

**BOARD OF GARRETT COUNTY COMMISSIONERS**  
**PUBLIC MEETING**  
**NOVEMBER 14, 2006**

**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 Agenda for November 14, 2006.
2. Minutes of the Public Meeting of October 31, 2006, Administrative Session of November 8, 2006, and Executive Session of November 8, 2006 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 Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, executed a Proclamation designating November as "National Health Care Month".
4. Fred Polce, General Superintendent, County Roads Department briefed the Board of County Commissioners on the following matters:
  - a) Update on final paving operations and plans to continue in the spring.
  - b) Status of work ongoing at this time to include hauling anti-skid, cutting brush, cleaning culverts, and other projects.
  - c) Notification that additional snow routes will be added this season for all area garages.
  - d) Mr. Pagenhardt informed the Board and Mr. Polce that County Attorney Gorman Getty had concluded negotiations with Mr. and Mrs. Kim for condemnation settlement for Glendale Road relocation.
  - e) Other departmental matters.

5. Bradley Frantz, Director, Department of Emergency Management briefed the Board of County Commissioners on the following matters:
  - a) Review of equipment upgrades for emergency dispatch operations.
  - b) 21,000 calls have been logged in year to date. Estimates will show the number is 1,000 less than total for 2005.
  - c) Emergency Services Board has met twice and will meet again November 16. The Board will be looking at a number of issues to include length of service pension plan. The Emergency Services Board is evaluating criteria.
  - d) Local Emergency Planning Committee has been reinstated and is active. Numerous issues to include a hazardous preparedness plan is being revised. Tracking of the transportation of hazardous material by road and rail traffic.
  - e) Computer database and computer rated dispatch (mapping) system is being implemented.
  - f) Reverse 911 System is now operational whereby any given event will be used to notify specific segments of the population.
  - g) Other departmental matters.
  
6. The Board of County Commissioners conducted a Public Hearing to receive public commentary on the following applications for establishing Agricultural Land Preservation Districts. John Nelson, Director, Department of Planning and Land Development briefed the Board on each application. Prior to this public hearing, the Local Agriculture Preservation Board and the Planning Commission has reviewed all requirement criteria for each application and recommended approval by the Board of County Commissioners. Public commentary was entered into the public record all of which was in favor of the applications.
  - a) Gary and Virginia Broadwater. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved the application as presented.
  - b) Ray Devine on behalf of Devine Irrevocable Trust. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved the application as presented.
  - c) Dale and Shirley Evans. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved the application as presented.
  - d) Charles and Heidi Kern. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved the application as presented.

The Public Hearing was closed.

7. County resident and property owner Rodney Berger met with the Board of County Commissioners to voice his opinion on what he believes is a loss of real property value on a home he owns adjacent to the Garrett County Airport. Erma Hull, whose residence adjacent to the Airport was purchased by the County, was also in attendance. Representing the County for this session was Gary Mullich, Director, Department of General Services, and Mr. Nelson. Mr. Berger expressed his opinion that the County should purchase his property or compensate him for a loss of value due to the proximity to the Airport. Mr. Mullich noted that the flight patterns in and out of the Airport would change once the expansion project is complete. The Board took this matter under advisement and later agreed to not proceed with any action to acquire this property or compensate Mr. Berger for any loss of market value. Mr. Pagenhardt will respond to Mr. Berger.
8. Ann Sherrard, County Extension Agent met with the Board of County Commissioners to provide an update on the gypsy moth population issue. Ms. Sherrard had previously met with the Board on this matter on October 31, 2006
9. Michael Logsdon, Executive Director and Professor, Adventure Sports Institute of Garrett College met with the Board of County Commissioners to request matching funding of \$10,000 for a Transition Age Youth Continuation Program through the Maryland Department of Health and Mental Hygiene. The Board, on a motion by Commissioner Beard, with the condition that Appalachian Regional Commission funds are secured, was seconded by Chairman Gregg, and made unanimous by Commissioner Holliday, approved the appropriation of funds.
10. Public commentary was presented by Gary Tinsley who presented a tape recording of the Mayor and Town Council of Mountain Lake Park Public Meeting whereby the western annexation matter was discussed. The Board of County Commissioners will refer the tape recording to Mr. Nelson for his review and recommendation of any proceedings that may be in violation of annexation law as alleged during the Board of County Commissioners Public Meeting on October 31, 2006.
11. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for November 8, 2006 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 Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to discuss personnel matters. The same motion moved back into Administrative Session.

In attendance for this session was Gorman Getty, County Attorney; Fred Polce, General Superintendent, County Roads Department; and Linda Lindsey, Director, Department of Public Utilities who discussed confidential personnel and legal issues with the Board. A summary of the issues as it stands on this date is outlined in a confidential letter from Mr. Getty to the Board of County Commissioners dated November 7, 2006.

12. 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. The Board of County Commissioners will meet as the Board of Health at the November 16, 2006 Garrett County Health Planning Council meeting.
3. Mr. Pagenhardt reviewed a request from Flying Scot, Inc. that the Board of County Commissioners officially name the Flying Scot Sailboat as Garrett County's Official Sail Boat. This designation was requested in advance of Flying Scot's 50<sup>th</sup> Anniversary celebration on June 28-30, 2007 also when the National Championship Race is scheduled at the Chesapeake Bay. The Board, on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, approved this designation.

### ADJOURNMENT

**Attest:**

**By Order of the Board,**

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R. Lamont Pagenhardt,  
County Administrator

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Ernest J. Gregg, Chairman  
Board of County Commissioners

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Date