

***BOARD OF GARRETT COUNTY COMMISSIONERS***  
***PUBLIC MEETING***  
***JANUARY 18, 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 were no additions or deletions to the public session agenda.
2. Minutes of the Public Meeting of January 11, 2005 and Administrative Session of January 13, 2005 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 conducted a Public Hearing to consider commentary on the approval of the Garrett County Hazard Mitigation Plan. A copy of this Plan has been available with the Department of Emergency Management. The Plan (in draft format) had been previously reviewed with the Board for their review and comment. The Board, on a motion by Commissioner Beard, which was seconded by Commissioner Holliday, and made unanimous by Chairman Gregg, executed a Promulgation officially approving the Plan. Letters of concurrent approval from local municipalities will be included in the final document.
4. Wendy Yoder, Director, Department of Financial Services, briefed the Board of County Commissioners on the following departmental issues:
  - a) The Fiscal Year 2004 Audit has been completed and mailed to the State of Maryland Office of Legislative Services as required by law.
  - b) Fiscal Year 2005 Budget packets have been distributed to all Department Heads and are due back to the County Administrator by February 4. Ms. Yoder gave a brief projection of anticipated State grant revenue and local coal tonnage tax.

- c) Request for approval of Fiscal Year 2005 Budget amendments. The Board of County Commissioners, on a motion by Commissioner Beard, which was seconded by Chairman Gregg, and made unanimous by Commissioner Holliday, approved all amendments as recommended. A copy of each amendment is on file with the Department of Financial Services and County Administrator.
5. Carol Riley, Executive Assistant, reviewed the Board of County Commissioners Appointment and Meeting Schedule for the upcoming week.
6. John Nelson, Director, Department of Planning and Land Development, briefed the Board of County Commissioners on the following departmental issues:
- a) Project update by Debbie Carpenter, GIS Specialist, on orthophotography plans for the entire geographic County. This project is a partnership project with the State of Maryland Department of Natural Resources. Ms. Carpenter also reviewed topography project plans and funding options.
  - b) Mr. Nelson briefed the Board on transition for Division of Permits and Inspections.
  - c) Reading and review of recommendation by the Planning Commission on a request for amendment to the Deep Creek Watershed Zoning Ordinance. A prior request for approval was remanded back to the Planning Commission by the Board of County Commissioners. This recommendation by the Planning Commission was to recommend that the following amendments to the Deep Creek Watershed Zoning Ordinance should be approved by the Board of County Commissioners:

Add a new Section 304C.21 to the Table of Use Regulations – sale of boats or other watercraft and all necessary equipment including assembly of such vehicles and equipment but excluding the repair and long term indoor storage of such vehicles and excluding the sale of fuel, provided that the facility is conducted as a portion of the business activity of a permitted marina operation on Deep Creek Lake.

Add the “boat sales” use to Section 401B.10 of the Table of Dimensional requirements to establish minimum dimensional standards as minimum lot or land area (10,000 square feet), minimum lot width (100 feet) and minimum yard width (200 feet front/15 feet side/25 feet rear).

Add the “boat sales” use to Section 600C.5 of the Table for Off Road Parking Standards to establish minimum parking as (1) space for each 600 square feet of showroom area plus 1 space for each full time employee.

An opinion by Gorman Getty, County Attorney was read that states that he could not recommend that the Board of County Commissioners accept the recommendation by the Planning Commission. The Board of County Commissioners, on a motion by Commissioner Beard, which was seconded and carried by Chairman Gregg, agreed to remand this issue again back to the Planning Commission based on the most recent opinion by Mr. Getty. Commissioner Holliday voted in opposition to this motion of approval.

- d) A report on countywide permit and inspection activity for calendar year 2004.
  - e) A recommendation to amend current fee structure to include utility towers (to include radio, television, cellular telephone antennas, electric generating wind turbines), residential accessory buildings, and modular homes. The Board will take under advisement.
  - f) Plans to include a request for funds in Fiscal Year 2006 Budget for the purpose of updating the Garrett County Comprehensive Plan.
  - g) The Board of County Commissioners, on a motion by Commissioner Holliday, which was seconded by Commissioner Beard, and made unanimous by Chairman Gregg, agreed to commit up to \$160,000 of retained Ag-Transfer Tax as the local matching fund for the Fiscal Year 2005 Easement Acquisition Program. This has been an ongoing past practice by the Board. A letter documenting this action was executed and forwarded to the Agricultural Land Preservation Foundation.
  - h) Draft legislation for Special Event Permitting was reviewed. The Board suggested a threshold of attendees and clear definition of sponsor be defined and included in final legislative bill.
  - i) Suggested changes by the Planning Commission for planned residential development that would add specific standards to County subdivision regulations. The Board directed Mr. Nelson to ask the Planning Commission to present an official request for approval that will require a public hearing.
7. Gary Yoder, representing the State of Maryland Department of Natural Resources updated the Board of County Commissioners on the Crellin School/Restoration Project and a recent grant from the Carl DelSignore Foundation.
8. Resident John Cobb requested that the Board of County Commissioners take a serious review and commitment that all alternatives be evaluated prior to final plans are approved for the relocation of Glendale Road and the preservation of a number of trees. Mr. Pagenhardt will review the status of condemnation of certain parcels of this road with the County Roads Department and advise the Board of any changes in construction plans.

**ADMINISTRATIVE SESSION**

1. Mr. Pagenhardt reviewed a number of correspondences and communications with the Board of County Commissioners.

**ADJOURNMENT**

**Attest:**

**By Order of the Board,**

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R. Lamont Pagenhardt,  
County Administrator

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Ernest J. Gregg, Chairman  
Board of County Commissioners

\_\_\_\_\_  
Date