

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
APRIL 26, 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 was one addition and no deletions to the Public Meeting Agenda for April 26, 2005. The Board of County Commissioners will be requested to recognize by proclamation "National Occupational Therapy Month".
2. Minutes of the Public Meeting of April 19, 2005 were read and approved on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg.
3. The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved and executed a Proclamation designating May as "*Asthma Awareness Month*".
4. The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved and executed a Proclamation designating May as "*Military Service Support Month*".
5. The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved and executed a Proclamation designating May as "*National Occupational Therapy Month*".
6. The Board of County Commissioners were presented with an update from County Health Officer Rodney Glotfelty that included the following administrative issues:
 - a) The Health Department requested that funds sent to the County from the dissolution of Mountain Top Mental Health Associates be directed to a suicide prevention training event scheduled for June.

- b) Mr. Glotfelty spoke on a number of funding issues as a result of State of Maryland General Assembly budget reductions. As a result of these cuts, Mr. Glotfelty reviewed the current environmental health fee structure and a recommendation for increase. Proposed fee increases would be directed to other programs within the Health Department that are projected to experience budget reductions. The Board of County Commissioners, sitting as the Garrett County Board of Health, will present the fee schedule to the Garrett County Health Planning Council at the May meeting for review and recommendation of approval. Any fee amendment must also be approved by the State of Maryland Department of Health and Mental Hygiene.
 - c) Discussion on billing the State of Maryland mandated flush fee for properties that do not have public sewage.
7. The Board of County Commissioners were presented with the following recommendations of bid award:
- a) Communications Equipment (bid # 05-0421). The Board, on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, approved the recommendation of award to TWR Communications for \$24,734.80
 - b) Invitation to Bid – Interim Upgrades to the BFS Wastewater Treatment Plant. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved the recommendation of award to Beitzel Corporation for \$51,740.00, which included a waiver of the \$550 cost for a performance/payment bond.
8. 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. In furtherance of the session scheduled on April 19, 2005 with Colin Miller pertaining to the issuance of public water and sewer service to this property. Mr. Miller had requested final permit approval in lieu of the fact that public water and sewer service is will not be available at this time based on verbal approval to proceed had been granted by the former Department of Public Utilities director. The information provided was not in compliance with County policy or Department of the Environment regulations. John Nelson, Director, Department of Planning and Land Development was in attendance for this session and reviewed the provisions of the Environmental Article of the State of Maryland Annotate Code that disallows the issuance of building permits until *the water and/or sewage system is physically in place and adequate to serve the building at the time the building permit is issued* which contradicts what had been conveyed to Mr. Miller. Staff will expedite the award of bid for a contractor to construct this service to

allow for Mr. Miller to be issued permit approval from the County and Health Department.

3. Wendy Yoder, Director, Department of Financial Services; Scott Weeks, Assistant Director, Department of Financial Services; and Mr. Pagenhardt presented the Board of County Commissioners with a proposed/recommended draft Budget for Fiscal Year 2006. A summary of projected revenue and recommended expenditures was reviewed.
4. Chairman Gregg and Mr. Pagenhardt, on behalf of the Board of County Commissioners executed an Agreement between Bruceton Farm Service and the County outlining the agreement for improvements to the sewer treatment facility owned by Bruceton Farm Service and to be used by the County at the Keyser's Ridge Industrial Park.
5. Chairman Gregg and Mr. Pagenhardt, on behalf of the Board of County Commissioners executed an Addendum to the Agreement between Duke Energy and the County for construction easement at the Garrett County Airport.
6. Mr. Pagenhardt and Gary Mullich, Director, Department of General Services, reviewed the agreement entered into by and between the Garrett County Sanitary Commission and Clipper Windpower for the placement of turbines on Garrett County Sanitary District, Inc. property. Requests for public information had been received and will be answered in accordance with the provisions of the Maryland Access to Public Information Act.
7. The Board of County Commissioners met with Robert Huebner and Doug Riley, representing Garrett County Habitat for Humanity. This organization, which is constructing homes in the name of Hopeland Village, requested that the County provide a letter of credit that will enable them to secure building permits without the significant additional cost of a performance bond and a commitment to allow connection to the Deer Park Sewer System. The County Subdivision Ordinance does not allow for the approval of building permits without a performance bond or letter of credit. Mr. Huebner briefed the Board on the history of this application for public water and sewer service that included contradictory and inconsistent cost allocation payment information by the former Department of Public Utilities director. The Board was not aware of and did not approve any prior agreements entered into by the previous director of the Department as an agent of County Government without the authority to do so. Mr. Pagenhardt and Mr. Nelson will continue to research this issue for legal and regulatory compliance.
8. Rodney Bowser, representing the Garrett County Fire and Rescue Association, requested that the Board of County Commissioners consider funding of an air compressor unit. Grant application for funding in the amount of \$45,000 has been denied by the State due to total estimated cost. The Board will take this issue under advisement as part of the final approval of Fiscal Year 2006 Budget.

3. Requests for the transfer of equivalent residential units for the following parties were approved by the Board of County Commissioners on a motion by Commissioner Beard, which was seconded by Chairman Gregg, and made unanimous by Commissioner Holliday. All requests for transfer had been reviewed and approved by the Department of Public Utilities, Department of Planning and Land Development, County Attorney, and County Administrator:

- a) Robert Willet, transfer 6 units from Map 58, Parcel 633 to Map 42, Parcel 112
- b) Hugh Umbel, transfer 3 units from Map 59, Parcel 611 to Map 42, Parcel 423
- c) M&M Development Corp., LLC, transfer 13 units from Map 58, Parcel to Map 58, Parcel 503.
- d) M&M Development Corp., LLC, transfer 12 units from Map 58, Parcel 267 to Map(s) 58 and 42, Parcel(s) 60 and 439.

ADJOURNMENT

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

Ernest J. Gregg, Chairman
Board of County Commissioners

Date