

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
December 6, 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 were no additions or deletions to the Public Meeting Agenda for December 6, 2011. 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 Gatto, which was seconded by Commissioner Raley, and made unanimous by Chairman Crawford, approved the Public Meeting Minutes for November 15, 2011, Executive Session Minutes of November 29, 2011, and Administrative Session Minutes of November 29, 2011.
3. The Purchasing Department presented the following recommendations of bid award to the Board of County Commissioners:
 - a) Invitation to Bid – Standing Timber for Sale (bid #11-1201). The Board, on a motion by Chairman Crawford, which was seconded by Commissioner Gatto, and made unanimous by Commissioner Raley, approved a bid award to Eastern Hardwoods, Inc. for \$38,046.00.
 - b) Contract Extension – Banking Services. The Board, on a motion by Commissioner Raley, which was seconded by Chairman Crawford, and made unanimous by Commissioner Gatto, approved the contract extension to Susquehanna Bank for a monthly target balance of \$280,000.00. The contract will be extended from January 1, 2012 through December 31, 2012 and all future renewal options for this contract will have been exercised. A new contract for backing services will be competitively bid in the fall of 2012.
4. John Nelson, Director, Department of Planning and Land Development briefed the Board of County Commissioners on the following issues:
 - a) Maryland Department of the Environment Watershed Implementation Plan submittal deadline has been met.
 - b) Update on code approvals by the State of Maryland Codes Administration that will be effective January 1, 2012. The County has until July 1, 2012 to officially adopt changes

adopted by the Codes Administration. A meeting with all licensed contractors will be scheduled in the spring.

- c) Update on the County's draft Parks and Recreation Plan. The Plan will need to be officially approved by July 1, 2012.
 - d) Update on PlanMaryland review and adoption.
 - e) Announcement that the Federal Emergency Management Administration (FEMA) has scheduled a meeting in the Board of County Commissioners' Public Meeting Room on December 20, 2011 at 1:30 PM to discuss Flood Insurance Rate Maps (FIRMs) and Flood Insurance Study (FIS).
 - f) Update of year-to-date 2011 approved building permits. A report showing activity from January 2007 through November 2011 was presented.
 - g) Update on proposed wind turbine projects. A schematic map of the Winding Ridge Project in Northern Garrett County was presented, Clipper Wind Development has applied for a met tower for the Fair Winds Project in Southern Garrett County. No permit applications have been filed for the 4 Mile Ridge Synergics Wind Project in Northern Garrett County. Chairman Crawford stated that at any time he will enter a motion to develop zoning laws that will regulate the propagation and proliferation of future wind projects in the County and encouraged Commissioner Gatto and Commissioner Raley to join him in this initiative.
 - h) Other departmental matters.
5. Cathy Ashby, Director, Ruth Enlow Library of Garrett County briefed the Board of County Commissioners on the following issues:
- a) Statements on State of Maryland and County Government funding formula which is based on the assessable value of real property in the County.
 - b) Review of new and additional services the Library now offers to patrons and plans for future improvements to services and facilities. Also, a briefing on Library staffing levels and staff compensation.
 - c) Review of policy for licensing (e books) versus purchasing material.
 - d) Review of Facilities and Master Plan.
 - e) The Board, on a motion by Chairman Crawford, which was seconded by Commissioner Gatto, and made unanimous by Commissioner Raley, re-appointed Kathy Helbig to the Board of Trustees. An official letter of appointment will be sent to Ms. Helbig under the signature of Chairman Crawford.
6. Sheriff Robert Corley briefed the Board of County Commissioners on the following issues:
- a) Update on Court House Security changes and modifications. The public and employees are adapting to this plan with only a few issues that are under review by Sheriff Corley, Mr. Pagenhardt, and the Facilities and Maintenance Department staff.
 - b) Other departmental matters.
7. Jennifer Bentejewski, Area Extension Director, University of Maryland Extension briefed the Board of County Commissioners on the following issues:
- a) The Agency has been able to leverage County funds to secure grant funding for additional full time staff.

- b) An in-depth overview and status of staff activities and programs ongoing and planned. Specific program and educational plans are outlined and presented in a packet that was distributed to the Board.
 - c) Other agency updates.
8. Town of Friendsville Mayor Spencer Schlossnagle and Councilperson Jess Whittemore met with the Board of County Commissioners to request that the Town share in County Government admissions and amusement tax collected. In attendance for this session was Nicole Christian, Executive Director, Garrett County Chamber of Commerce; Wendy Yoder, Director, Department of Financial Services; and Scott Weeks, Assistant Director, Department of Financial Services. The Town was gifted land for parking to be used for trail and river traffic and funding is needed to develop the parking area. It was noted that the County currently provides the Town with a \$15,000 payment in lieu of a tax differential setoff. The Board will take this matter/request under advisement and inform the Town of the determination.

Although not on the Public Meeting Agenda, Councilperson Whittemore requested that the Board provide commentary on the water level and release of Deep Creek Lake. Mr. Pagenhardt spoke on behalf of the Board that this issue was not requested by the Town to be included on the Agenda and therefore no opinion should be provided.

9. Pursuant to a *Public Hearing* conducted on November 1, 2011 at which time the Board of County Commissioners received public commentary up to November 14, 2011 relative to a junkyard application by Don Nine took the following official action. The Board had noted at the *Public Hearing* that a decision on the application would be made on this date. Mr. Nelson provided an update on what Mr. Nine has done to improve the property (storage and retail requirements) and he also provided clarification to questions on the application..

Commissioner Gatto entered a motion to deny the application, citing certain specifics of the Garrett County Junkyard Ordinance. The motion was seconded by Chairman Crawford and made unanimous by Commissioner Raley. Commissioner Raley spoke on the many aspects of land use and prior comments from Chairman Crawford during the Department of Planning and Land Development departmental update and supported Chairman Crawford's intent to enter a motion for the Board of County Commissioners to move towards the existence of countywide zoning law that will control property values.

Mr. Pagenhardt, Mr. Nelson, and County Attorney Gorman Getty will draft an official response to Mr. Nine on behalf of the Board of County Commissioners indicating the decision and legal justification for the rejection of the application.

10. The Board of County Commissioners announced their decision to purchase the Maryland Economic Development Corporation Shell Building at the Southern Garrett and Technology Park. This capital investment was approved/included in Fiscal Year 2012 Budget with the approval to include a financing/funding plan. On this date, the Board approved the purchase to designate funding from the unassigned fund balance.
11. Duane Yoder, President, Garrett County Community Action Committee, Inc. met with the Board of County Commissioners to provide an update on the Energy Assistance Program. At this time funds are appropriated but the authorization to release these funds has not been approved by the

Federal and State Government with a 40% reduction proposed to be final. The intention of this request to meet with the Board by Mr. Yoder was use this public forum to notify the potential and pre-certified households that are eligible for this assistance.

During the Administrative Session on this date the Board and Mr. Yoder conducted a telephone conference call with the Office of the Governor on this date. The Office will look into the situation and advise.

11. Public Commentary. None on this date.
12. Carol Riley-Alexander, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming weeks.
13. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for November 29, 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 Commissioner Raley, which was seconded by Commissioner Gatto, and made unanimous by Chairman Crawford, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to discuss economic development matters. The same motion ended the Executive Session and the Board moved into Administrative Session.

ADMINISTRATIVE SESSION

1. The Board of County Commissioners, on a motion by Chairman Crawford, which was seconded by Commissioner Raley, and made unanimous by Commissioner Gatto, re-appointed William Weissgerber to the Garrett County Planning Commission. An official letter of appointment under the signature of Chairman Crawford will be sent to Mr. Weissgerber listing the term of appointment.
2. The Board of County Commissioners, on a motion by Chairman Crawford, which was seconded by Commissioner Gatto, and made unanimous by Commissioner Raley, re-appointed Ruth Beitzel and Pam Fharner and appointed Jennifer-Johns Gooding, Caressa Ledford, Katherine Lee, Terry Riley, and Joanne Harsh to the Garrett County Commission for Women. Suzanne Nicolas's term was also extended for 6 months. Official letters of appointment under the signature of Chairman Crawford will be sent to each appointee listing the term of appointment.
3. The Board of County Commissioners met with James Hinebaugh, Director, Department of Economic Development to discuss a number of informational and review items.

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

James M. Raley, Chairman
Board of County Commissioners

Date