

BOARD OF GARRETT COUNTY COMMISSIONERS

PUBLIC MEETING

Monday, October 2, 2023

Meeting was also Live Streamed at <https://www.facebook.com/garrettcountygovernment/>

IN ATTENDANCE

Chairman Paul C. Edwards
Commissioner Ryan S. Savage
Commissioner S. Larry Tichnell

County Administrator Kevin G. Null

ADMINISTRATIVE SESSION

1. Discussion – The Board of County Commissioners discussed a letter from the Garrett County Planning Commission (Attached) requesting an amendment to the Deep Creek Watershed Zoning Ordinance prohibiting the use of shipping containers as dwelling units. The Board of County Commissioners will take no action at this time.
2. **Board Appointments/Reappointments** - The Board of County Commissioners, on a motion by Commissioner Savage, which was seconded by Commissioner Tichnell, and made unanimous by Chairman Edwards, appointed/reappointed the following individuals:
 - ❖ Garrett County Health Planning Council – 3-Year Terms.
Appointments
Laura Robinson
Thomas Vose
 - ❖ Garrett County Mental Health Advisory Council – Appointment of Jodi Ellsworth – Ms. Ellsworth is fulfilling the unexpired term of Christina Davis. This appointment is for the local general hospital agency representative. This term will end June 30, 2026.
 - ❖ Garrett County Police Accountability Board – 1 member – Three Year Term – David Baker as the Retired – Sworn Law Officer Representative. This term will end August 22, 2026.
3. The Board of County Commissioners heard citizen complaints concerning noise and unruly behavior at a Transient Vacation Rental Unit (TVRU) property in their neighborhood. County staff will review this complaint with the Garrett County Sheriff's Office and the rental company and then refer this matter to the County Attorney.
4. Mr. Null reviewed a number of administrative, non-privileged personnel, and managerial matters under his authority and jurisdiction with the Board of County Commissioners.

CALL TO ORDER OF PUBLIC SESSION at 4:00 PM

PRAYER & PLEDGE OF ALLEGIANCE – Invocation by Commissioner Tichnell

PUBLIC SESSION

1. Mr. Null indicated no addition or deletion to the Public Meeting Agenda. The Board of County Commissioners, on a motion by Commissioner Tichnell, which was seconded by Commissioner Savage, and made unanimous by Chairman Edwards, approved the Public Meeting Agenda for October 2, 2023.

2. The Board of County Commissioners, on a motion by Commissioner Savage, which was seconded by Commissioner Tichnell, and made unanimous by Chairman Edwards, approved the Public Meeting Minutes of September 11, 2023.

3. **PROCLAMATIONS:**

- ❖ I Can Swim Month – October 2023. 2023 is the 12th anniversary of this program. To date, 3,482 children have gone through the program.
- ❖ National Digital Inclusion Week – October 2-6, 2023

4. **RECOGNITION:** Sunrise Sanitation – 45th Anniversary

5. The Garrett County Department of Financial Services - Purchasing Division presented the following recommendation:

Contract Award – Request for Proposal #23-0815: Preliminary Engineering and Environmental Reports Chestnut Ridge & Jennings Sewer Collection System

Six (6) responses were received for this Request for Proposal: RK&K (\$18,900.00), George's Miles & Buhr, LLC (\$39,500.00), ARRO Consulting, Inc. (\$86,670.00), Keller Engineering, Inc. (\$29,440.00), Sand Flat Engineering, LLC (\$22,750.00), New River Engineering (\$38,000.00).

After reviewing and evaluation of the proposals, the Selection Committee recommended that a contract for preparation of Preliminary Engineering and Environmental Reports Chestnut Ridge & Jennings Sewer Collection System, be awarded to Sand Flat Engineering, LLC for a total cost of \$22,750.00.

The Board of County Commissioners, on a motion by Commissioner Tichnell, which was seconded by Commissioner Savage, and made unanimous by Chairman Edwards, approved the Request for Proposal Award as recommended.

6. Recognition of John Henry Frank on his retirement as the Director of Garrett County Department of Emergency Management. The Board of County Commissioners presented Director Mr. Frank with a certificate and clock on his retirement after 16 years with Garrett County Government.

Chairman Edwards commented on John's lifelong service to the Community his accomplishments include:

- Retired as Ranger from Department of Natural Resources in 2004 as a master diver, search leader, paramedic, and tactical officer
- Retired from the Garrett County Sheriff's Department in 2005 as a Deputy
- In the aftermath of Superstorm Sandy, Governor Martin O'Malley appointed Mr. Frank as Director of the Department of Emergency Management to help the state and county improve the ability to respond to weather disasters.
- Instrumental in the acquisition and construction of the Garrett County Emergency Operations Center located in McHenry.
- Member and paramedic for the Northern Garrett County Rescue Squad
- Emergency Service Continuing Education Instructor
- Forensic Investigator

Mr. Frank is recognized not only in the State of Maryland, but in the surrounding areas for his knowledge and expertise.

7. **PUBLIC COMMENTARY:** None

8. **ANNOUNCEMENTS:**

- ❖ The Board of Garrett County Commissioners announced that the next Public Meeting will be held on Tuesday, October 17, 2023, at 4:00 p.m. at the Garrett County Courthouse.

ADJOURNMENT: The Board of County Commissioners, on a motion by Commissioner Savage, which was seconded by Commissioner Tichnell, and made unanimous by Chairman Edwards, adjourned the Public Meeting at 4:22 P.M.

Attest:

By Order of the Board,

KEVIN G. NULL
County Administrator

PAUL C. EDWARDS, Chairman
Board of County Commissioners

GARRETT COUNTY DEPARTMENT OF PLANNING & LAND MANAGEMENT

203 S. Fourth St. – Room 208

Oakland, Maryland 21550

Phone: 301-334-1920 - Fax: 301-334-5023

e-mail: planning@garrettcounty.org

August 22, 2023

Board of Garrett County Commissioners

203 S. Fourth Street

Oakland, MD 21550

Gentlemen:

Beginning in April, the Garrett County Planning Commission had multiple discussions during their recent monthly meetings about amending the Deep Creek Watershed Zoning Ordinance to regulate the use of shipping containers. Shipping containers are not currently defined or regulated in the Zoning Ordinance so there are no specific prohibitions against using them as dwelling units or accessory structures. After much discussion the Planning Commission decided that shipping containers should not be permitted to be used as dwelling units or permanent accessory structures. The Zoning Ordinance would continue to allow shipping containers to be used in a temporary manner when accessory to an active construction project.

After consideration of these issues the Planning Commission voted to endorse the attached amendments during their August 2, 2023, meeting and transmit them to the County Commissioners. The Planning Commission appreciates your consideration and offers this report for your further action.

Sincerely,

A handwritten signature in cursive script that reads "Chad E. Fike".

Chad E. Fike, Assistant Director
Planning & Land Management

PROPOSED AMENDMENTS TO THE DEEP CREEK WATERSHED ZONING ORDINANCE

Shipping containers are not currently defined or regulated in the Deep Creek Zoning Ordinance so there are no specific prohibitions against using them as dwelling units or accessory structures. The following amendments would add such regulations to the Ordinance:

1. Add a new Definition to read as follows: 157.007.B.(63)B. *SHIPPING CONTAINER*. A reusable metal vessel originally designed for use in traffic of freight and mounted on a rail car, truck or ship. Also referred to as an intermodal freight container or ISO container.
2. Amend Section 157.024 Table of Use Regulations by adding a new Section 157.024(B)21 "Shipping Container(s) converted for used as a Dwelling". The use shall be listed as "not permitted" in all zoning districts.
3. Amend Section 157.024 024 Table of Use Regulations by adding a new Section 157.024(G)4.k "Shipping Container(s) used as an Accessory Structure (except as a temporary use under section 157.024.(G).4.c)". The use shall be listed as "not permitted" in all zoning districts.