

**BOARD OF GARRETT COUNTY COMMISSIONERS**  
**PUBLIC MEETING**  
**December 20, 2011**

**IN ATTENDANCE**

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

*County Administrator R. Lamont Pagenhardt*

**ADMINISTRATIVE SESSION**

1. The Board of County Commissioners discussed countywide zoning. John Nelson, Director, Department of Planning and Land Development and James Hinebaugh, Director, Department of Economic Development was also in attendance. Chairman Raley requested historical information on zoning discussions on what authority zoning can and cannot do and Mr. Nelson provided this to the Board. Chairman Raley suggested that the Board develop a draft Zoning Ordinance internally to be inclusive of all provisions for zoning, conduct work sessions with staff to finalize language for inclusion, have the final draft made available for public review, include the Planning Commission's participation and input, and schedule a public hearing to receive public commentary solely on the draft Zoning Ordinance document. Commissioner Crawford and Commissioner Gatto agreed to this proposal.
2. Mr. Pagenhardt presented a letter from the United States Geological Survey (USGS) relative to Casselman River stream flow monitoring. Mr. Nelson was in attendance for this session. Recently the Maryland Department of the Environment (MDE) discontinued streamflow monitoring to which the Board of County Commissioners questioned this decision and USGS has informed the Board that a continuation of this monitoring by funding the annual matching supplement for \$7,175 is requested. (USGS would be the funding partner with Garrett County – in the past MDE was this funding associate). Chairman Raley noted that a continuation of funding would be prudent with the potential for Marcellus Shale natural gas extraction and entered a motion. Commissioner Gatto and Commissioner Crawford agreed to this motion.
3. The Board of County Commissioners, Mr. Pagenhardt; Wendy Yoder, Director, Department of Financial Services; and Scott Weeks, Assistant Director, Department of Financial Services discussed a number of financial and budgetary topics in preparation for this issue on the Public Meeting Agenda. This discussion included financial dialog on the Board of Education 5-Year Plan.
4. Mr. Pagenhardt presented a letter from the Maryland Department of Agriculture on gypsy moth suppression funding. Ms. Yoder and Mr. Weeks were in attendance for this session. The Board will take this matter under advisement to include a review by Maryland Extension Service and secure a determination by January 15, 2012.
5. Mr. Pagenhardt reviewed a request for funding from HART for Animals to be directed to medication costs. Ms. Yoder and Mr. Weeks were in attendance for this session. The Board

agreed to an appropriation from the special allocation fund of \$3,000 which is consistent with funding for Fiscal Year 2011.

6. Mr. Pagenhardt presented a letter from HART for Animals in which a waiver of water and sewer connection fees was requested. Linda Lindsey, Director, Department of Public Utilities was in attendance for this session. The Board will review this request prior to making a decision.

Later on this date, the Board of County Commissioners unanimously agreed not to approve this waiver. Mr. Pagenhardt will send notification of this decision to HART for Animals.

7. The Board of County Commissioners, on a motion by Chairman Raley, which was seconded by Commissioner Crawford, and made unanimous by Commissioner Gatto, re-appointed Bradley Frantz to the Region I Emergency Medical Services Region I Advisory Council. An official letter of appointment will be sent to Mr. Frantz under the signature of Chairman Raley.
8. Federal Emergency Management Agency (FEMA) presented an update on a new Flood Insurance Study and Flood Insurance Rate Map panels to the Board of County Commissioners.

### **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 20, 2011. Mr. Pagenhardt also noted matters to be discussed during the administrative session on this date.
2. Chairman Raley noted the change in chairmanship for the next 1 year period.
3. 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 Minutes for December 6, 2011 and Administrative Session Minutes of December 13, 2011.
4. The Purchasing Department presented the following recommendations of bid award to the Board of County Commissioners:
  - a) Request for Proposals – Aviation Consulting Services – Garrett County Airport (RFP #11-1101). The Board, on a motion by Commissioner Gatto, which was seconded by Commissioner Crawford, and made unanimous by Chairman Raley, approved a bid award to CDI – Infrastructure, LLC dba L.R. Kimball. Cost proposal will be reviewed by a third party consultant for certification of a “fair and equitable” cost on an on-call basis.
  - b) Contract Extension – Audit Services. The Board, on a motion Commissioner Gatto, which was seconded by Commissioner Crawford, and made unanimous by Chairman Raley, approved to a contract extension to Rodeheaver & Associates, P.C. for \$103,550. The contract will begin January 1, 2012 through December 31, 2012 and all future renewal options for this contract will have been exercised.

5. The Board of County Commissioners, Mr. Pagenhardt and Ms. Yoder presented a briefing on budgetary and financial matters. This briefing included a historical summary of funding to the Board of Education. Chairman Raley had requested this update/summary pursuant to the announcement by the Board of Education's 5 Year Plan that included the closure of elementary schools over a 5 year period. This Financial Summary is included as Exhibit 1 to these public meeting minutes.
6. The Board of County Commissioners presented their 2012 Legislative List to Senator George Edwards and Delegate Wendell Beitzel. Chairman Raley also mentioned public school funding and elk harvest reintroduction in Garrett County. The List is attached as Exhibit 2 to these public meeting minutes. (It should be noted that Chairman Raley and Commissioner Gatto agreed to Item #6 on the Legislative List. Commissioner Crawford voted in opposition to this item).

Public commentary was received from the following parties:

- a) Garrett County Liquor Control Board presented 3 legislative requests. The Board was in agreement with these legislative requests.
  - b) Garrett County Snowdrifters requested legislation to change Maryland Code 25-102 which states -Powers of local authorities. (a) Enumeration of powers. The provisions of the Maryland Vehicle Law do not prevent a local authority, in the reasonable exercise of its police power, from exercising the following powers as to highways under its jurisdiction: (14) (i) Except in Garrett County, designating a certain portion of highways or roadways upon which snowmobiles may travel for the sole purpose of gaining access to snowmobile trails which have been designated by the Department of Natural Resources. However, only those highways and roadways which divide snowmobile trails and which would otherwise obstruct direct access between snowmobile trails may be so designated; and (ii) In Garrett County, permitting a person to cross a highway or roadway on a snowmobile at a right angle, and designating a certain portion of highways or roadway upon which snowmobiles may travel for the sole purpose of gaining access to snowmobile trails which have been designated by the Department of Natural Resources. The Board will take this matter under advisement.
  - c) Citizen Shale presented a proposal on what they believe are potential liability and protection registry for natural gas extraction referred to as Fair Energy Leasing Legislation. Many of the concerns Citizen Shale has and the requirements of proposed legislation already exist. Mr. Pagenhardt has conveyed a summary of this to Citizen Shale.
  - d) Garrett County Education Association UniServ Director Evan West provided his opinion on a number of issues relative to funding of public education.
  - e) Michael Bell voiced his opinion on potential tax increases and other matters.
  - f) DeCorsey Bolden voiced his opinion on reinstating the beer tax and mentioned Marcellus Shale State tax on natural gas extraction.
  - g) Paul Roberts spoke on matters relative to natural gas extraction in Garrett County.
  - h) Dona Alvarez spoke on other matters relative to natural gas extraction regulations.
7. Public Commentary. None on this date.

8. Carol Riley-Alexander, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming weeks.

**Attest:**

**By Order of the Board,**

\_\_\_\_\_  
R. Lamont Pagenhardt,  
County Administrator

\_\_\_\_\_  
James M. Raley, Chairman  
Board of County Commissioners

\_\_\_\_\_  
Date

## DECEMBER 20, 2012

The budgeted appropriation to the Garrett County Board of Education by the Board of County Commissioners for Fiscal Years 2009, 2010, and 2011 was \$23,159,000. The appropriation for Fiscal Year 2012 is \$24,859,000 – an increase of \$1.7 million. In addition the Board of County Commissioners allowed the Board of Education to retain carryover funds from Fiscal Year 2011 to 2012. At the time of the approval by the Board of County Commissioners we informed the amount of carryover funds was \$700,000 +/- . Audited numbers now reflect \$381,593.

It needs to be pointed out that State Unrestricted Funding to the Board of Education was reduced from \$23,540,859 in Fiscal Year 2011 to \$22,009,785 for Fiscal Year 2012 – a reduction of \$1,531,074. The County also saw reductions in State revenue in the amount of over \$6 million the last 4 Fiscal Years. Therefore, the County has not had the financial resources to allocate additional funds to the Board of Education. However, the County has provided funding to the Board of Education at a level equal to that of past years for Fiscal Years 2009, 2010, and 2011 and an increase in funding of \$1.7 million for Fiscal Year 2012. At the same time a number of other departments have seen appropriations have been reduced.

In addition, the County has allowed the Board of Education to retain carryover funds for the past 2 fiscal years. This action is contradictory to the adopted financial agreement between the County and the Board of Education which states "...the Board of County Commissioners will appropriate funding in order to guarantee and maintain a fund balance for the Board of Education equal to \$500,000. Likewise, the Board of Education will refund any County appropriated money in excess of \$500,000 to the Board of County Commissioners". The Commissioners agreed to amend this financial agreement to allow the Board of Education to retain unspent County appropriations as a way to allow the Board of Education to compensate for the loss in State revenue.

There are 5 formula levels of funding to the Garrett County Public School System.

1. State Share of Basic Aid which is based on a formula that includes the "wealth" of a county. The Wealth Factor is based on a county's assessable base to include personal property as well as real property and net taxable income in that County.
2. Requested funding is forwarded to the County for review as part of the comprehensive budget process.
3. Approved appropriation based on an extensive evaluation of estimated revenue sources.
4. Maintenance of Effort Formula is based on prior year funding and student enrollment. This educational statute was approved and put in place for very logical and rational reasons. The Garrett County Public School System is experiencing a definite decline in student enrollment yet the Board of County Commissioners has not based funding on this calculation which would be less than approved funding.
5. Actual expenses. It should be noted over the past 15 years the Board of Education requested \$269,753,018, \$262,184,177 was approved, \$2,013,936 was not expended and returned to the County, and \$1,081,593 was not expended and the Board of County Commissioners allowed the Board of Education to retain these funds for subsequent fiscal year budgets. Upon request from the Board of Education, the County approved a

portion of this unspent funding to be redirected and allocated towards other programs and projects within the Board of Education.

An integral part of the budget process is to analyze the controls established to make sure that the County's operating expenditures do not exceed operating revenues. This provides assurance that County government remains solvent without operating with a structural deficit. The majority of designated/carryover funds has not been directed for operating purposes but for investment in capital projects.

Over the past 15 years the Board of County Commissioners has directed approximately \$23 million towards capital projects for the Garrett County Public School System.

For Fiscal Year 2013 the Board of County Commissioners has provided the Board of Education with preliminary funding equal to that of Fiscal Year 2012. This amount is \$859,778 above the maintenance of effort calculation based on prior year appropriations and student enrollment.

BOARD OF EDUCATION MAINTENANCE OF EFFORT  
ACTUAL/ESTIMATED CALCULATION

ESTIMATED

	FISCAL YEAR 2007	FISCAL YEAR 2008	FISCAL YEAR 2009	FISCAL YEAR 2010	FISCAL YEAR 2011	FISCAL YEAR 2012	FISCAL YEAR 2013
Prior Year Appropriation	15,860,000	19,925,000	20,456,140	23,159,000	24,159,000	23,159,000	24,859,000
FTE Enrollment 1	4,566.00 <small>enrollment as of 9/30/06</small>	4,567.00 <small>enrollment as of 9/30/05</small>	4,517.75 <small>enrollment as of 9/30/06</small>	4,394.75 <small>enrollment as of 9/30/07</small>	4,290.75 <small>enrollment as of 9/30/08</small>	4,182.75 <small>enrollment as of 9/30/09</small>	4,084.00 <small>enrollment as of 9/30/10</small>
FY Enrollment per student	4,117.39	4,362.82	4,882.11	5,269.69	5,397.42	5,536.79	6,086.92
FTE Enrollment 2	4,567.00 <small>enrollment as of 9/30/05</small>	4,517.75 <small>enrollment as of 9/30/06</small>	4,394.75 <small>enrollment as of 9/30/07</small>	4,290.75 <small>enrollment as of 9/30/08</small>	4,182.75 <small>enrollment as of 9/30/09</small>	4,084.00 <small>enrollment as of 9/30/10</small>	3,942.75 <small>enrollment as of 9/30/11</small>
<b>MAINTENANCE OF EFFORT LEVEL</b>	<b>18,804,117</b>	<b>19,710,131</b>	<b>21,455,660</b>	<b>22,610,922</b>	<b>22,576,059</b>	<b>22,612,242</b>	<b>23,999,222</b>
INITIAL APPROPRIATION	19,925,000	22,056,160	23,159,000	23,159,000	23,159,000	24,859,000	24,859,000
ACTUAL APPROPRIATION	18,914,377	21,605,150	22,599,854	23,159,000	23,159,000	24,859,000	24,859,000
DIFFERENCE/Deducted from June Appropriation	1,010,623	448,010	559,146	-	-	-	-
<b>DIFFERENCE ACTUAL APPROPRIATION/MOE</b>	<b>110,260</b>	<b>1,898,019</b>	<b>1,144,194</b>	<b>548,078</b>	<b>582,941</b>	<b>2,246,758</b>	<b>859,778</b>

Assumptions:

Garrett County Government

Original Budget vs. Appropriation to Garrett County Board of Education

ORIGINAL BUDGET

Fiscal Year		Approved Original Budget	Increase - Prior Year	Bd of Ed Operating	OPEB Funding	Approved Capital Project Funding	% of Total Original Budget
1997	A	29,649,075		11,861,965	N/A	175,000	40.60%
1998	A	33,891,827	4,242,752	12,100,000	N/A	332,110	36.68%
1999	A	38,349,210	4,457,383	12,850,000	N/A	114,640	33.81%
2000	A	39,867,199	1,517,989	13,650,000	N/A	313,500	35.03%
2001	A	47,697,848	7,830,649	14,524,602	N/A	1,428,500	33.45%
2002	A	50,255,585	2,557,737	15,225,279	N/A	551,000	31.39%
2003	A	47,305,241	(2,950,344)	15,781,000	N/A	1,503,737	36.54%
2004	A	52,496,839	5,191,598	17,570,125	N/A	742,000	34.88%
2005	A	55,936,369	3,439,530	18,363,046	N/A	1,201,320	34.98%
2006	A	60,459,475	4,523,106	18,800,000	N/A	806,000	32.43%
2007	A	66,816,257	6,356,782	19,925,000	N/A	1,289,032	31.75%
2008	A	80,683,000	13,866,743	22,056,160	N/A	6,494,275	35.39%
2009	A	85,298,803	4,615,803	23,159,000	613,000	3,175,134	31.59%
2010	A	70,986,452	(14,312,351)	23,159,000	0	974,937	34.00%
2011	A	67,938,695	(3,047,757)	23,159,000	0	35,000	34.14%
2012	B	73,199,802	5,261,107	24,859,000	0	110,500	34.11%

Key: A Actual  
M Amended Budget YTD  
B Budget

\$900,831,677	\$43,550,727	\$287,043,177	\$613,000	\$19,246,685	34.07%
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# Garrett County Government

## Actual Budget vs. Appropriation to Garrett County Board of Education

### ACTUAL BUDGET

Fiscal Year	Actual Budget	Increase - Prior Year	Bd of Ed Operating	OPEB Funding	Actual Capital Project Funding	% of Total Budget
1997 A	29,851,475		11,861,965	N/A	323,195	40.82%
1998 A	35,210,848	5,359,373	12,100,000	N/A	1,744,018	39.32%
1999 A	38,863,692	3,652,844	12,850,000	N/A	193,000	33.56%
2000 A	41,475,216	2,611,524	13,650,000	N/A	368,995	33.80%
2001 A	48,804,143	7,328,927	14,524,602	N/A	1,418,232	32.67%
2002 A	50,939,978	2,135,835	15,225,279	N/A	310,022	30.50%
2003 A	55,566,007	4,626,029	15,781,000	N/A	1,402,564	30.92%
2004 A	53,938,559	(1,627,448)	17,570,125	N/A	1,400,603	35.17%
2005 A	53,740,916	(197,643)	18,363,046	N/A	1,481,444	36.93%
2006 A	62,780,701	9,039,785	18,800,000	N/A	726,995	31.10%
2007 A	69,298,780	6,518,079	18,914,379	N/A	942,892	28.65%
2008 A	72,554,254	3,255,474	21,611,991	N/A	1,851,868	32.34%
2009 A	81,490,114	8,935,860	22,599,854	613,000	8,082,183	38.40%
2010 M	83,095,080	1,604,966	23,159,000	0	900,784	28.95%
2011 A	85,589,773	2,494,693	23,159,000	0	35,000	27.10%
2012 B	73,199,802	(12,389,971)	24,859,000	0	110,500	34.11%

Key: A Actual  
M Amended Budget YTD  
B Budget

\$936,399,338	\$43,348,327	\$285,029,241	\$613,000	\$21,292,295	32.78%
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**Garrett County Board of Education  
Summary of Operating Appropriation**

Fiscal Year	Funding Requested	Funding Approved	Difference Req/Appr	Actual Funding Appropriated	Carryover Operating Funds	Notes - Carryover Operating Funds	BOE Fund Balance per BOE Audit	Notes - BOE Fund Balance	Approved Capital Project Funding
1997	A 12,201,965	11,861,965	340,000	11,861,965	None		1,957,208	1,023,598 - Subsequent year's budget 237,356 - Wellness activities and salary/wage increases in FY 1998 348,394 - employee benefit rate stabilization 223,951 - capital projects 123,909 - undesignated/unreserved	323,195
1998	A 12,376,289	12,100,000	276,289	12,100,000	None		1,594,884	708,471 - Subsequent year's budget 237,356 - Wellness activities and salary/wage increases in FY 1999 364,317 - employee benefit rate stabilization 51,852 - capital projects 232,888 - undesignated/unreserved	1,744,018
1999	A 14,091,945	12,850,000	1,241,945	12,850,000	None		1,797,180	857,241 - Subsequent year's budget 237,356 - Wellness activities and salary/wage increases in FY 2000 154,0017 - employee benefit rate stabilization 548,582 - undesignated/unreserved	193,000
2000	A 13,994,928	13,650,000	344,928	13,650,000	None		1,700,728	1,408,7391 - Subsequent year's budget 50,000 - Wellness activities and health insurance increases in FY 2001 159,444 - employee benefit rate stabilization 548,582 - undesignated/unreserved	368,995
2001	A 14,834,883	14,524,602	310,281	14,524,602	None		1,583,865	950,000 - Subsequent year's budget 50,000 - Wellness activities and health insurance increases in FY 2002 110,082 - employee benefit rate stabilization 473,783 - undesignated/unreserved	1,418,232
2002	A 16,279,262	15,225,279	1,053,983	15,225,279	None		Not Available		310,022
2003	A 17,237,465	15,781,000	1,456,465	15,781,000	None		1,102,806	900,000 - Subsequent year's budget 29,799 - employee benefit rate stabilization 173,007 - undesignated/unreserved	1,402,564
2004	A 17,615,025	17,570,125	44,900	17,570,125	None		1,418,948	900,000 - Subsequent year's budget 5,674 - employee benefit rate stabilization 513,274 - undesignated/unreserved	1,400,603
2005	A 19,263,046	18,363,046	900,000	18,363,046	None		1,812,631	1,281,567 - Subsequent year's budget 531,064 - undesignated/unreserved	1,481,444
2006	A 19,149,804	18,800,000	349,804	18,800,000	None		1,872,320	1,231,160 - Subsequent year's budget 641,160 - undesignated/unreserved	726,995
2007	A 19,925,000	19,925,000		18,914,379	1,010,621	Returned to County	800,000	800,000 - undesignated/unreserved (per agreement with County)	942,892
2008	A 22,446,125	22,056,160	389,965	21,611,991	444,169	Returned to County	800,000	800,000 - undesignated/unreserved (per agreement with County)	1,851,868
2009	A 23,325,653	23,159,000	166,653	22,599,854	559,146	Returned to County	1,307,957	500,000 - undesignated/unreserved (per agreement with County) 693,628 - health insurance increases in FY 2010 24,637 - capital projects 89,693 - music department (estate of John P. Martin)	8,082,183

Fiscal Year	Funding Requested	Funding Approved	Difference Req./Appt	Actual Funding Appropriated	Carryover Operating Funds	Notes - Carryover Operating Funds	BOE Fund Balance per BOE Audit	Notes - BOE Fund Balance	Approved Capital Project Funding
2010	A 23,852,628	23,159,000	693,628	23,159,000	700,000 *	Allowed to retain per County	1,243,807	700,000 - Subsequent year's budget (allowed to retain per County) 43,807 - music department (estate of John P. Martin) 500,000 - undesignated/unreserved (per agreement with County)	899,980
2011	A 23,159,000	23,159,000	-	23,159,000	381,593 *	Allowed to retain per County	881,593	381,593 - Subsequent year's budget (allowed to retain per County) 500,000 - undesignated/unreserved (per agreement with County)	35,000
2012	B 27,496,825	24,859,000	2,637,825	24,859,000					110,500
<p>Key: A Actual AU Actual/Unaudited B Budget</p> <p>Purchase of Board of Education Administrative Building</p> <p>Northern Garret High School and Middle School Water</p> <p>Totals for Actuals <span style="border: 1px solid black; padding: 2px;">269,753,018</span> <span style="border: 1px solid black; padding: 2px;">262,184,177</span> <span style="border: 1px solid black; padding: 2px;">7,568,841</span> <span style="border: 1px solid black; padding: 2px;">260,170,241</span> <span style="border: 1px solid black; padding: 2px;">3,095,529</span> * <span style="border: 1px solid black; padding: 2px;">19,873,927</span></p>									

\*For Fiscal Year 2010, the amount actually needed by the Board of Education was \$22,459,000, however, due to FY 2011 forecasting, the Board of Education requested that they be allowed to carryover any remaining County appropriated funds to apply against FY 2011 reductions in revenue. Due to the receipt of unanticipated Title II Grant funds, the \$700,000 carryover operating funds from FY 2010 was reduced to \$381,593 in FY 2011. The Board of Education requested that they be allowed to carryover any remaining County appropriated funds to apply against FY 2012 reductions in revenue.

**2012 LEGISLATIVE ISSUES**  
**BOARD OF GARRETT COUNTY COMMISSIONERS**

1. A request by the Board of County Commissioners that the Maryland General Assembly amend Annotated Code of Maryland, Article – Correctional Services, Subtitle 10. Correctional Officers’ Bill of Rights by adding Garrett County to the Article. For the purpose of providing for certain rights of a correctional officer in Garrett County relating to employment, investigation, and discipline. Copy of Garrett County Government Correctional Officers Bill of Rights Act is included.

Contact Person(s):      Lamont Pagenhardt, County Administrator  
    Sheriff Robert Corley  
    Gorman Getty, County Attorney

⇒ BOARD OF COUNTY COMMISSIONERS ACTION:  
     Approve legislative request

2. A request by the Board of County Commissioners that the Maryland General Assembly provide the Board with enabling authority to amend provisions the Code of Ordinances for Garrett County, Maryland under Salary Study Commission §32.41; Composition, (B), (3). Under this provision it reads that composition consists of 1 member from the League of Women Voters of Garrett County. The League has disbanded and the inclusion/reference of the League in this Section should be deleted and replaced with a member at large to be appointed by the Board of County Commissioners.

Contact Person(s):      Lamont Pagenhardt, County Administrator  
    Gorman Getty, County Attorney

⇒ BOARD OF COUNTY COMMISSIONERS ACTION:  
     Approve legislative request

3. A request by the Board of County Commissioners that the Maryland General Assembly provide the Board with enabling authority to amend provisions of Article 24, Section 9-301, et seq., of the Annotated Code of Maryland, (the “State Code”) authorize the Board of County Commissioners of Garrett County, Maryland (the “Board”) to impose a tax on a transient charge paid to an establishment that offers sleeping accommodations for compensation located in Garrett County. Pursuant to the provisions of Section 9-304 of the State Code, Garrett County may not set a hotel rental tax rate that exceeds five percent (5%). The current hotel rental tax rate in Garrett County is five percent (5 %). The Board is requesting legislation to increase the hotel rental tax rate that will not exceed six percent (6 %).

Contact Person(s):      Lamont Pagenhardt, County Administrator  
    Gorman Getty, County Attorney  
    Wendy Yoder, Director, Department of Financial Services

⇒ BOARD OF COUNTY COMMISSIONERS ACTION:  
     Approve legislative request

4. A request by the Board of County Commissioners in Garrett County, notwithstanding any other provisions of law that the Board, acting as the Garrett County Sanitary Commission may (1) charge a parcel serviced by or connected to a project that the district operates a late fee for any unpaid usage charge that is based on the use of the project by the parcel and (2) may require, before reconnecting water service, payment of any applicable late fees in addition to any other charge authorized by this section. The Department of Public Utilizes would

assess a late fee on water and sewer quarterly bills when not paid by the due date. The Department has estimated that the fee would generate additional revenue and will help offset the cost of producing and mailing Past Due billings.

*(Note: Somerset County has similar legislation as set forth in 9-724 (n) of the Environment Article.)*

Contact Person(s): Lamont Pagenhardt, County Administrator  
Gorman Getty, County Attorney  
Linda Lindsey, Director, Department of Public Utilities

⇒ BOARD OF COUNTY COMMISSIONERS ACTION:  
Approve legislative request

5. A request by the Garrett County Animal Issues Advisory Commission that the Board of County Commissioners support legislation:

- a) That would add Garrett County to Article 24, Title 11, Licenses, Subtitle 5, Regulations of Animals, 11-504 Enforcement of Subtitle (p) )1) of the Annotated Code of Maryland that reads "in addition to and not in substitution for any powers granted under this subtitle, the County Commissioners of Calvert County may by ordinance provide for the regulation, humane treatment, and keeping of domestic animals within Calvert County within Calvert County, including the authority to assess a penalty for a violation of a provision of an ordinance of imprisonment in the county jail not exceeding 30 days or a fine not exceeding \$1,000, or both".
- b) That Garrett County be included within the provisions of Section 10-609(b) of the Criminal Law Article of the Annotated Code of Maryland (the "State Code"). The purpose is to give the Animal Control Officer the authority to make an arrest, under the circumstances set forth in that provision of the State Code;
- c) That the provisions of Article 24, Section 11-504(i) be expanded to include Garrett County. This will provide the County with the authority to deal with animals at large; and
- d) That the provisions of Article 24, Section 11-504(l) be expanded to include Garrett County. This will provide the County with the authority to deal with barking dog complaints.

Contact Person(s): Lamont Pagenhardt, County Administrator  
Gorman Getty, County Attorney  
Bonnie Zimmerman, Manager, Animal Shelter

⇒ BOARD OF COUNTY COMMISSIONERS ACTION:  
Approve legislative request

6. A request by the Board of County Commissioners to be granted legislative authority to mandate collective bargaining for Garrett County Roads Department employees currently represented by American Federation of State, County, and Municipal Employees, Council 67, Local 1834.

Contact Person(s): Lamont Pagenhardt, County Administrator  
Gorman Getty, County Attorney  
Jay Moyer, General Superintendent

⇒ BOARD OF COUNTY COMMISSIONERS ACTION:  
Approve legislative request by majority vote