

**BOARD OF GARRETT COUNTY COMMISSIONERS**  
**PUBLIC MEETING**  
**December 3, 2018**

**IN ATTENDANCE**

**Chairman Paul C. Edwards**  
**Commissioner James C. Hinebaugh, Jr.**  
**Commissioner S. Larry Tichnell**

**County Administrator Kevin G. Null**

**ADMINISTRATIVE SESSION**

There was no Administrative Session held.

**CALL TO ORDER OF PUBLIC SESSION at 4:06 PM**

**PRAYER & PLEDGE OF ALLEGIANCE - Invocation by Commissioner Tichnell**

**PUBLIC SESSION**

1. Mr. Null indicated there was no addition or deletion to the Public Meeting Agenda. The Board of County Commissioners, on a motion by Commissioner Hinebaugh, which was seconded by Commissioner Tichnell, and made unanimous by Chairman Edwards, approved the Public Meeting Agenda for December 3, 2018.
2. The Board of County Commissioners, on a motion by Commissioner Tichnell, which was seconded by Commissioner Hinebaugh, and made unanimous by Chairman Edwards, approved the Public Meeting Minutes of November 5, 2018.
3. **ROAD NAME RESOLUTION RN18-5**  
Garrett County Department of Planning & Land Management - JB Churchill, GIS Specialist, requested approval of a name for the new road – Smith Cove Road (Back of Beyond Subdivision located off of North Shoreline Drive).

The Board of County Commissioners, on a motion by Commissioner Hinebaugh, which was seconded by Commissioner Tichnell, and made unanimous by Chairman Edwards, adopted Resolution RN 18-5.

4. **GARRETT COUNTY HAZARD MITIGATION PLAN 2018 ADOPTION**  
On November 5, 2018 the Board of County Commissioners was presented with a draft Garrett County Hazard Mitigation Plan 2018. At that time the Board determined to keep the public commentary record open until this date. There was no public commentary received.

The Board, on a motion by Commissioner Tichnell, which was seconded by Commissioner H, and made unanimous by Chairman Edwards, closed the public commentary period and approved the Plan as prepared. The Board and Mr. Null executed the signature promulgation page.

**5. RESOLUTION 2018 – 8: MCHENRY BUSINESS PARK LOT TRANSFER**

Sale of Lot 16 consisting of 3.0 acres, at the McHenry Business Park to Free State Cooperage, LLC, a Maryland Limited Liability Company, for the sum of Sixty Thousand Dollars (\$60,000.00) in consideration for the construction of a 5,000 – 8,000 square foot building on the property to be utilized by Free State Cooperage, LLC who will make a capital investment of \$1,000,000.00 and agreed to hire at least ten (10) full employees within four (4) years of the execution of the contract of sale.

The Board of County Commissioners, on a motion by Commissioner Hinebaugh, which was seconded by Commissioner Tichnell, and made unanimous by Chairman Edwards, approved Resolution 2018-8. Chairman Edwards and Mr. Null executed the Resolution on behalf of the Board to this transfer of property to include a Resolution allowing the plat to be recorded.

**6. GARRETT COUNTY PUBLIC WORKS – ROADS DIVISION – WINTER OPERATIONS UPDATE**

Roads Division Chief, Paul Harvey, provided an update to the Board of County Commissioners on the Winter Operations Plan for the upcoming season.

**7. 2019 LEGISLATIVE REQUESTS – SENATOR GEORGE EDWARDS AND DELEGATE WENDELL BEITZEL**

The Board of County Commissioners presented a list to the Senator and Delegate of its 2019 Legislative Requests (attached).

**8. PUBLIC COMMENTARY:**

- Announcement – Tuesday, December 18, 2018 a Garrett County Courthouse Holiday Open House will be held from 4:30 – 6:00 p.m. with holiday music and light refreshments.
- The 2019 Legislative Meeting with Delegation will be held at Garrett College at 6:30 p.m. on this date.
- Question on the State financing formula for school funding – how can it be changed. Senator Edwards stated that the Kirwan Commission was specifically asked to address this issue and is looking at the formula. However, not sure what the final recommendation may be. Commissioner Edwards, who is involved with school funding commission through the Maryland Association of Counties, stated that if Kirwan passes it probably will not help Garrett County with funding.

9. The Board of Garrett County Commissioners announced that the next Public Meeting will be held on Tuesday, December 18, 2018 at 4:00 p.m. at the Garrett County Courthouse.

**ADJOURNMENT:** The Board of County Commissioners, on a motion by Commissioner Tichnell, which was seconded by Commissioner Hinebaugh, and made unanimous by Chairman Edwards, adjourned the Public Meeting at 5:21 P.M.

**Attest:**

**By Order of the Board,**

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**KEVIN G. NULL**  
County Administrator

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**PAUL C. EDWARDS,** Chairman  
Board of County Commissioners

**2019 LEGISLATIVE REQUESTS**  
**BOARD OF GARRETT COUNTY COMMISSIONERS**

1. A request by the Board of County Commissioners that the Maryland General Assembly provide a Legislative Bond in the amount of \$172,500 for the following projects:

**Garrett County Animal Shelter**

The Maryland Department of Agriculture recently adopted Minimum Standards of Care for Animal Shelters (Title 15.01.11). While the Garrett County Animal Shelter provides a clean, safe environment to house animals, the current facility requires updates to the HVAC, fire/security systems and some surface areas in order to be in full compliance with Standards.

Upgrades will include:

- HVAC - \$70,000
- Roof - \$40,000
- Security/Fire system - \$10,000
- Interior upgrades -\$25,000

Estimated cost is \$145,000 and we are requesting a **Legislative Bond in the amount of \$72,500**, which would be matched by the County.

Contact Person(s): Kevin G. Null, County Administrator  
Jason King, Manger, Facilities & Maintenance  
Barbara Collins, Manager, Garrett County Animal Shelter

⇒ **BOARD OF COUNTY COMMISSIONERS ACTION: Approved Request**

**Garrett College-Dormitory Roof Replacement**

Garrett College is requesting funds to replace the roof on Garrett Hall dormitory building on campus. This project does not qualify for the Maryland Community College Infrastructure Renewal Fund. Estimated cost is \$80,000 and we are requesting a **Legislative Bond in the amount of \$40,000**, which would be matched by the County.

Contact Person(s): Richard Midcap, President, Garrett College  
Randy Bittinger, Vice President of Administrative and Financial Services

⇒ **BOARD OF COUNTY COMMISSIONERS ACTION: Approved Request**

**Garrett College-Comprehensive Document Management System**

Garrett College is requesting funds to replace legacy document management system which will no longer be supported by the vendor. Estimated cost is \$120,000 and we are requesting a **Legislative Bond in the amount of \$60,000**, which would be matched by the Garrett College.

Contact Person(s): Richard Midcap, President, Garrett College  
Randy Bittinger, Vice President of Administrative and Financial Services

⇒ **BOARD OF COUNTY COMMISSIONERS ACTION: Approved Request**

2. A request by the Board of County Commissioners that Delegation introduce legislation in the Maryland General Assembly allocating One Million Dollars (\$1,000,000) to fund a pilot project to remove sediment in the Arrowhead Cove at Deep Creek Lake.

As a State-Owned Lake, Deep Creek Lake is eligible to receive funding through the State Lakes Funding bill; however, these funds are not allocated to specific projects.

Garrett County government obtained a grant through the Waterway Improvement Fund (WIF) in the amount of \$1,115,000 to fund a pilot project to remove/dredge Arrowhead Lake. The grant requires a 50% match, with the estimated project cost of two million dollars (\$2,000,000).

This request will enable the County to continue with the project through Maryland Environmental Services (MES).

The Delegation suggested that actual cost of project may need to be determined before seeking additional funding. Commissioners will review to determine funding source

Contact Person(s): Kevin G. Null, County Administrator

⇒ **BOARD OF COUNTY COMMISSIONERS ACTION: Deferred**

3. A request by the Board of County Commissioners that the Delegation introduce legislation in Maryland General Assembly to provide the Board with enabling authority to amend provisions of Section 20-405, et seq., of the Maryland Local Government Code authorizing the Board of County Commissioners of Garrett County, Maryland to impose a tax on hotel rental tax on an establishment that offers sleeping accommodations for compensation located in Garrett County.

Pursuant to the provisions of Section 20-405 of the State Code, Garrett County may not set a hotel rental tax rate that exceeds six percent (6%). The current hotel rental tax rate in Garrett County is six percent (6 %).

The Board is requesting enabling legislation to allow the Board of County Commissioners to increase the hotel rental tax rate, at their discretion, up to eight percent (8 %) and any funds, in excess of six percent (6%) may be allocated to the General Fund.

Contact Person(s): Kevin G. Null, County Administrator  
Gorman Getty, County Attorney  
Scott Weeks, Director, Department of Financial Services

⇒ **BOARD OF COUNTY COMMISSIONERS ACTION: Approved Request**

4. A request by the Board of County Commissioners that the Delegation introduce legislation in Maryland General Assembly to amend the Near Completers and Maryland Community College Promise Scholarships Act to exempt Garrett County from the requirement that the program be “last-dollar in” and allow Garrett College to use the Garrett County Scholarship eligibility requirements in awarding scholarships.

Garrett County was the first County in the State, and possibly the Country, to provide scholarships to Garrett College to all eligible graduating seniors from Garrett County High Schools. The Promise Scholarship program, as being implemented, requires that local funds must be recognized before state funding and has different eligibility requirement. These requirement penalizes Garrett County, and our students, for our efforts over the past ten plus year.

Contact Person(s): Kevin G. Null, County Administrator  
Dr. Richard Midcap, President, Garrett College

⇒ **BOARD OF COUNTY COMMISSIONERS ACTION: Approved Request**

#### **Garrett County Liquor Control Board**

A request by the Garrett County Board of License Commissioners that the Maryland General Assembly amend the following sections of the Maryland Annotated Code: Alcoholic Beverages Article - Title 21:

- Section 1103-Draft beer permit-Amend §21-1103- allow the license holder to add a draft beer option to a license.
- Section 1309-Multiple day licenses-Delete §21-1309 (b) (2) the Board has approved a license for the license holder in the prior year.
- Section 1310-Multiple event license-Amend §21-1310-permit a non-profit license holder to cater functions at their facility for outside events.
- Section 1502-Established business required before issuance of license-Repel §21-502.
- Section 1504-Holders of out-of-state license-Repel §21-504.

Contact Person(s): Deborah R. Owston, Administrator, Liquor Control Board

⇒ **BOARD OF COUNTY COMMISSIONERS ACTION: Approved Request**