

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
November 20, 2012

IN ATTENDANCE

Chairman James M. Raley
Commissioner Gregan T. Crawford
Commissioner Robert G. Gatto

County Administrator R. Lamont Pagenhardt

ADMINISTRATIVE SESSION

1. The Board of County Commissioners discussed the following issues related to Deep Creek Lake. John Nelson, Director, Department of Planning and Land Development was in attendance for this session.
 - a) Zoning boundaries for the Deep Creek Watershed as defined in the 2008 Garrett County Comprehensive Plan and Deep Creek Watershed Zoning Ordinance
 - b) Follow up discussion on dialog with the Secretary of the Department of Natural Resources on November 14, 2012
 - c) Follow up discussion on communication received as a result of the November 14, 2012 Public Information Meeting conducted by the Secretary of the Department of Natural Resources
 - d) Other Deep Creek Lake and related matters
2. As a result of attending the November Meeting of the Garrett County Forestry Board Commissioner Crawford presented a briefing on gypsy moth suppression costs estimated for Garrett County for the spring of 2013. Wendy Yoder, Director, Department of Financial Services was in attendance for this session.
3. Mr. Pagenhardt reviewed a number of administrative and managerial matters under his authority and jurisdiction with the Board of County Commissioners to include budgetary subjects related to Deep Creek 2014, Garrett College, and County Government. Ms. Yoder was in attendance for this session.
4. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, approved and authorized Chairman Raley and Mr. Pagenhardt to execute at Resolution endorsing and supporting the Garrett County Chamber of Commerce, Inc.'s grant application to the Maryland Department of Business and Economic Development in the amount of \$25,000 for the development of a County Branding Study in support of the County's Economic Development Strategic Plan.

PUBLIC SESSION

CALL TO ORDER OF PUBLIC SESSION

PRAYER & PLEDGE OF ALLEGIANCE

1. Additions/deletions to public meeting agenda. Mr. Pagenhardt indicated there were no additions or deletions to the Public Meeting Agenda for November 20, 2012. The Board of County Commissioners, on a motion by Commissioner Gatto, which was seconded by Commissioner Crawford, and made unanimous by Chairman Raley, approved the Public Meeting Agenda for November 20, 2012.
2. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, approved the Public Meeting Minutes for October 16, 2012, Administrative Session of October 23, 2012, Executive Session of October 23, 2012, Administrative Session of November 5, 2012, and Administrative Session of November 14, 2012.
3. The Board of County Commissioners, on a motion by Commissioner Gatto, which was seconded by Commissioner Crawford, and made unanimous by Chairman Raley, approved a recommendation of bid award (bid #12-1011AF) for Aviation Gasoline Grade 100 LL to Purvis Brothers, Inc. and for Aviation Turbine Fuel – Jet A to Arrow Energy. Price per gallon based on number of gallons for each product is on file with the Purchasing Department.
4. The Board of County Commissioners presented legislative matters to Senator George Edwards and Delegate Wendell Beitzel which will be presented to the Maryland General Assembly during the 2013 Session:
 - a) A request by the Board of County Commissioners that the Maryland General Assembly provide legislative authority to the Board on behalf of the Board of Governors of Garrett County Memorial Hospital authorizing and empowering the Board of County Commissioners of Garrett County to borrow not more than \$15,000,000 in order to assist in the financing of the cost of hospital improvements at Garrett County Memorial Hospital.
 - b) A request by the Board of County Commissioners that the Maryland General Assembly provide the Board with enabling authority for the purpose of requiring that certain wind energy conversion systems comply with certain setback requirements; authorizing certain variances under certain circumstances; requiring that before a permit is issued for certain wind energy conversion systems, the Garrett County Department of Planning and Land Development retain at the applicant's expense a certain professional engineer to prepare a certain cost estimate and require the applicant to post a certain bond; requiring that the bond be held as surety for certain purposes; requiring, on completion of the construction of certain wind energy conversion systems and on a certain periodic basis, the Department to retain at the applicant's expense a certain professional engineer for certain purposes; authorizing the Department to alter the amount of a certain bond under certain circumstances; providing for the release of a bond under certain circumstances; authorizing the Department to require a certain owner to

decommission and restore a certain pad site under certain circumstances; authorizing the use of a certain bond under certain circumstances; defining certain terms; providing that a certain rule, regulation, law, or ordinance for zoning of wind energy conversion systems supersedes this Act; providing for the application of this Act; providing for the termination of this Act; making this Act an emergency measure; and generally relating to wind turbines in Garrett County.

The Garrett County Liquor Control Board presented the following proposed and to be requested legislative matters which will be included in the Garrett County 2013 Legislative List:

- a) Add Class "B" B&B specific for Garrett County to the Corkage BYOW regulations.
 - b) Sunday Sales—request to allow Class "D" establishments in an approved district to sell on Sunday with a "meal" as long as they have a full kitchen capable of serving "full course meals to at least 20 or more seated persons at tables not including seats at bars or counters" and approval from the Board of License Commissioners.
 - c) Sunday Sales – add "In an election district with a precinct in which the voters in a referendum authorized by law approved Sunday sales.
 - d) Wine Festival –update the approved Sunday Sales districts to include 1, 6, 7, & 9. May reword to say in an approved election district or election district with a precinct. In accordance with 11-512 (c).
 - e) Refillable containers.
 - f) Deluxe BDR Beer & Wine License.
 - g) Kegs of beer returned on a Sunday.
 - h) Beer Festival create new festival license.
5. The Board of County Commissioners discussed the adoption of a Deep Creek Lake Shoreline Stabilization Projects Incentive Program Policy which will be considered for approval and adoption. The agenda had originally noted that an adoption of this policy on this date; however, Commissioner Crawford entered a motion to defer this matter at this time. Chairman Raley seconded this motion which was made unanimous by Commissioner Gatto.
 6. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, appointed Karl Schwalm to the Board of Trustees of the Ruth Enlow Library of Garrett County. An official letter of appointment outlining the terms of the appointment will be sent to Dr. Schwalm under the signature of Chairman Raley.
 7. Public Commentary. David Nelson voiced his opinion on wind turbine control and requested that the Board of County Commissioners pursue definitive controls and to consider forwarding prior draft language for land use management back to the Planning Commission.
 8. Carol Riley-Alexander, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming weeks.
 9. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for October 23, 2012 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 Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, moved into Executive Session under section 10-508 of the

Maryland Open Meetings Law on this date to discuss personnel matters related to Deep Creek 2014. The same motion ended the Executive Session.

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

James M. Raley, Chairman
Board of County Commissioners

Date