed to hold the public commentary period open for a 2 week period to end on November 14, 2011 and make an official decision during the December 6, 2011 public meeting. The Board, on a motion by Commissioner Gatto, which was seconded by Commissioner Raley, and made unanimous by Chairman Crawford closed the public hearing.

7. The Purchasing Department presented the issues to the Board of County Commissioners:
 - a) Recommendation of Bid Award – Refuse Containers (bid #11-1013RC). The Board, on a motion by Chairman Crawford, which was seconded by Commissioner Raley, and made unanimous by Commissioner Gatto, approved a bid award to Stoltzfus for (3) forty yard closed recycling containers @ \$5,412.00 = \$16,236.00; (2) thirty yard closed container with dividers @ \$5,415.00 = \$10,830.00; and thirty yard closed container w/o dividers @ \$5,030.00 for a total cost of \$32,096.00.
 - b) Recommendation of Bid Award – Replacement of Court House Chiller (bid #11-1020CC). Commissioner Raley presented questions on the recommendation based on this material being re-bid. Chairman Crawford entered a motion to approve the bid to Beitzel Corporation for \$114,829.00. The motion did not receive a second. The bids are good for 90 days from October 20, 2011. Commissioner Raley entered a motion to table the bid until further review is undertaken. Commissioner Gatto

seconded the motion and it was carried. Chairman Crawford opposed the motion. Funding has been secured from the County and the Maryland Energy Administration Empower Energy Efficiency and Conservation Block Grant with a deadline for accepting funds of June 30, 2012. Mr. Pagenhardt will ask the county attorney to provide a review of this matter.

- c) Discussion on the disposition of Bloomington Elementary School. The Purchasing Department did not receive any bids for the sale of this property. In accordance with Article 25 Section 11A Subsection H1 of the Garrett County Code of Ordinances, the County has satisfied its obligation to offer the property to the general public. According to this section, the County may privately negotiate the sale of the property should a potential buyer express interest in the property in the future. Discussion on the potential presence of asbestos in the Bloomington Elementary School. This potential hazard may have been a deterrent to interested bidders for the property. Asbestos is of major concern for the sale of the building. The Board of Education had asbestos inspections done on the building every three (3) years. The most recent report was done on February 16, 2011. According to the report, the building is useable in its present state without abatement following an Operations and Maintenance (O&M) Program until major renovation or demolition requires removal under the United State Environmental Protection Agency National Emissions Standards for Hazardous Air Pollutants or until hazard assessment factors change. Therefore, the level of abatement required will be contingent upon the level of renovation or demolition of the facility. Areas of concern in the report include the following: vinyl tiles and mastic in several areas of the building; plaster in several areas of the building; boiler room, music room and special education fire doors. All reasonable offers of purchase will be considered.

8. The Department of Public Safety and Emergency Management staff presented the following matters to the Board of County Commissioners.
 - a) Review and update of the Garrett County Hazardous Materials Response Plan. The Board was asked to review and provide comment of the Plan.
 - b) Review of Draft Garrett County/Municipality Hazard Mitigation Plan. The Board was asked to review and provide comments. All County Municipalities are required to adopt a Hazard Mitigation Plan as a separate jurisdiction or they can adopt the County Plan.
9. The Board of County Commissioner met with Priority Partners MCO who is owned by Johns Hopkins HealthCare and is one of seven Managed Care Organizations authorized by the Maryland Department of Health and Mental Hygiene to administer the State's Medicaid program. Over 700,000 Maryland residents currently use the benefits of the programs including the MCHP and PAC programs. Mr. Glotfelty and Duane Yoder, President, Garrett County Community Action Committee were in attendance for this session.
10. Department of Public Utilities staff presented an overview/update on the Thayerville Water Project. This project history and update is attached to the these public meeting minutes as Exhibit 1 and will be posted on the Garrett County website at www.garrettcountry.org. Mountainside Property Owners Association was in attendance and supported the project and asked that construction be initiated as soon as feasible.
11. Carol Riley-Alexander, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming weeks.

12. Public Commentary.

13. The Board of County Commissioners, on a motion by Chairman Crawford, which was seconded by Commissioner Raley, and made unanimous by Commissioner Gatto, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to discuss personnel matters with Mr. Pagenhardt. The same motion ended the Executive Session.

14. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for October 18, 2011 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 Crawford, which was seconded by Commissioner Raley, and made unanimous by Commissioner Gatto, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to discuss personnel matters with Mr. Pagenhardt and County Attorney Gorman Getty. The same motion ended the Executive Session.

15. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for October 27, 2011 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 Crawford, which was seconded by Commissioner Raley, and made unanimous by Commissioner Gatto, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to meet with Karen Myers from Wisp Resort – Recreational Industries who provided an update and status of the recent filing of Chapter 11 Bankruptcy. The same motion ended the Executive Session.

In attendance for this session were James Hinebaugh, Director, Department of Economic Development and Wendy Yoder, Director, Department of Financial Services.

ADMINISTRATIVE SESSION

1. The Board of County Commissioners determined to designate Chairman Crawford as the Maryland Association of Counties (MACo) Legislative Committee Member for 2012. Commissioner Raley will again serve as the Legislative Committee Alternate for the same term.

2. The Board of County Commissioners and Mr. Pagenhardt discussed financial matters and other issues relative to the Garrett County Public School System. Included in this discussion was a proposal by the Garrett County Chamber of Commerce to support a state-wide mandate to commence the school year after the Labor Day weekend.

3. The Board of County Commissioners discussed the Exhibit and Trade Center fee schedule established by the Garrett Fair Board of Directors.

4. A letter from the Mayor and Town Council of Oakland referencing proposed annexation of property owned by Bypass Ventures, Inc. located on the west side of Route 219 North was read. The Mayor and Town Council requested approval from the Board of County Commissioners of the annexation. The Board unanimously agreed to the annexation of this area and Mr. Pagenhardt will respond on behalf of the Board to the Mayor and Town Council.

5. The Board of County Commissioners reviewed and approved project work on the Glendale Bridge that was requested by the Glendale Condominium Association. This work, estimated at

\$8,000 by the Roads Department, would construct additional guards on the south end of the bridge to prohibit/limit road abrasives from being plowed into the yard and deck areas. The Board also discussed other general road issues.

6. The Board of County Commissioners discussed plans for a 50th Anniversary event for the Garrett County Airport scheduled for Saturday, August 11, 2012.
7. Chairman Crawford presented a number of issues relative to Adventure Sports Center International (ASCI) to the other Commissioners and Mr. Pagenhardt. Further discussion will be scheduled on this subject.
8. The Board of County Commissioners and Mr. Pagenhardt discussed a number of other operational issues that were informational only.
9. Chairman Crawford, Commissioner Raley, and Mr. Pagenhardt met with the Maryland Legislative Sportsmen's Foundation and Delegate Wendell Beitzel. The point of discussion was the re-introduction of elk in Western Maryland. Below is text from an email from the Foundation to the Board and Mr. Pagenhardt:

"Sportsmen's Foundation works hand-in-hand on sportsmen's-related policy issues in Annapolis with the bi-partisan Maryland Legislative Sportsmen's Caucus which is co-chaired by Delegate Beitzel in the House of Delegates. What we can say to you is there will be a 3-fold assessment taking into account a habitat suitability analysis, stakeholder input and an economic impact study as prerequisite considerations for the possibility of re-introducing elk. Procedurally, the State of Maryland Department of Natural Resources will lead on the habitat suitability analysis and the Sportsmen's Foundation will lead on the stakeholder input and the economic impact (the economic impact study will be contracted with a 3rd Party that specializes in such studies and no decision has yet been made on this 3rd Party selection. Without reservation, we recognize the importance of input from the local governing bodies of Garrett and Allegany Counties. "

Chairman Crawford and Commissioner Raley expressed their reluctance to support this proposal.

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

Gregan T. Crawford, Chairman
Board of County Commissioners

Date