

**BOARD OF GARRETT COUNTY COMMISSIONERS**  
**PUBLIC MEETING**  
**August 7, 2012**

**IN ATTENDANCE**

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

*County Administrator R. Lamont Pagenhardt*

**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 August 7, 2012. Commissioner Crawford requested that the Board review a request for funds from the Barn Quilt Association. 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 August 7, 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 July 17, 2012, Executive Session of July 17, 2012, Executive Session of July 24, 2012, Administrative Session of July 24, 2012, Executive Session of July 31, 2012, and Administrative Session of July 31, 2012.
3. The Board of County Commissioners provided an update on boards, commissions, and committees dates.
4. The Board of County Commissioners recognized the Garrett County Employee Relay for Life Team and expressed their appreciation to all who participated and helped on this effort.
5. Linda Lindsey, Director, Department of Public Utilities presented the Board of County Commissioners with a summary of refinancing the Garrett County Sanitary District, Inc. debt obligations. The Department of Public Utilities has received very favorable terms and a rate from Susquehanna Bank for 3.5% interest for 20 years fixed term for a total principal amount \$35 million with a savings of \$1.8 million over the 20 year period. Bond counsel has advised that the Board is required to approve and execute the following Resolutions:
  - a) The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, authorized Chairman Raley and Mr. Pagenhardt to execute a Resolution of the Garrett County Sanitary District, Inc. authorizing the issuance of 4 bonds in a total aggregate principal amount not to exceed \$35,000,000.

- b) The Board, on a motion by Commissioner Gatto, which was seconded by Commissioner Crawford, and made unanimous by Chairman Raley, authorized Chairman Raley and Mr. Pagenhardt to execute a Resolution of the Board of County Commissioners concurring in the adoption of the Resolution outlined in (a) of this session of these Public Meeting Minutes and passed by the Board of County Commissioners acting as the governing body of the Garrett County Sanitary District, Inc.
6. Ms. Lindsey also requested the Board to approve the following maintenance agreements between the Board of County Commissioners and the following parties:
- a) Bruceton Farm Service, Inc. The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley authorized Chairman Raley and Mr. Pagenhardt to execute this agreement.
  - b) The Mayor and Town Council of Accident, Maryland. The Board, on a motion by Commissioner Gatto, which was seconded by Chairman Raley, and made unanimous by Commissioner Crawford authorized Chairman Raley and Mr. Pagenhardt to execute this agreement.
  - c) Ridgidply Rafters, Inc. The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley authorized Chairman Raley and Mr. Pagenhardt to execute this agreement.
  - d) The Mayor and Town Council of Mountain Lake Park, Maryland. The Board, on a motion by Commissioner Gatto, which was seconded by Chairman Raley, and made unanimous by Commissioner Crawford authorized Chairman Raley and Mr. Pagenhardt to execute this agreement.
7. Michael Logsdon, Interim Executive Director, Adventure Sports Center International, (ASCI) presented an update and overview of the operations and activities.
8. The Board of County Commissioners, on a motion by Commissioner Gatto, which was seconded by Commissioner Crawford, and made unanimous by Chairman Raley, appointed Rodney Reckart to fill the remaining term of Rodney Durst on the Garrett County Board of Education to represent Election District 3. An official letter of appointment will be sent to Mr. Reckart under the signature of Chairman Raley.
9. Duane Yoder, President, Garrett County Community Action Committee addressed the Board of County Commissioners on the possible use of the former Kitzmiller Elementary School for Head Start Center and/or Senior Center. The Board of Education, who currently holds title to the facility, has agreed to this use; however, Mr. Yoder will not proceed with a long-term use without an agreement from the Board of County Commissioners when the property is transferred to the County. The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, approved this request as presented and requested.
10. Mr. Yoder also requested a 3-year 100% real property tax abatement for East Hill which the Board, on a motion by Commissioner Gatto, which was seconded by Commissioner Crawford, and made unanimous by Chairman Raley, approved this request for abatement.
11. Public Commentary.

12. Carol Riley-Alexander, Executive Assistant to the Board of County Commissioners and County Administrator reviewed the boards and committee schedule for the Board for the forthcoming weeks.
13. Commissioner Crawford entered a motion to appropriate \$500 to the Barn Quilt Association for their festival that is scheduled for September 22, 2012, which was seconded by Chairman Raley, and made unanimous by Commissioner Gatto.
14. The Board of County Commissioners conducted a **Public Hearing** to review a proposal submitted by the Garrett County Planning Commission to amend the Garrett County Subdivision Ordinance to include a new category of Minor Subdivision for the purpose of complying with the provisions of the Sustainable Growth and Agricultural Preservation Act of 2012. The proposed amendment would modify Section 159.016(53) of the County Subdivision Ordinance as specified in SB 236 "Sustainable Growth and Agricultural Preservation Act of 2012". The Act allows local governments to amend their ordinances to redefine minor subdivisions to include up to (7) new residential lots applicable solely for the purposes of the Act (see also attached provisions from the Act, second page for "minor").

Public commentary was received from Paul Durham who asked the Board to support and approve the Amendment as presented. The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, closed the *Public Hearing* and approved the Amendment.

15. Brian Bowers, Purchasing Agent presented the following issues to the Board of County Commissioners:
  - a) Update and request for approval of the County Energy Conservation Plan. The Board, on a motion by Commissioner Gatto, which was seconded by Commissioner Crawford, and made unanimous by Chairman Raley, approved the Plan as presented.
  - b) Approval of sale of County property on Francis Sanders Drive (0.75 acres + 0.11 +/- acres) to Sue Bittinger. The Board, on a motion by Commissioner Crawford, which was seconded by Commissioner Gatto, and made unanimous by Chairman Raley, declared the parcel as surplus and will allow the Purchasing Department to proceed with the solicitation of bids for the sale of the property.
16. The Board of County Commissioners, on a motion by Commissioner Gatto, which was seconded by Commissioner Crawford, 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 economic development matters. The same motion ended the Executive Session.
17. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for July 17, 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 Gatto, which was seconded by Commissioner Crawford, 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. The same motion ended the Executive Session. Due to the subject matter of each issue there will be no public disclosure.

18. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for July 24, 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 Gatto, which was seconded by Commissioner Crawford, 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. The same motion ended the Executive Session. Due to the subject matter of each issue there will be no public disclosure.

19. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for July 31, 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 Gatto, which was seconded by Commissioner Crawford, 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 economic development and personnel matters. The same motion ended the Executive Session. Due to the subject matter of each issue there will be no public disclosure.

#### **ADMINISTRATIVE MATTERS**

Mr. Pagenhardt updated/reviewed informational, administrative and pending issues under his jurisdiction/authority with the Board of County Commissioners.

**Attest:**

**By Order of the Board,**

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R. Lamont Pagenhardt,  
County Administrator

\_\_\_\_\_  
James M. Raley, Chairman  
Board of County Commissioners

\_\_\_\_\_  
Date