

BOARD OF GARRETT COUNTY COMMISSIONERS

PUBLIC MEETING

Tuesday, November 16, 2021

Meeting was also Live Streamed at <https://www.facebook.com/garrettcountygovernment/>

IN ATTENDANCE

Chairman Paul C. Edwards

Commissioner S. Larry Tichnell

County Administrator Kevin G. Null

CALL TO ORDER OF PUBLIC SESSION at 4:00 PM

PRAYER & PLEDGE OF ALLEGIANCE – Invocation by Pastor Kroll

Commissioner Hinebaugh was not in attendance; he was attending a meeting with the Rural Health Council.

PUBLIC SESSION

1. Mr. Null indicated there was no addition or deletion to the Public Meeting Agenda. The Board of County Commissioners, on a motion by Commissioner Tichnell, which was seconded and carried by Chairman Edwards, approved the Public Meeting Agenda for November 16, 2021.
2. The Board of County Commissioners, on a motion by Chairman Edwards, which was seconded and carried by Commissioner Tichnell, approved the Public Meeting Minutes of November 1, 2021.
3. **Local Government Insurance Trust – Grant Presentation:** Timothy Ailsworth, Executive Director, Local Government Insurance Trust presented a training grant in the amount of \$2,338 for Phishing Awareness by KnowBe4. Mr. Ailsworth stated that Garrett County has historically had good insurance rates due to the low claims rate and this year received a 24% discount on insurance premiums.
4. **Legislative Review – 2022:** The Board of County Commissioners conducted its annual Legislative Review Meeting with Senator George Edwards and Delegate Wendell Beitzel.
 - *Question concerning change to Board of County Commissioners Meetings as proposed by not requiring to meet in public. Does this give future Boards the ability not to meet, limiting public participation?* Chairman Edwards stated that the intent is to “clean-up” the section and codify the use of *Zoom* or broadcast as a public meeting. The Board of County Commissioners will look at rewording the meeting requirements.
 - Debbe Owston provided an overview of the proposed amendment to the Liquor Control regulations. The proposed Beauty Salon/Barbershop Beer and Wine license would limit the quantity of drinks to not more than two (2) 12 ounce beers or two (2) 6 ounce wines per person.
 - The proposed amendment for non-profit festivals is consistent with the State’s non-profit regulations.

A list of all legislative issues to be included with the 2022 Legislative Session of the Maryland General Assembly is attached. This was the last legislative review for Senator Edwards and Delegate Beitzel as they are not seeking another term. The Board of County Commissioners thanked them for their support and help for Garrett County.

5. PUBLIC COMMENTARY:

- Chairman Edwards reported that a request for information had been received asking how much the county has received in State Aid. The County received \$6,726,779 in direct State aid. This amount is only the aid that comes directly into the County budget and does not include State aid to other entities such as the Garrett County Board of Education or Garrett County Community Action Committee, Inc.
- Chairman Edwards also reported that the County has received inquiries concerning establishing a Fire Marshal for Garrett County. The County is exploring the option.
- Public Comment - Any consideration for interactive on-line meetings? Currently there is no way for the public to comment during a meeting. Chairman Edwards stated that public comments are important, and the public can comment and ask questions on gccomments@garrettcountry.org. The Board of County Commissioners has been responsive and have answered any question that have been asked.

Most jurisdictions do not have interactive, on-line meetings. Question: Would the County Commissioners be open to suggestions on how to conduct interactive meetings. The Board of County Commissioners indicated they would be open to suggestions.

- Question - Status of the Diversity Committee. Several applications have been received and will be accepted through the end of the month. The Board of County Commissioners will make appointments in December.

6. The Board of Garrett County Commissioners announced that the next Public Meeting will be held on Monday, December 6, 2021, at 4:00 p.m. at the Garrett County Courthouse.

ADJOURNMENT: The Board of County Commissioners, on a motion by Commissioner Tichnell, which was seconded and carried by Chairman Edwards, adjourned the Public Meeting at 4:40 P.M.

Attest:

By Order of the Board,

KEVIN G. NULL
County Administrator

PAUL C. EDWARDS, Chairman
Board of County Commissioners

2022 LEGISLATIVE REQUESTS

BOARD OF GARRETT COUNTY COMMISSIONERS

1. A request by the Board of County Commissioners that the Delegation introduce legislation in Maryland General Assembly to provide the Board with enabling authority to amend provisions of Article 12, **Garrett County Board of County Commissioners of Garrett County meetings.**

Article 12 - Garrett County 20-3.

- A. The County Commissioners shall meet in public session ~~AT LEAST 14 ONCE EACH WEEK, as necessary. Public session may be in person or via video broadcast.~~
- B. The County Commissioners shall provide reasonable notice of:
 1. The dates and times of all public sessions, including notice of any change in schedule or any cancellation; and
 2. Administrative sessions to review matters that may require executive action during forthcoming public sessions or to address personnel, administrative, or other subjects.
- C. Each Commissioner shall ~~ATTEND ALL~~ make every effort to attend the scheduled meetings of any commission, board, or committee to which the commissioner is appointed.

SECTION 2. AND BE IT FURTHER ENACTED That this Act shall take effect ~~26 October 1, 2006~~

Contact Person(s): Kevin G. Null, County Administrator

⇒ BOARD OF COUNTY COMMISSIONERS ACTION:

2. A request by the Board of County Commissioners that the Delegation introduce legislation in Maryland General Assembly to provide the Board with enabling authority to amend provisions of Title 14, Subtitle 8, Section 14-813 (e) (2) (1) (v) and (ix) as follows:
 - (a) (1) At any time after 30 days from the mailing of the statement and notice, the collector shall cause to be published, 4 times, once a week for 4 successive weeks in 1 or more newspapers that have a general circulation in the county in which the property is located, a notice that the property will, on the date and at the place named in the notice, be sold at public auction.
 - (2) In Dorchester County, Frederick County, Garrett County, Kent County, and Queen Anne's County, the notice shall be published 3 times, once a week for 3 successive weeks.
 - (3) (i) In Baltimore City, the notice shall be:
 1. published two times, once per week in alternate weeks; and
 2. posted on the City's website 4 weeks prior to the sale.
 - (ii) The required newspaper notice shall include a statement that notice shall be posted on the City's website along with instructions on how the public can access the website.
 - (b) In Prince George's County and Wicomico County, the cost of publishing the notice shall be the same as the prevailing rate for publishing other legal notices and advertisements.
 - (c) In Anne Arundel County, the notice shall be published in 2 newspapers published in the county.
 - (d) (1) The notice shall contain with substantial accuracy the following:
 - (i) a description of the property by giving the street number of the improvement and the frontage and depth of the lot, as the property appears on the collector's tax roll;
 - (ii) the name of the person who last appears on the collector's tax roll as the owner of the property;

- (iii) the amount of all taxes due and unpaid on the property;
 - (iv) if the property is unimproved, or has no street number, the notice shall describe the property as it is described on the collector's tax roll, and no unimproved property, or property having no street number, need be described by metes and bounds. If necessary to describe the property, the collector shall obtain a description and plat of the property from the county or municipal corporation surveyor, for which the sum of \$7.50 shall be added to the total charges due on the property. If it is necessary to procure a description from the county or municipal corporation surveyor, the description shall be kept in the records of the collector's office and the published notice of sale shall contain a statement to the effect that a detailed description of the property to be sold, as prepared by the county or municipal corporation surveyor, is on file at the collector's office and may be examined by anyone interested in the description; and
 - (v) the assessment of the property as determined by last assessment.
- (2) Failure of the collector to include any taxes in the published notice of sale does not affect the validity or collectability of the taxes, except as required to be but have not been certified as provided in § 14–810 of this subtitle, or the validity of any sale made hereunder to enforce the payment of taxes, nor prevent nor stay proceedings under this subtitle nor affect the title of any purchaser.
- (e) (1) The following expenses relating to the sale shall be allowed, all of which are liens on the property to be sold:
- (i) the expense of publication of all notices;
 - (ii) the cost of the county or municipal corporation surveyor's description and plat, if necessary;
 - (iii) except as provided in items (vi) and (vii) of this paragraph, a fee to the attorney representing the county treasurer for services, that does not exceed \$15 for each property; except that in any county that has a paid full-time solicitor, counsel or attorney, the fee shall be collected and paid into the general funds of the county;
 - (iv) the auctioneer's fee, as provided in paragraph (2) of this subsection;
 - (v) in Baltimore County, a fee, that may be established by the County Executive and subject to review by the County Council for legal services, administrative costs, and mailing expenses relating to the sale for each property, not to exceed actual costs, to be collected and paid into the general fund of Baltimore County;
 - (vi) in Somerset County, Wicomico County and Worcester County a fee to the attorney representing the county treasurer or director of finance, that does not exceed \$35 for each property, to be approved by the county treasurer or director of finance and by the governing body;
 - (vii) in Baltimore City:
 1. a fee of \$30 for each property to the attorney representing the director of finance, that is collected and paid into the General Fund of Baltimore City; and
 2. a fee that does not exceed \$10 for the mailing of statements and notices;
 - (viii) in Montgomery County, instead of the fee allowed under item (iii) of this paragraph, a fee that does not exceed \$30 for each property for legal services relating to the sale, to be collected and paid into the general funds of the county; and
 - (ix) a reasonable fee that does not exceed \$150 for examinations of title before the mailing of statements and notices.

- (2) The auctioneer's fee allowed in paragraph (1) of this subsection shall be:
- (i) except in Baltimore City, Caroline County, Carroll County, Cecil County, Dorchester County, Frederick County, Garrett County, Harford County, Howard County, Kent County, Prince George's County, Queen Anne's County, Somerset County, Talbot County, Wicomico County, or Worcester County:
 - 1. for any date when 1, 2, or 3 properties are sold, an amount not to exceed \$10; and
 - 2. for any date when 4 or more properties are sold, \$3 for each property sold;
 - (ii) in Dorchester County, \$7.50 for each property sold;
 - (iii) in Kent County, an amount not exceeding \$7.50 for each property sold;
 - (iv) in Cecil County and Queen Anne's County, \$7.50 for each property sold;
 - (v) in ~~Garrett County~~, Somerset County, and Wicomico County, \$8 for each property sold;
 - (vi) in Worcester County, the greater of \$8 for each property sold or \$300, to be allocated pro rata among each property sold;
 - (vii) in Baltimore City:
 - 1. for any date when 1, 2, or 3 properties are sold, an amount not to exceed \$10;
 - 2. for any date when 4 or more properties are sold, \$3 for each property sold; and
 - 3. in an electronic sale, an amount not to exceed \$10 for each property sold;
 - (viii) in Carroll County, the amount set by the Carroll County Commissioners
 - (ix) in Caroline County, Garrett County, Harford County, Howard County, Prince George's County, and Talbot County, \$10 for each property sold; and
 - (x) in Frederick County, the lowest responsive bid for each property sold.
- (f) In Garrett County, instead of complying with (d)(1)(i) through (iv) of this section, the notice shall contain a statement that gives the year or years for which the taxes are due and the amount of the taxes, to whom the property is assessed, the district where the property is located, the quantity of land offered for sale, the name or number of the tract or lot of land, if the property has a name or number, and is assessed by that name or number and if there is record evidence of the property in Garrett County, a reference to the record liber and folio where the deed or conveyance for the property is recorded, the name of the grantor and the date of the deed or conveyance, or any other description as is sufficient legally to identify the property, but in no case is a description by metes and bounds, courses and distances required. The collector in Garrett County may employ an attorney to examine the title to the land to be advertised or sold for taxes, under this subtitle, to provide the information required for the notice and prepare the notice for publication, for which services a sum that does not exceed \$150 shall be added to the total charges due on the property.

Contact Person(s): Kevin G. Null, County Administrator
Scott Weeks, Director of Financial Services

BOARD OF COUNTY COMMISSIONERS ACTION:

3. A request by the Board of County Commissioners that the Delegation introduce legislation in Maryland General Assembly, on behalf of the **Garrett County Liquor Control Board** for the following:

CREATE – Beauty Salon / Barbershop B&W On-Sale License (*set limit on quantity & size and establish cost*)

AMEND – AB § 21-1304 Beer Festival (*amend the number of festivals each year and duration of each festival- allow up to four festivals per year good for up to three consecutive days*).

AMEND – AB § 21-1304.2 Beer & Wine *amend the number of festivals each year and duration of each festival- allow up to four festivals per year good for up to three consecutive days*).

AMEND – AB § 21-1305 Wine Festival License (*amend the number of festivals each year and duration of each festival- allow up to four festivals per year good for up to three consecutive days*).

Contact Person: Debbe Owston, Liquor Board Administrator

BOARD OF COUNTY COMMISSIONERS ACTION: