

BOARD OF GARRETT COUNTY COMMISSIONERS
PUBLIC MEETING
May 5, 2009

IN ATTENDANCE

Chairman Dennis G. Glotfelty
Commissioner Ernest J. Gregg
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 the Public Meeting Agenda. Mr. Pagenhardt indicated that based on a meeting conducted on May 4, 2009 with County Department of Financial Services staff, Board of Education staff, and himself, he had requested that a session with elected Board of Education members and the Board of County Commissioners be scheduled on this date to discuss budgetary matters. Confirmation had not been made at the Call to Order of the Public Session. The Board agreed to meet for this purpose on this date. There were no additions or deletions to the Public Meeting for May 5, 2009. Mr. Pagenhardt also noted several matters to be discussed during the administrative session on this date.
2. Minutes of the Public Meeting of April 28, 2009 and Executive Session Minutes of April 28, 2009 were approved on a motion by Commissioner Gregg, which was seconded by Commissioner Holliday, and made unanimous by Chairman Glotfelty.
3. The Board of County Commissioners executed a Proclamation designating the month of May 2009 as "Military Service Support Month".
4. The Board of County Commissioners executed a Proclamation designating the month of May 2009 as "Older Americans Month".
5. The Board of County Commissioners executed a Proclamation designating the week of May 9 to 16, 2009 as "National AmeriCorps Week".
6. The Board of County Commissioners executed a Proclamation designating the week of May 9 to 17, 2009 as "National Tourism Week in Garrett County".

7. State of Maryland Department of Human Resources Secretary Brenda Donald and Deputy Secretary Stacy Rodgers met with the Board of County Commissioners to discuss issues of mutual interest for residents of Garrett County.
8. Environmental Resource Management presented the Board of County Commissioners with a planned schedule for review and final adoption plans for Garrett County Land Development Ordinances. Consistent with requirements under the Annotated Code of the State of Maryland, the Deep Creek Watershed Zoning Ordinance, the Garrett County Subdivision Ordinance, and the Garrett County Sensitive Areas Ordinance are required to be updated and amended as needed. It was noted that a public informational meeting is scheduled on this date at Garrett College. The Board plans to be in attendance for this meeting as well as the Planning Commission.
9. The Board of County Commissioners attended the 20th Annual School & Business Partnership Luncheon. This year's theme was "Energizing Career and Technology Education – The Solar Panel Energy Project".
10. The Board of County Commissioners had the privilege to hand out certificates of award to students in the Southern Garrett High School and Northern Garrett High School Emergency Services Clubs.
11. Carol Riley, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming week.
12. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for April 28, 2009 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 Gregg, and made unanimous by Chairman Glotfelty, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to discuss personnel and financial matters. The same motion moved back into Public and Administrative Session as applicable and reflected in Public Meeting Minutes for April 28, 2009.

a) Garrett County Department of Social Services

In attendance for this session was Richard DeWitt, Director, Garrett County Department of Social Services. Mr. DeWitt spoke to a number of personnel and organizational issues which the Board will take under advisement.

b) Adventure Sports Center International (ASCI)

In attendance for this session was James Brady, Board President, ASCI; Duane Yoder, Board Member, ASCI; Matt Taylor, Executive Director, ASCI; and Wendy Yoder, Director, Department of Financial Services. First of all,

Mr. Brady expressed the appreciation to the Board of County Commissioners on behalf of the Board of Directors and staff of ASCI for the financial support over the years. Mr. Brady assured the Board of County Commissioners that a plan of action is in place to make ASCI successful. A 2009 Business Plan was reviewed to include operations, staffing, and sales, marketing, and public relations and a 2009 cash flow analysis summary. ASCI also requested a \$50,000 draw on the line-of-credit to be directed to capital projects to allow for the facility to operate this season (an itemized list of this capital outlay was reviewed.) The Board of County Commissioners, on a motion by Commissioner Gregg, which was seconded by Commissioner Holliday, and made unanimous by Chairman Glotfelty, approved this request.

ADMINISTRATIVE SESSION

1. Prior to the Call of Order of the Public Session Linda Lindsey, Director, Department of Public Utilities briefed the Board of County Commissioners on the following matters:
 - a) Change Order No. 3-Final for Contract 1 of the McHenry Water System Improvements. The change order reflects the final adjusting quantities for the construction contract with Robert D. Beitzel Excavating. The net change in the contract amount is a decrease of \$14,622.92. The Board agreed to authorize Chairman Glotfelty to execute the Contract on behalf of the Board.
 - b) Deed of Easement and Agreement between Donald J. Adams and Pamela J. Adams and the Board of County Commissioners of Garrett County, Maryland. The Agreement transfers ownership of the Sweet Rewards Water System to the County. The Board agreed to authorize Chairman Glotfelty and Mr. Pagenhardt to execute the Contract on behalf of the Board.
 - c) Amendment No. 5 to the Engineering Contract with CLSI for the Western Conveyance water and sewer line extensions. The amendment reflects changes to the design plans and specifications based on review comments received from the Garrett County Roads Department and for revised easement plats and design plans for a water line extension located within the Allegheny Power Company right-of-way and realignment of the sewer line based on the water line addition. The amendment is in the amount of \$34,085. The Board agreed to authorize Chairman Glotfelty to execute the Contract on behalf of the Board.
2. Mr. Pagenhardt reviewed a number of correspondences and communications with the Board of County Commissioners.
3. The Board of County Commissioners met with members of the Garrett County Board of Education to discuss budget matters, specifically an ongoing request that

the County fund the increase cost in employee health care for Fiscal Year 2010. The Board of County Commissioners had previously directed all agencies and departments (that are appropriated with County funds) to submit a request for funding for Fiscal Year 2010 that was equal to that of Fiscal Year 2009.

The Board of Education had requested additional funds to cover this increased cost. On April 28, 2009, the Board of County Commissioners reviewed a request from the Board of Education to allow carryover funds for Fiscal Year 2009 to be retained to cover the cost of the increase in employee health care benefits. The Board of County Commissioners had responded to this request stating that any decision on this matter would be made after the final Fiscal Year 2009 Audit was complete. On this date and after deliberation between the two Boards, the Board of County Commissioners agreed to grant the Board of Education with the authority to retain Fiscal Year 2009 carryover funds for the sole purpose of directing/restricting these funds for the cost of employee health benefits for Fiscal Year 2010. If actual carryover funds are less than the cost for the increase in Fiscal Year 2010 employee health care benefits, the Board of Education will be responsible for this cost.

This decision is a one (1) year exception to the December 11, 2008 Amendment to the May 14, 2007 Financial Memorandum of Understanding that explicated the designation of reserve funds for subsequent year budgets and an acceptable undesignated/unreserved fund balance for the Board of Education. In addition, the Board of County Commissioners will make no financial commitment to fund this amount in successive fiscal years.

ADJOURNMENT

Attest:

By Order of the Board,

R. Lamont Pagenhardt,
County Administrator

Dennis G. Glotfelty, Chairman
Board of County Commissioners

Date