

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
May 6, 2008

IN ATTENDANCE

Chairman Dennis G. Glotfelty
Commissioner Ernest J. Gregg
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 Agenda for May 6, 2008. Mr. Pagenhardt noted several matters to be discussed during administrative session.
2. Minutes the Public Meeting of April 29, 2008 were read and approved on a motion by Commissioner Gregg, which was seconded by Commissioner Holliday, and made unanimous by Chairman Glotfelty.
3. The Board of County Commissioners, on a motion by Commissioner Gregg, which was seconded by Commissioner Holliday, and made unanimous by Chairman Glotfelty, approved and executed a Proclamation designating the week of May 10, to 16, 2008 as "National Tourism Week".
4. The Board of County Commissioners, on a motion by Commissioner Gregg, which was seconded by Commissioner Holliday, and made unanimous by Chairman Glotfelty, approved and executed a Proclamation designating May 2008 as "Military Service Personnel Support Month".
5. The Board of County Commissioners recognized the Garrett College Lady Lakers Basketball Team who was the 2008 NJCAA Region Division Champions and the Seventh Ranked Division II Junior College Team in the Nation.
6. The Board of County Commissioners had received a request for a formal response from Allegany County resident John Bambacus relative to eminent domain. Mr. Pagenhardt and County Attorney Gorman Getty had previously responded to a

claim/question by Mr. Bambacus stating that/asking if the Board would use their constitutional power of eminent domain as it relates to private property owners and wind turbine companies. The Board stated their position on this matter consistent with the statement prepared by Mr. Pagenhardt and County Attorney Gorman Getty.

7. Carol Riley, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming week.
8. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for April 29, 2008 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 Chairman Glotfelty, which was seconded by Commissioner Holliday, and made unanimous by Commissioner Gregg, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to discuss legislative, economic development, and personnel matters. The same motion adjourned the Executive Session.

Legislative and Economic Development action taken was in reference to Heritage Conservation Fund Projects. The State Department of Natural Resources (DNR) requested that the Board of County Commissioners concur with the purchase of the Miller/Wolf Swamp Property (SPM 19, Parcel 17, 211 +/-) and Newman Property (SPM 28, Parcel 29, 25.66 Acres). The Board of County Commissioners, on April 12, 2005 approved the purchase of this property by DNR and on this date will again support the acquisition. The Board also addressed other State/County matters with Senator George Edwards and Delegate Beitzel.

Personnel action taken by the Board on that date is reflected in executive meeting minutes, the County Office of Human Resources, and Mr. Pagenhardt.

9. The Purchasing Department presented the following recommendations of bid award to the Board of County Commissioners:
 - a) Invitation to Bid – Keysers Ridge Business Park Identification Signs (bid #08-0410S). The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Gregg, and made unanimous by Chairman Glotfelty, awarded a bid to Western Maryland Sign Service, Inc for a total bid price of \$24,922.87
 - b) Chains and Augers (bid #08-0424CA). The Board, on a motion by Commissioner Gregg, which was seconded by Commissioner Holliday, and made unanimous by Chairman Glotfelty, awarded a bid to Chemung Supply Corp. Specific bid prices is on file with the Purchasing Department.

- c) Invitation to Bid – Garrett County Insurance Plans. The Board, determined to defer a recommended award until further review of proposal.
10. The Board of County Commissioners conducted a Public Hearing to obtain the views of citizens on community development and housing needed, and to offer citizens the opportunity to hear and review plans for housing rehab applications which the Board propose to submit to the Maryland Department of Housing and Community Development for funding through the Community Development Block Grant (CDBG) Program. In addition the Board will review the progress and status of various projects currently funded by CDBG. These include the installation of the conveyor for the whitewater course at the Adventure Sports Complex (MD-07-Ed-71) and the Transit Center for Garrett Transit Service (MD-07-Ed-72). The Board, on a motion by Commissioner Gregg, which was seconded by Commissioner Holliday, and made unanimous by Chairman Glotfelty closed the Public Hearing and executed a Resolution authorizing the submittal of an application for funding in the amount of \$100,000 for the proposed County Home Rehabilitation Project.
 11. The Board of County Commissioners, on a motion by Commissioner Gregg, which was seconded by Commissioner Holliday, and made unanimous by Chairman Glotfelty, executed Resolution 2008-7 and Ordinance 2008-8 enacting an amended Mobile Home Campground Tax Ordinance duly adopted on April 29, 2008. The effective date will be July 1, 2008.

ADMINISTRATIVE SESSION

1. Rodney Glotfelty, County Health Officer informed the Board of County Commissioners that the Maryland Department of Health and Mental Hygiene (DHMH) Office of Preparedness and Response (OP&R) is coordinating the purchase of antiviral medication for use during an influenza pandemic for state and local government. The Board, on a motion by Commissioner Gregg, which was seconded by Commissioner Holliday, and made unanimous by Chairman Glotfelty, agreed to a recommendation by Mr. Glotfelty that the Board execute a letter to DHMH requesting that the Garrett County Health Department be permitted to fund sufficient quantities out of their Fiscal Year 2008 operating funds.
2. The Board of County Commissioners met with John Nelson, Director, Department of Planning and Land Development and James Hinebaugh, Director, Department of Economic Development to discuss the construction date deferral for Wisp Adventure Road. DCD requested that the Board send a letter indicating their official decision to not proceed with the road construction, to include a commitment for the completion of design, applying for permits, and identifying/pursuing necessary

property acquisitions at some point in the future premised upon the availability of funding.

3. Mr. Pagenhardt reviewed a number of correspondences and communications with the Board of County Commissioners.
4. The Board of County Commissioners reviewed a letter from the Mayor and Town Council of Mountain Lake Park asking that the Board approve a transfer of USDA funds (\$72,829.50) from the B&O Walking Trail Project to the Crystal Springs Trail Project. The Board agreed to this request and will notify the State Department of Natural Resources of this decision.
5. Mr. Hinebaugh reviewed a request on behalf of Adventure Sports Center International to abate the amusement tax for Fiscal Year 2009. (The Board had abated this local tax for Fiscal Year 2008.) Commissioner Gregg entered a motion to grant abatement on a year-by-year basis, which was seconded and carried by Chairman Glotfelty. Commissioner Holliday voted in opposition to the motion.
6. Mr. Pagenhardt reviewed a letter from the Mayor and Town Council of Accident requesting that the Board of County Commissioners approve payment of \$3,900 in lieu of a tax differential setoff to be designated for the installation of a stormwater collection box on Accident – Friendsville Road. The Board, on a motion by Commissioner Gregg, which was seconded by Commissioner Holliday, and made unanimous by Chairman Glotfelty, approved this request.
7. The Board of County Commissioners, on a motion by Commissioner Gregg, which was seconded by Commissioner Holliday, and made unanimous by Chairman Glotfelty, appointed Lynn Bell to the Garrett County Commission on Women. An official letter of appointment will be sent to Ms. Bell under the signature of Chairman Glotfelty.

ADJOURNMENT

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

Dennis G. Glotfelty, Chairman
Board of County Commissioners

Date