

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
NOVEMBER 10, 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 addition and no deletions to the Public Agenda. County Attorney Gorman Getty requested time with the Board of County Commissioners to discuss legal matters.
2. Minutes of the Public Meeting of November 1, 2005 and Executive Session of November 1, 2005 were read and approved on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg.
3. Fred Polce, General Superintendent, County Roads Department briefed the Board of County Commissioners on the following subjects:
 - a) Update on cleanup as an aftermath of the recent storms.
 - b) Possible project partnership with State Highway Administration on State/County road intersections. Further communication will be scheduled.
 - c) Paving will resume in the spring of 2006 with shoulder work scheduled to be completed by November 12. Line stripping will also be completed however scheduling this with the contractor has been difficult to do.
 - d) Other matters.
4. Wendy Yoder, Director, Department of Financial Services briefed the Board of County Commissioners on the following subjects:
 - a) Loan documents for interim financing for Garrett County Sanitary District, Inc. - Deep Creek Lake Wastewater Treatment Plant for \$8,800,000 were

executed by the Board of County Commissioners, Mr. Pagenhardt, and County Attorney Gorman Getty.

- b) Notice that an extension of Fiscal Year 2005 Financial Audit has been requested until December 31, 2005.
 - c) Update of Bay Restoration Fee and the role that Garrett County Government has in the collection of this State mandated fee. Including financial hardship exemption. In attendance for this discussion was Mary DiSimone, Office Coordinator with the Department of Public Utilities.
 - d) Other matters.
5. Representatives with *Garrett Countians for Smart Growth* met with the Board of County Commissioners to present their opinion on the proposed Oakland Bypass – Route 219 Realignment Project. In attendance for this session were the elected officials from the Town of Oakland; staff with the State of Maryland Department of Transportation – State Highway Administration; and John Nelson, Director, Department of Planning and Land Development. A number of individuals in attendance voiced their opinion of opposition to the project and requested future meetings to address.
 6. The Board of County Commissioners conducted a Public Hearing on this date to receive public commentary for consideration of an Amendment to the Garrett County Water and Sewer Master Plan that would include the Town of Loch Lynn Heights proposed sewer system rehabilitation project, which would reduce the excessive infiltration and inflow in the Trout Run Wastewater Treatment Plant. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, closed the Public Hearing. The Board, on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, approved the amendment as presented.
 7. Linda Moon, a resident of Mountain Lake Park met with the Board of County Commissioners to express her opinion on the cost of her water and sewer service. The Board indicated that they would request the Department of Public Utilities review this situation and that of other residents in this municipality. Also in attendance for this session was Mary Ellen Nasif, Garrett County Disability Advocate who presented the Board with a letter that addressed concerns with the cost of water and sewer service in the Town of Mountain Lake Park.
 8. Brian Bowers, County Purchasing Agent, presented the Board of County Commissioners with a recommendation of bid for Sale of Surplus County Property – Harvested Timber (bid # 05-1027) to EDG Logging, LLC for \$550.00. The Board, on a motion by Commissioner Holliday Beard, which was seconded by Chairman Gregg, and made unanimous by Commissioner Beard, approved this recommendation.

9. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for November 1, 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 Commissioner Holliday, and made unanimous by Chairman Gregg, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to discuss personnel issues. The same motion moved back into Public Session.

In attendance for this session was County Roads General Superintendent Fred Polce. The issue addressed a personnel recommendation by Mr. Pagenhardt and Mr. Polce that the Board of County Commissioners take executive disciplinary action. Due to pending petition for grievance appeal, this matter will not be disclosed in these public minutes.

10. Carol Riley, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming week.

ADMINISTRATIVE SESSION

1. Mr. Pagenhardt reviewed a number of correspondences and communications with the Board of County Commissioners.
2. Mr. Pagenhardt presented recommendations of appointment to the Board of County Commissioners.
 - a) Recommendation to appoint Robert Witt to the position of meter reader/line locator with the Department of Public Utilities. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved this recommendation of appointment. Mr. Pagenhardt will send an official letter of appointment to Mr. Witt outlining all terms and conditions of employment.
 - b) Recommendation to appoint Andrew Lewis to the position of operator with the Department of Public Utilities. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved this recommendation of appointment. Mr. Pagenhardt will send an official letter of appointment to Mr. Lewis outlining all terms and conditions of employment.
 - c) Recommendation to transfer Jackie Piper from the Department of Public Utilities to the Department of Planning and Land Development – Permits and Inspection Division as Administrative Assistant II. The Board, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, approved this recommendation of

appointment. Mr. Pagenhardt will send an official memorandum of appointment to Ms. Piper outlining all terms and conditions of this transfer.

3. County Attorney Gorman Getty was in attendance and he and Mr. Pagenhardt presented the following matter to the Board of County Commissioners. The Board, on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, executed an agreement by and between the Board of County Commissioners of Garrett County, Maryland ("the County") and the Franklin Family Trust, George H. Garfield and Robert B. Deans, Jr., Trustees, and P.S.E. Family L.P. ("the Owners"). This Agreement states the transfer equivalent residential units to the County and eradication of debt obligation by the Owners.
4. Chairman Gregg and Mr. Pagenhardt executed a Letter of Intent to Extend Contract between Beverly Williams and the Department of Economic Development for Small Business Development Specialist.

ADJOURNMENT

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

Ernest J. Gregg, Chairman
Board of County Commissioners

Date