

**BOARD OF GARRETT COUNTY COMMISSIONERS**  
**PUBLIC MEETING**  
**October 6, 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 Public Meeting Agenda. Mr. Pagenhardt indicated that there were no additions or deletions to the Public Meeting for October 6, 2009. Mr. Pagenhardt also noted several matters to be discussed during the administrative session on this date.
2. Minutes of the Public Meeting of September 22, 2009 and Administrative Session of September 29, 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 designated by Proclamation October 2009 as "Breast Cancer Awareness Month".
4. Bradley Frantz, Director, Department of Public Safety and Emergency Management updated the Board of County Commissioners on the following matters:
  - a) Ongoing and planned training activities in cooperation with Maryland Institute of Emergency Medical Services Systems.
  - b) Update on county high school emergency service clubs.
  - c) Update on countywide and statewide communication improvements.
  - d) Notification that additional grant funding has been secured for fire departments and rescue companies.
  - e) Update on training for Department personnel on natural gas pipelines in the County.
  - f) Review of Garrett County Hazardous Material Commodity Flow Study.
  - g) Other departmental matters.

5. Public Commentary. Charles Craver voiced his opinion on the County Detention Center visitation policy as it relates to the incarceration of Bradley Stewart and employee conduct of Detention Center personnel. The Board of County Commissioners will convey this issue to the Sheriff's Department and Detention Center Administrator.
6. The Purchasing Department presented a recommendation of bid award for Contractual Snow Removal Services (bid #09-0917SR). The Board of County Commissioners on a motion by Commissioner Gregg, which was seconded by Commissioner Holliday, and made unanimous by Chairman Glotfelty, approved an award to seven (7) contractors for a multiple number of County sites. Specific sites and contractors are on file with the Purchasing Department or the Office of the Board of County Commissioners.
7. *Friends of Deep Creek Lake* presented the Board of County Commissioners with a watershed environmental and water quality review of Deep Creek Lake. Barbara Beelar, representing the *Friends*, presented a Lake aging proposal for Deep Creek restoration with a focus on Garrett County impacts and opportunities. Other constituents provided their opinion on this matter and it was suggested that the Board appoint a task force to study related issues. Chairman Glotfelty suggested that this issue be communicated to all responsible parties through the Deep Creek Lake Policy and Review Board rather than creating another task force. Also, a County staff person will continue to be assigned as a liaison to the Board of County Commissioners and the *Friends of Deep Creek Lake*.
8. Carol Riley, Executive Assistant to the Board of County Commissioners and County Administrator, reviewed the meeting and committee schedule for the forthcoming week.
9. Prior to the call to order of the public session, 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 matters. The same motion moved into Public Session.

#### ADMINISTRATIVE SESSION

1. Mr. Pagenhardt reviewed a number of correspondences and communications with the Board of County Commissioners.
2. The Board of County Commissioners discussed issues related to operational scheduling with the County Roads Department. Jerome Moyer, General Superintendent was in attendance for this session. The Board will schedule a

meeting with all County Roads Department personnel on October 22, 2009 to review pending economic matters with County Government.

3. The Board of County Commissioners reviewed the following 2010 Legislative Issues to be presented to the local delegation for consideration of adoption by the Maryland General Assembly.
  - a) A request by the Board of County Commissioners that the Maryland General Assembly amend Title III, Section 32 and Section 35 of the Garrett County Code of Ordinances. Pursuant to the request of the Fire and Emergency Medical Services (EMS) companies who participated in the 2006 SWOT Report, the County has established an Emergency Services Board (ESB) to serve in an advisory capacity to the Board of County Commissioners and to provide oversight of Fire and EMS services. The responsibilities described in this ordinance properly rest with the ESB.
  - b) A request by the Board of County Commissioners that the Maryland General Assembly provide the Board with the authority to increase the hotel rental tax to a rate not to exceed eight percent (8%). The current rate is set at five percent (5%). Chairman Glotfelty voiced his opinion that he would now oppose this proposed and previously agreed to Board action. This justification is that in his opinion the County needs to be more proficient at collecting current/pay due hotel rental tax and that a tax increase would not be an economic judgment. Commissioner Holliday and Commissioner Gregg agreed to continue with a request for this legislative authority.
  - c) A request by the Board of County Commissioners that the Maryland General Assembly provide the Board with enabling authority under Article 25 of the Annotated Code of Maryland to adopt a local ordinance to establish minimum set-back requirements for commercial grade wind turbines.
  - d) A request by the Board of County Commissioners that the Maryland General Assembly provide the Board with enabling authority under Title 9, Subtitle 658 of the Environment Article of the Annotated Code of Maryland that will allow the governing body of Garrett County to request the County to conduct a sale of real property to enforce a lien representing any unpaid benefit assessment or other charges at a County tax sale in accordance with the same procedures governing the sale of property for delinquent property taxes.
4. The Board of County Commissioners reviewed a request from Sheriff Berkebile for additional funding (\$4,100) to be directed to general maintenance of the Detention Center. The Board and the Sheriff have also scheduled time during the October 20, 2009 public session to review a long term maintenance improvement plan for the Detention Center and this matter will reviewed at that time. (The Board did approve emergency contingency funding for a floor drain in the padded room.

5. The Board of County Commissioners reviewed an option to provide local municipalities with a set amount of annual funding in lieu of a tax differential set off. Currently there are tax differential agreements with the Mayor and Town Council of Mountain Lake Park and the Mayor and Town Council of Oakland. In addition the Towns of Loch Lynn Heights - paving (Fiscal Years 2010, 2011, and 2012), Friendsville – paving (Fiscal Years 2009 and 2010) , Friendsville – bridge completion (Fiscal Years 2008, 2009, 2010, 2011 and 2012) and Deer Park (Fiscal Years 2008, 2009, 2010, 2011 and 2012) have multiple year project funding in lieu of an official tax differential setoffs. Final approval of funding will be part of the budgetary process.
6. The Board of County Commissioners met with Bradley Frantz, Director, Department of Public Safety and Emergency Management to address concerns Commissioner Holliday had with the scheduling of County paid emergency services personnel. Mr. Frantz explained that scheduling of County staff is in agreement with each rescue squad leadership and he presented letters of support for the current schedule of paid and volunteer personnel.

**ADJOURNMENT**

**Attest:**

**By Order of the Board,**

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R. Lamont Pagenhardt,  
County Administrator

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Dennis G. Glotfelty, Chairman  
Board of County Commissioners

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Date