

**BOARD OF GARRETT COUNTY COMMISSIONERS**  
**PUBLIC MEETING**  
**March 19, 2013**

**IN ATTENDANCE**

*Chairman Robert G. Gatto*  
*Commissioner Gregan T. Crawford*  
*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 March 19, 2013 and noted that the Board will conduct an administrative work session on March 20, 2013. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, approved the Public Meeting Agenda for March 19, 2013.
2. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, approved the Public Meeting Minutes for March 5, 2013 and Executive Session Minutes of March 5, 2013.
3. The Board of County Commissioners provided an update of the boards, committees, and commission meetings they have attended and participated in since the last public meeting.
4. The Board of County Commissioners executed a Proclamation declaring April 2013 as "Autism Awareness Month".
5. Garrett County Arts Council provided an annual update and Fiscal Year 2014 Budget request to the Board of County Commissioners. The Board will take this request for funding under advisement with all other requests for appropriation approval.
6. The Board of County Commissioners, on a motion by Commissioner Raley, which was seconded by Commissioner Crawford, and made unanimous by Chairman Gatto, executed a Resolution setting the date and time of the real property tax sale on May 3, 2013 at 10:00 AM.
7. Public Commentary. None on this date.
8. Carol Riley-Alexander, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the Board's meeting and committee schedule for the forthcoming weeks.
9. The Purchasing Department presented recommendations of contract extension awards to the Board of County Commissioners:

- a) Office Furniture (bid #12-0524F). The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, approved an extension from July 1, 2013 to June 30, 2014 to Douron, Inc.
- b) Chain and Augers (bid # 12-0531CA). The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, approved an extension from July 1, 2013 to June 30, 2014 to Chumung Supply Corp.
- c) Liquid Asphalt (bid #12-0531LA). The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, approved an extension from July 1, 2013 to June 30, 2014 to Hammaker east, LTD.
- d) Motor Oil and Grease (bid #12-0607MO). The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, approved an extension from July 1, 2013 to June 30, 2014 to PPC Lubricants.
- e) Fuel (bid 312-0607FO). The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, approved an extension from July 1, 2013 to June 30, 2014 to Oakland Oil Company.

10. The Board of County Commissioners conducted a **Public Hearing** to obtain the views of citizens on community development and housing needs and to offer citizens the opportunity to hear and review plans for an application which the Board proposes to submit to the Maryland Department of Housing and Community Development for funding through the Community Development Block Grant (CDBG) Program. The project being considered for inclusion in the CDBG application is the demolition of the former Crellin Community Center.

The Board, on a motion by Commissioner Crawford, which was seconded by Chairman Gatto, and made unanimous by Commissioner Raley, closed the public hearing and executed a Resolution authorizing Chairman Gatto and Mr. Pagenhardt to submit an application for Community Development Block Grant funds in the amount of \$30,000 for the Crellin Community Center Demolition Project.

In addition, the Board reviewed the progress and status of the After School Program which was in part funded by CDBG.

11. Garrett Trails provided an update to the Board of County Commissioners which is attached as Exhibit 1 of these Public Meeting Minutes.
12. Mr. Pagenhardt noted the Department of Financial Services is currently compiling all revenue estimates and requests for appropriations for the Fiscal Year 2014 Budget. The County Administrator and Department of Financial Services staff will finalize their review beginning the week of April 1 and present the Board of County Commissioners with a recommended budget the week of April 8.
13. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for April 5, 2013 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 Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, moved into Executive Session

under section 10-508 of the Maryland Open Meetings Law on this date to discuss land acquisition matters by the State of Maryland Department of Natural Resources (DNR). The same motion ended the Executive Session and moved into Administrative Session. The Board of County Commissioners met with John Nelson, Director, Department of Planning and Land Development to discuss plans for the State of Maryland Department of Natural Resources to purchase certain parcels of land in the County. The Board decided to prepare an official response to DNR which will be made public after the purchase specifics between the buyer and seller are final.

### **ADMINISTRATIVE SESSION**

1. The Board of County Commissioners met with County Attorney Gorman Getty; Department of Economic Development Director Michael Koch; and Department of Economic Development Assistant Director Frank Shap to discuss the One Maryland Broadband Memorandum of Understanding. Department of Technology and Communications Director Nathaniel Watkins and Joanne Hovis, President, Columbia Telecommunications Corporations (CTC) participated in this discussion via conference call. Final modifications were approved by the Board which will be sent to the State of Maryland for their review and final executive by both parties.
2. Mr. Koch reviewed the following matters with the Board of County Commissioners. Mr. Getty and Cheryl DeBerry, Natural Resource Business Specialist with the Department of Economic Development was also in attendance for this session review.
  - a) Keyser's Ridge Business Park Investment Agreement with the State Department of Business and Economic Development.
  - b) Lease Agreement with prospective business at the Keyser's Ridge Business Park. The Department has been in negotiations and disclosure of the name of the business will be made public when the agreement is final between all parties.
  - c) Other issues related to Keyser's Ridge Business Park and plans for development and growth.
  - d) Recommendation by Mr. Koch for a proactive development of a Comprehensive Energy Policy. This document is included with these Public Meeting Minutes as Exhibit 2. The Board reviewed the recommendation to re-initiate the Commissioners Advisory Committee as a more broadly chartered "Energy Advisory Committee". The Board will proceed with this proposal and evaluate the employment of a professional firm or consultant for the purpose of guidance and direction. The Board concurred with this proposal and will make this plan a priority. Commissioner Raley, in part through his role and knowledge of federal programs as Chairman of Tri County Council of Western Maryland, suggested that Mr. Koch look at Economic Development Administration grant funds that may qualify for this initiative.
  - e) Other prospective economic development opportunities Mr. Koch and staff are working on.
  - f) A brief summary of departmental administrative matters.
3. The Board of County Commissioner met with Mr. Getty; Department of Planning and Land Development Director John Nelson; County Engineer Dwight Emory; County Roads General Superintendent Jay Moyer; and Department of Planning and Land Development GIS Specialist Deborah Carpenter to discuss the Garrett County/Allegany County boundary. A court decision in 2008 established the Chisholm survey line as the official boundary between Allegany and Garrett counties. Maryland State Highway Administration (SHA) has informed Garrett County and Allegany

County that they are revising SHA road inventories with boundary information from Garrett County and Allegany County as well as that of the State Department of Assessments and Taxation being used as a reference. As the boundary has moved westward (from the official boundary of the Bauer survey line to the Chisholm survey line) several roads or sections of roads which had been in Garrett County are now located in Allegany County. SHA has indicated that this action now requires a re-inventory of several roads touching or crossing the revised boundary.

On this date the Board determined to notify Allegany County that Garrett County will continue to recognize the Chisholm Line as the official boundary line for all purposes. Due to the fact that SHA has questioned the agreement between Allegany County and Garrett County, Mr. Getty will draft a letter of agreement for the Board to execute and forward to the Board of Allegany County Commissioners that will document this action.

4. The Board of County Commissioners met with Mr. Nelson and Mr. Getty to discuss requests for reimbursement under the Garrett County Shoreline Stabilization Policy. The Board agreed with the opinion of Mr. Nelson that all requests for reimbursements need to follow the exact eligibility prerequisites of the policy.
5. The Board of County Commissioners reviewed names of persons who have expressed an interest in serving on the Deep Creek Watershed Board of Zoning Appeals. Mr. Nelson was in attendance for this session. The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, approved the appointment of Robert Hoffmann. An official letter under the signature of Chairman Gatto will be sent to Mr. Hoffmann outlining the terms of this appointment.
6. Mr. Pagenhardt reviewed a number of administrative, personnel, and managerial matters under his authority and jurisdiction with the Board of County Commissioners.

**Attest:**

**By Order of the Board,**

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R. Lamont Pagenhardt,  
County Administrator

\_\_\_\_\_  
Robert G. Gatto, Chairman  
Board of County Commissioners

\_\_\_\_\_  
Date

**Garrett Trails Presentation to County Commissioners  
March 19, 2013  
Update and request**



**Friendsville Success on ECDL Trail**

Town of Friendsville has been working hard to help this project along.

US Army Corps of Engineers very cooperative and interested in seeing a trail built. They are preparing a 4-year license agreement with the County and Garrett Trails agreeing to trail creation and bridge placement on their property.

Army Corps of Engineers owns land on both sides of Yough River.

Submitting proposal for 2014 ARC grant that is needed to construct bridge and Yough River Trail with match grant application for National Recreational Trails planned for submission.

Trail will connect Friendsville town trail, Kendall Trail the multi-purpose parking lot and the new Yough River Trail.

Submitted to the Commissioners a budget request for \$50,000 per year to assist the Town of Friendsville and Garrett Trails win the grant to construct the bridge and trail, the money is for matching funds required.

**Grantsville Success on ECDL Trail**

Working with Somerset County on rail to trail bed from Meyersdale to Penn Alps through MAMA

Grantsville mayor and council are 100% behind the trail connection to Meyersdale

Currently working with private land owners who own the rail bed from Penn Alps to Jennings

**Meadow Mountain Trail on ECDL**

Complete the review with engineering, University of Maryland, and DNR for Phase #1 – Funds needed for engineering to finish out the bidding and construction phase services for Phase 1

Currently seeking engineering funds for Phase #2. Recent developments have left the project without a firm engineering commitment.

Secured commitment from DNR to support Phase #2 in construction in letter from Secretary Griffin dated March 1, 2013.

**Completed Visitors Center Trail. Applied for 2013 Heritage Grant to create the trail head at the Visitor Center.**

**Assisted the Town of Oakland with the Fort Alice Trail which will be open by the 150<sup>th</sup> Anniversary April 25, 2013. Will continue to work with Oakland on project and beyond.**

Request support from the Commissioners to aid Garrett Trails with growing administrative cost to submit grant request, part-time executive director salary, economic development activities countywide, trail development in the funding package submitted back in February to Mr. Pagenhardt in the amount of \$25,000 per year

**Garrett Trails' requests were submitted to Mr. Pagenhardt on Feb. 15, 2013.**

**Fundraising** - 11<sup>th</sup> annual Taste of Garrett County is slated for June 17, WISP Resort, 6:00 – 9:00 P.M.

## MEMORANDUM

DATE : March 18, 2013

TO : County Commissioners & Administrator

FROM : Mike Koch, Economic Development Director

SUBJECT : Recommendation for Proactive Development of Energy Policy

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**Current State Assessment:**

- Garrett County and its surrounding region possess an advantageous array of potential energy resources and assets. While State legislation and legislative processes have focused recent public attention on Marcellus Shale natural gas development, potential County energy assets include wind, biomass, coal, solar, hydro, and micro-hydro.
- The County Commissioners chartered and then suspended a Marcellus Shale Advisory Committee. This committee, and the analytical work that they have performed, has resulted in the preparation and submission of a number of recommendations regarding the County's preparation for and management of shale gas drilling activity should it be permitted.
- Commercial wind power development has been completed on a number of County ridge lines; additional projects are proposed and in various stages of permitting and development.
- While not permitted under current out-dated State regulation, modified regulation regarding Biomass energy development is likely in the short-term.
- Federal and State tax and economic development incentives have promoted alternative energy development and are likely to continue to do so.
- Public opinion – in and out of the County – is heatedly divided regarding the sector specifics of energy development, but is increasing aligned on the larger matters of policy: increasing U.S. energy independence and decreasing dependence on foreign oil, decreasing the carbon emissions associated with power generation to address climate change and its economic impact, and increasing the amount of renewable energy production in the U.S. energy portfolio.

**Recommended Next Steps:**

- Re-initiate the Commissioners' Advisory Committee as a more broadly chartered "Energy Advisory Committee." Leverage the re-initiation of the committee to shape public opinion and better manage it moving forward.
- Consciously select committee members to ensure some continuity with the Marcellus Shale Advisory Committee, but recruit (and if necessary compensate) committee members based on their expertise. Ensure the committee members reflect the full array of targeted energy assets. Eliminate purely "public" members and manage public comment via press and carefully managed public sessions.
- Charge the committee with a specifically defined task, timeline, and deliverable. Charge the committee to deliver a County energy sector analysis and provide sector-specific recommendations regarding:
  - Creation of County Energy Enterprise Zones; where should new zones be created and which existing Enterprise Zones should be expanded?
  - General land use guidelines to strategically target non-zone growth and avoid unconstrained proliferation.
  - Regulatory and legislative actions that should be forwarded for consideration in the 2014 State Legislative Session.
  - Necessary and/or desirable County financing support targeting both energy companies and County residents. (e.g. tax and production incentives as well as "permanent" or endowment funds benefitting residents over the longer-term).
  - Impact mitigation strategies for other important County assets and infrastructure (e.g. roads, view sheds, water supply, environmental assets, existing tourism economy)

**Other Considerations:**

- Given the breadth of the topic and the size of the opportunity, serious consideration should be given to developing and leading a regional approach. Such an approach could positively leverage partnerships with other organizations such as The Greater Cumberland Committee, Allegany County Government and Economic Development Offices, Garrett County Economic Development Corporation, and/or Maryland's Department of Business and Economic Development. A regional approach – and regionally chartered advisory – could amplify the impact of these efforts, but it could as easily slow progress through bureaucracy and painful consensus-building.