

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
FEBRUARY 22, 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 modification to the Public Meeting of February 22, 2005. An executive session for the purpose of addressing economic development matters will be added.
2. Minutes of the Public Meeting of February 15, 2005 and Executive Session of February 15, 2005 were read, and approved on a motion by Commissioner Beard, which was seconded and carried by Chairman Gregg.
3. Gary Mullich, Director, and staff with the Department of General Services briefed the Board of County Commissioners on the following issues:
 - a) Update on countywide recycling activities. A three (3) year summary report was presented.
 - b) Project status of construction of Cell #3 at the Landfill. Completion date is one hundred twenty (120) days from the start of construction, which is projected to be May 1, 2005.
 - c) Report on resident sticker sales year to date.
 - d) Status of bidding and award for a number of capital projects to include Exhibit/Trade Center, Detention Center, Performing Arts Center, and Public Works Facility.
 - e) Workers Compensation legislation as to the inclusion of volunteer fire and rescue personnel under the County's policy.
 - f) County gaming legislation status and financial projections for fiscal impact.
4. Wendy Yoder, Director, Department of Financial Services briefed the Board of County Commissioners on the following issues:
 - a) Summary of projected revenue based on increase in Fiscal Year 2006 real property assessments and tax rate.
 - b) Notification that the Constant Yield Public Hearing will be scheduled.

- c) Coal haul road tax revenue disbursement with local municipalities and update on total miles used for this haulage.
 - d) Extension of County financial auditing services currently under contract with Rodeheaver and Associates. The existing contract may be extended on a year-by-year agreement. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, determined to continue service with this firm under the current conditions of the agreement.
 - e) Request for waiver of past due interest assessment for real estate taxes due for Ann Rihn. Mr. Pagenhardt and Ms. Yoder had denied this request and Ms. Rihn had ask for an override of this determination.
5. Brian Bowers, Procurement Officer, presented a recommendation of bid award for Deep Creek Lake Sewer Pump Station Renovations (bid #05-0120). The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved an award to Pressure Concrete Incorporated for \$138,281.00.
 6. Carol Riley, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming week.
 7. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for February 15, 2005 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 carried by Chairman Gregg, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to address personnel and legal matters with County Attorney Gorman Getty. The same motion moved back into Public Session. The purpose of this session, called by Mr. Getty, was to discuss agreement entered into by the County, JMT Engineering Services, and Deep Creek Development (DCD) for wastewater engineering and design services.

8. The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to address economic development matters pertaining to Sisler Lumber Company. The same motion moved back into Public Session. Also in attendance for this session was Jim Hinebaugh, Director, Department of Economic Development.

ADMINISTRATIVE SESSION

1. Mr. Pagenhardt reviewed a number of correspondences and communications with the Board of County Commissioners.

2. Chairman Gregg, on behalf of the Board of County Commissioners, executed a quarterly progress report for the Community Development Block Grant Community Legacy Program.
3. The Board of County Commissioners, on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, approved land evaluation site assessment ranking guidelines for the Maryland Agricultural Land Preservation Foundation. The Board sent a letter under the signature of Chairman Gregg noting this decision.
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 recommended guidelines for the administration and monitoring of sponsored easements in the Bear Creek Rural Legacy Area. This program will provide direction to the County in order to verify that participants adhere to the terms of the conservation easement and facilitate the efficient management of the easements.
5. John Nelson, Director and staff with the Department of Planning and Land Development previewed changes to the Garrett County Building Permit and Inspection Ordinance that will be presented in a public hearing on March 1, 2005.
6. The Board of County Commissioners, Mr. Nelson and Mr. Pagenhardt reviewed requests to transfer equivalent residential units by M&M Development Corporation, LLC and Mid Lake Properties, II, Inc. The Board determined to defer any official action of approval or denial at this time. The county attorney is preparing explicit transfer criteria at this time and these requests will again be reviewed once this policy is officially adopted. Mr. Pagenhardt will send a letter to both entities explaining this action by the Board.
7. Mr. Pagenhardt informed the Board of County Commissioners that Roger Skipper, who had been appointed to the position of Project Manager, Construction/Preventative Maintenance on February 15, 2005, did not accept the offer of employment. Mr. Pagenhardt and Mr. Mullich will review other candidates interviewed and present a recommendation of appointment to the Board.
8. The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, re-appointed the following members to the Youghiogheny River Advisory Board. Official letters of appointment will be sent to each appointee under the signature of Chairman Gregg.
 - a) Bryson Thomas
 - b) Donald Sebold
 - c) Roger Zbel
 - d) Jerry Thayer
 - e) James Simms

- f) Shaun Sanders
- g) Mayor Asa McCain (City of Oakland)

ADJOURNMENT

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

Ernest J. Gregg, Chairman
Board of County Commissioners

Date