

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
APRIL 5, 2005

IN ATTENDANCE

Chairman Ernest J. Gregg

Commissioner David C. Beard

Commissioner Frederick A. Holliday

County Administrator R. Lamont Pagenhardt

CALL TO ORDER OF PUBLIC SESSION

PRAYER & PLEDGE OF ALLEGIANCE

PUBLIC SESSION

1. Additions/deletions to Public Meeting Agenda. Mr. Pagenhardt indicated that there were no additions or deletions to the Public Meeting of April 5, 2005. A supplemental Administrative Session agenda was presented to the Board.
2. Minutes of the Public Meeting of March 29, 2005 were read and approved on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg.
3. Wendy Yoder, Director, Department of Financial Services briefed the Board of County Commissioners on the following issues:
 - a) As part of this update, Gary Mullich, Director, Department of General Services reviewed a prior easement agreement between the Garrett County Sanitary Commission and Clipper Windpower for the location of wind turbines on County property. This issue of protecting the public water service needs to be taken under review. Mr. Mullich has sent this matter to the county attorney.
 - b) Announcement of the Fiscal Year 2006 Constant Yield Public Hearing will be April 12, 2005.
 - c) Ms. Yoder also briefed the Board on the budgetary review process that Department senior staff and Mr. Pagenhardt will be beginning on April 6. Requested funds are \$5.8 million over that of Fiscal Year 2005 approved budget.
 - d) The annual tax sale is scheduled for May 6, 2005.
 - e) Update on discontinuation of Department of Motor Vehicles services provided by the Department's Tax Collection Office.
 - f) Update on State of Maryland requirement to assess and collect the flush tax.

4. Carol Riley, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming week.

ADMINISTRATIVE SESSION

1. Mr. Pagenhardt reviewed a number of correspondences and communications with the Board of County Commissioners.
2. Mr. Pagenhardt and senior department heads reviewed the status of an actuarial review of a transfer of assets and benefits from the State of Maryland Pension System to the proposed Garrett County Employee Self-Funded Pension Plan. Mr. Pagenhardt will initiate the process of scheduling employee informational hearings.
3. Judge James Sherbin met with the Board of County Commissioners to discuss Court House security and the role of the Circuit Court and the Sheriff for Garrett County. Recent federal and state case law directs that courthouse security is the nondelegable responsibility of the trial judge. It was the determination of the Board and the county administrator to schedule a session with all responsible parties.
4. Duane Yoder, President, Garrett County Community Action Committee, Inc. and Thomas Thayer, representing Garrett Land Property Management requested that the Board of County Commissioners make available thirty (30) active equivalent residential units from the public purpose pool to be assigned to the Pysell Ridge – Mountain Village Project. Construction on the project will start in June of 2005 with a projected completion date of August 2006. The availability of adequate sewer treatment capacity in the Deep Creek Lake Wastewater Treatment Plant will not be available until December 2006. Community Action will need to meet this construction schedule to secure a number of grants and private investment associated with the housing tax credit. According to Mr. Yoder, a delay in construction until December 2006 would terminate the project. John Nelson, Director, Department of Planning and Land Development, informed the Board that there are forty-five (45) equivalent residential units available for public use that have been reserved by the prior Sanitary Commission. The County will need to be aware that other facilities may need units reserved by the Board and the prior Sanitary Commission. The Board will further research all related issues and advise Mr. Yoder and Mr. Thayer as soon as feasible.
5. Chairman Gregg, on behalf of the Board of County Commissioners, executed an application cover sheet to the Maryland Department of Human Resources to continue the Service Linked Housing Program operated by Garrett County Community Action Committee, Inc.
6. The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, executed Amendment No. 1 to the Intergovernmental Agreement between the Board of County Commissioners of Garrett County, Maryland and Maryland Environmental

Service for construction of Cell No. 3 of the Garrett County Landfill (MES Contract No. 05-07-38).

7. The Board of County Commissioners, on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, re-appointed Norma Bolding, Anna Mary Fratz, and Sandi Winters to the Garrett County Health Planning Council. Official letters of appointment under the signature of Chairman Gregg will be sent to each appointee outlining all terms of appointment.
8. Chairman Gregg executed Community Development Block Grant Quarterly Progress Reports on behalf of Garrett County Community Action Committee for Housing Study Program and Home Repair Program.
9. Principals with Deep Creek Mountain Resort/Deep Creek Development requested time with the Board of County Commissioners to review the status of the Adventure Sports Access Road Project. In attendance for this session was Jim Hinebaugh, Director, Department of Economic Development; John Nelson, Director, Department of Planning and Land Development; Dwight Emory, County Engineer; and Fred Polce, General Superintendent, County Roads Department. The main issue was the effect the road may have on land development, the location of buildings, expansion of other uses, and other construction plans. Karen Myers, representing Deep Creek Mountain Resort/Deep Creek Development stressed the importance of assuring that all engineering specifications for the County and the Development are compliant.
10. Sheriff Richard Sanders informed the Board of County Commissioners of his decision to continue with all provisions of the Garrett Bureau of Investigation Memorandum of Understanding between the Board of Garrett County Commissioners, the Maryland State Police, the Garrett County State's Attorney, and the Sheriff of Garrett County. The reason for this decision was a determination by the State Police to only assign one (1) trooper to the Bureau due to manpower shortages and a thirty (30) day notice has been provided. The existing agreement calls for two (2) investigators from the State Police and three (3) investigators from the Sheriff's Department assigned to the Bureau. Sheriff Sanders has notified the Maryland State Police Superintendent of this action stating in an official letter that he would agree to the provisions of the existing memorandum of understanding but no less.

ADJOURNMENT

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

Ernest J. Gregg, Chairman
Board of County Commissioners

Date