

***BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
AUGUST 24, 2004***

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 Meeting of August 24, 2004.
2. Minutes of the Public Meeting of August 10, 2004 and Executive Session of August 10, 2004 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, approved a Policy and executed a Resolution for the Reservation of Capacity of the Deep Creek Lake Wastewater Treatment Plant.
4. The Board of County Commissioners was briefed on the water pressure change for residents and users of the Bloomington Water Sanitary District. This session was scheduled at the request of residents to address this matter. Staff from the Department of Public Utilities explained the justification for this system-wide change. The Board supported the position that the Department has taken on this issue, which was not to change the modified pressure for the System. (After this session had begun the Office of the County Commissioners received a call from a spokesperson for residents indicating they would not attend.)
5. Mr. and Mrs. Alan Birkby met with the Board of County Commissioners to discuss the status of ownership for Sherman Hare Road. Fred Polce, General Superintendent, Garrett County Roads Department was in attendance for this session as well as Arthur Refosco, Garrett County Board of Education Director of Transportation, and Major Gary

Berkebile, Chief Deputy, Garrett County Sheriff's Department. Prior to this session, Mr. Pagenhardt and Mr. Polce had referred this question to the county attorney for an opinion. This opinion reads that this road is not in the County Roads Inventory. Mrs. Birkby also informed the Board and those in attendance of a conflict with Donald Broom, a neighbor who, according to Mrs. Birkby, has attempted to restrict the use of the road for public access. Mrs. Birkby requested that the Board consider maintaining the road and she and Mr. Birkby would provide the required right-of-way to allow for adequate passage of school bus travel. Mr. Pagenhardt explained the policy for consideration and inclusion of any road into the County Roads Inventory. Major Berkebile explained the civil and legal direction Mr. and Mrs. Birkby should follow to address the restriction of usage issue with Mr. Broom.

6. The Procurement Office presented the following recommendations of bid award to the Board of County Commissioners:
 - a) Tri-Axle Dump Truck (bid #04-0810). Approved as recommended to Fyda Freightliner Pittsburgh, Inc. for \$123,277 on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg.
 - b) Automatic Self-Priming Portable Pump (bid #04-0720P). Approved as recommended to Godwin Pumps of America, Inc. for \$27,496 on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg.
 - c) Engineering Services-Gorman Sewer System (bid #04-0701). Approved as recommended to Thrasher Engineering for \$47,500 on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg.
7. The Procurement Office, on behalf of the Board of County Commissioners conducted a bid opening for Bituminous Concrete Paving-Weber Road Refuse Collection Site (bid #04-0824P). All bids received will be reviewed and presented to the Board for final bid award.
8. Carol Riley, Secretary to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming week.
9. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for August 10, 2004 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 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 personnel matters. The same motion moved back into Public Session.

In attendance for this session was Gary Mullich, Director, Department of General Services. Mr. Pagenhardt reviewed the interview process and appointment recommendation for Aviation Supervisor with the Garrett County Airport. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, appointed Earl Chappell to this position. Mr. Pagenhardt will send an official letter of appointment to Mr. Chappell outlining all terms and conditions of this appointment.

Mr. Pagenhardt also presented a recommendation of appointment to the Board of County Commissioners for stormwater management engineer. Fred Polce, General Superintendent, Garrett County Roads Department, and Mr. Pagenhardt had recommended Reginald Breeding for this position. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, appointed Mr. Breeding to this position. Mr. Pagenhardt will send an official letter of appointment outlining all terms and conditions of this appointment.

10. In accordance with Senate Bill 277, the Board of County Commissioners announced the execution of the privately negotiated agreement at this, the first Public Meeting following the agreement for the sale of property located on Fourth and Green Streets by the Board to Grace Reformed Church for \$32,950. The Board had declared the property as surplus property.

ADMINISTRATIVE SESSION

1. Mr. Pagenhardt reviewed a number of correspondences and communications with the Board of County Commissioners.
2. Chairman Gregg, on a behalf of the Board of County Commissioners, executed a repayment letter of agreement between the Board and Maryland Department of Housing and Community Development – Maryland Community Development Block Grant Program Project No. MD-99-CD-36 – Jennings Head Start.
3. The Board of County Commissioners, on a motion by Commission Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, appointed Jacqueline Piper to the position of secretary with the Department of Public Utilities. Mr. Pagenhardt will send an official letter of appointment to Ms. Piper outlining the terms and conditions of employment.
4. Jim Hinebaugh, Director, Department of Economic Development updated the Board on a number of matters related to this department.

ADJOURNMENT

Attest:

R. Lamont Pagenhardt,
County Administrator

Date

By Order of the Board,

Ernest J. Gregg, Chairman
Board of County Commissioners