

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
November 5, 2013

IN ATTENDANCE

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

County Administrator R. Lamont Pagenhardt

ADMINISTRATIVE SESSION

1. 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 economic development matters. The same motion ended the Executive Session. Michael Koch, Director, Department of Economic Development reviewed a number of discussion points.
2. The Board of County Commissioners discussed a proposal by Commissioner Raley to consider visits to all the municipalities and outlying communities. Mr. Koch was in attendance for this session. Commissioner Raley stated that he will attend the November meeting of the Garrett Mayors Association and seek input from the group prior to any final decision by the Board.
3. The Board of County Commissioners discussed an agreement to provide and commit matching funds of \$250,000 for the HART Animal Shelter Project. Mr. Koch was in attendance for this session. An application is required to be forward to the Appalachian Regional Commission. On this date the Board determined to provide a commitment of up to \$250,000 based upon certain conditions that will be determined and documented by Economic Development staff. These conditions include a job creation commitment and a commitment to outsource certain functions to other existing county veterinary businesses. Mr. Koch will advise the Board on the status of this matter.
4. Mr. Pagenhardt reviewed a number of informational administrative, personnel, and managerial matters under his authority and jurisdiction with the Board of County Commissioners. No official action was taken by the Board at this time.

PUBLIC SESSION

CALL TO ORDER OF PUBLIC SESSION

PRAYER & PLEDGE OF ALLEGIANCE

1. Additions/deletions to public meeting agenda. Mr. Pagenhardt indicated there were 2 additions and no deletions to the Public Meeting Agenda for November 5, 2013. (1) The Board of County Commissioners will take official action that will affirm the appointment of Matthew Paugh to the Garrett County Board of Education and (2) a First Modification to Memorandum of Understanding will be executed between the State of Maryland Department of Business and Economic

Development, Office of Tourism Development and Garrett County, Maryland. The Board, on a motion by Commissioner Raley, which was seconded by Chairman Gatto, and made unanimous by Commissioner Crawford, approved the Public Meeting Agenda for November 5, 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 October 15, 2013, Executive Session for October 15, 2013, and Administrative Session for October 22, 2013, and Executive Session for October 22, 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. A presentation on Maryland Health Exchange Program was made to the Board of County Commissioners. In attendance were representatives from Mountain Laurel Medical Center, Garrett County Community Action Committee, Garrett County Health Department, Garrett County Department of Social Services, and Garrett County Memorial Hospital. The Health Connection application program has been incorporated to enroll individuals in one of the private insurance plans listed on the Maryland Health Exchange. More information is available from any of the organizations in attendance for this session.
5. The Board of County Commissioners was presented with updates from the following departments:
 - a) Garrett College. Discussion points on the Economic Contribution of Garrett College, and overview fact sheet showing investment analysis and economic growth analysis, and a student enrollment grant, loan, and scholarship income. These documents are on file with the Office of the Board of County Commissioners.
 - b) Department of Technology and Communications. Broadband connection to the County Airport and Emergency Operations Center, other County department technology improvements, and upgrades to webpages and communication programs.
 - c) Department of Planning and Land Development. Water and Sewer Master Plan is still in progress for completion with a public hearing and adoption by the Board projected for April 2014, information on State Department of Natural Resources wild lands proposal, progress update on the Deep Creek Watershed Management Plan Steering Committee, and an update on Year-to-Date Calendar Year 2013 building permit activity. Public commentary was presented on open meeting compliance adherence for Deep Creek Watershed Management Plan Steering Committee meeting.
6. The Purchasing Department presented the following recommendations of bid award and contract extension to the Board of County Commissioners:
 - a) Recommendation of Award – Invitation to Bid – Keyser’s Ridge Business Park – Lot No. 2 Site Work (bid #13-1024). The Board, on a motion by Commissioner Raley, which was seconded by Commissioner Crawford, and made unanimous by Chairman Gatto, approved the bid to Excavating Associates. Inc. for a total bid price of \$589,534.00. Fiscal Year 2014 Budget includes an appropriation for this project in the amount of \$1,600,000. As of this date, the total project cost for site work (\$589,534) and building construction (\$1,024,000) = \$1,613,534. Fiscal Year 2014 Budget for the Department of Economic Development will be amended to cover this additional cost.

- b) Recommendation of Award – Invitation to Bid – ASCI Phase 2 – Whitewater Course Modifications (bid #13-1025). The Board on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, approved the bid to Beitzel Corporation for a total bid price of \$149,700.00. Funding for this project is from the State of Maryland \$1,000,000 Bond.
 - c) Recommendation of Contract Extension – Standby Generator Maintenance (bid #12-1121G). The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, approved the extension of this contract under the same terms and conditions for an additional 1-year term to Kelly Generator and Equipment, Inc. Terms of the contract extension period will be December 1, 2013 through November 30, 2014. Specific maintenance costs are on file with the Purchasing Department.
 - d) Recommendation of Contract Extension – Aviation Gasoline and Aviation Turbine Fuel. The Board, on a motion by Commissioner Raley, which was seconded by Commissioner Crawford, and made unanimous by Chairman Gatto, approved the extension of this contract to Arrow Energy, Inc. for aviation turbine fuel Jet A and to Purvis Brothers, Inc. for aviation gasoline grade 100LL. Terms of the contract extension period will be November 1, 2013 through October 31, 2014. Specific costs are on file with the Purchasing Department
 - e) Recommendation of Contract Extension – Fire Prevention Systems Services (bid #12-1103FP). The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Raley, and made unanimous by Chairman Gatto, approved the extension of this contract to ARK Systems. Specifics of this bid award to include locations are on file with the Purchasing Department.
7. Mountain Haven Wellness and Recovery Center provided an update on their organization to the Board of County Commissioners. Center volunteers requested that the Board support the Center with public awareness and possible supplemental funding assistance.
8. The Board of County Commissioners officially affirmed the appointment of Matthew Paugh as Elected Member of the Garrett County Board of Education. During the Administrative Session of October 22, 2013 the Board had by consensus appointed Mr. Paugh to complete the unexpired term of office of Donald Forrester and that executive action is hereby reflected in these public meeting minutes.
9. The Board of County Commissioners, on a motion by Commissioner Raley, which was seconded by Commissioner Crawford, and made unanimous by Chairman Gatto, authorized Chairman Gatto and Mr. Pagenhardt to execute a First Modification to Memorandum of Understanding between the State of Maryland Department of Business and Economic Development, Office of Tourism Development (DBED) and Garrett County, Maryland (County). Under this Modification to the Memorandum of Understanding DBED shall, subject to the availability of funds, contribute a one-time payment not to exceed \$50,000 to the County for the continued operations of the Youghiogheny Overlook Welcome Center. Commissioner Raley expressed his appreciation to Senator George Edwards for his lead on securing these funds.
10. 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.

11. Public Commentary.

- Paul Durham expressed his opinion on the public use of State of Maryland wild lands.
- Jerry Plauger expressed his opinion on the violation of public property, smart growth initiatives, and other opposition to all levels of governmental intrusion in the affairs of private citizens.

12. The Board attended the inaugural meeting of the Garrett County Shale Gas Advisory Committee. Guidance and charge document was presented to all Members (copy of these document attached to these public meeting minutes as Exhibit 1).

13. It is hereby reflected and documented in the these public meeting minutes that Mr. Pagenhardt attained the required Certificate of Completion of Maryland's Open Meeting Act as dictated and required under HB 139 which became effective on October 1, 2013. Notification of this has been forwarded to the State of Maryland Open Meetings Compliance Board.

14. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for October 15, 2013 and October 22, 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 these dates to discuss economic development matters. The same motion ended the Executive Session. The Board met with Michael Koch, Director, Department of Economic Development to review a number of discussion points which will not be publically disclosed at this time.

ADJOURNMENT OF PUBLIC SESSION

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

Robert G. Gatto, Chairman
Board of County Commissioners

Date

**Garrett County
Shale Gas Advisory Committee
(GC SGAC)
Member Description — November 5, 2013**

GC SGAC Charge:

Garrett County has a long history of energy production due to the presence and abundance of natural resources including natural gas trapped in a subsurface shale formation known as the Marcellus Shale. Traditional resource extraction has played a significant role in the county and previous natural gas extraction has generated revenues supporting the needs of the county and its citizens. This tradition will likely continue and newer technologies may create additional opportunities. The discussion around Marcellus Shale Gas development continues to evolve in the State of Maryland during the study period being conducted by the Governor’s Safe Drilling Initiative Advisory Commission appointed in July of 2011. The State commission includes Garrett County representatives: Senator George Edwards; Commissioner Jim Raley; Oakland Mayor Peggy Jamison; Representative of Beitzel Corporation and Farm Bureau Shawn Bender; and Local representative and business owner Paul Roberts.

The State of Maryland has embarked upon producing a “gold standard” for the development of Marcellus Shale gas in Garrett County and a small portion of Allegany County. The most recent report that was generated by the Maryland Department of the Environment and titled, “Recommended Best Management Practices for Marcellus Shale Gas Development in Maryland”, has been out for public review for several months and will be one of the first charges of the committee to review.

In addition, the Garrett County Marcellus Shale Gas Advisory Committee members will generate documents as deemed appropriate, provide review of state-wide reports and legislative initiatives and suggest policy that will allow the Garrett County Board of Commissioners to make broad based decisions. The development of shale gas in Garrett County shall be viewed in a manner of maximizing economic benefit and mitigating any negative impacts.

Member Qualifications:

- Knowledge of Marcellus shale gas and/or policy as it relates to the committee charge
- Willingness to engage in professional and thoughtful dialogue with other members and ability to reach consensus on various recommendations generated by the committee
- Ability to work well in group settings while being respectful of others opinions
- Ability to allocate the time and effort required to serve on the committee
- Commitment to the committee charge
- Demonstrated track record of being productive on past/current committees or boards
- Knowledge of the demographics and relevant issues in Garrett County as it relates to the potential development of Marcellus Shale gas

Member Responsibilities:

- Assist the Chairman in carrying out the charge of the GC SGAC
- Assist the Chairman in developing the operational structure of the committee and participate in establishing realistic goals
- Be available in person for meetings to be conducted on the first Tuesday monthly at 4:00pm and lasting for not more than two hours
- Assist with the review of state-wide reports and documents
- Prepare for meetings by reviewing committee materials ahead of scheduled meetings
- Engage in thoughtful dialogue and participate in a process to reach consensus on recommendations that support the committee charge
- Help identify known subject matter experts as needed to present on various topics in support of the committee charge
- Assist with the development of recommendations by providing suggestions, comments, and general engagement in the process
- The committee will not duplicate the work of the State Advisory Committee as local committee members are welcome and encouraged to attend state committee meetings and view on-line reports.

Accountability:

- The GC SGAC will ultimately report to the Garrett County Board of Commissioners
- Meetings will be open to the public and a comment period may be provided time permitting but comment will be limited to subject matter being addressed, a period of three minutes per person, and not opinion-based commentary

Time Commitment:

- The committee will complete its work within a 12 month period and could extend depending upon the workings of the Governor's Commission
- Members should plan for one committee meeting per month on the first Tuesday at 4:00pm
- Members should allocate approximately four to eight hours per month to committee activities, including meetings, reading state generated reports, and individual research. Members are encouraged to attend other regional meetings and meetings of the Governor's Commission

Governance:

The chairman of the committee has been appointed by the Garrett County Commissioners and Garrett County Commissioner Jim Raley will participate in committee meetings. Cheryl DeBerry with Garrett County Economic Development Department will serve the committee as staff and will keep records of meeting information and will provide notices as necessary.