

**BOARD OF GARRETT COUNTY COMMISSIONERS**  
**PUBLIC MEETING**  
**October 7, 2014**

**IN ATTENDANCE**

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

*County Administrator R. Lamont Pagenhardt*

**PUBLIC SESSION**

**CALL TO ORDER OF PUBLIC SESSION**

**PRAYER & PLEDGE OF ALLEGIANCE**

Commissioner Raley was absent from sessions 3, 4, 5, and 6 due to an appearance at District Court.

1. Additions/deletions to Public Meeting agenda. Mr. Pagenhardt indicated there were no additions or deletions to the Public Meeting Agenda for October 7, 2014. It was noted that Mr. Pagenhardt would ask for an Executive Session as part of the Administrative Session to address a personnel matter. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded and carried by Chairman Gatto, approved the Public Meeting Agenda for October 7, 2014.
2. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded and carried by Chairman Gatto, approved the Public Meeting Minutes for September 9, 2014, Executive Session for September 25, 2014, and Administrative Session for September 25, 2014.
3. The Board of County Commissioners provided an update of the boards, committees, and commission meetings they have attended and participated in since the last public meeting.
4. PROCLAMATIONS :
  - Proclaiming October as "I Can Swim Month"
  - "Proclaiming the week of October 26 to 31 to as "Economic Development Week"
5. David Myerberg, on behalf of the Deep Creek Lake Watershed Management Plan Steering Committee, presented the Plan to the Board of County Commissioners for adoption. The Board, on a motion by Commissioner Crawford, which was seconded and carried by Chairman Gatto, approved the adoption of the Plan but would withhold any adoption of other proposed memoranda of understanding at this time. An official vote on this motion will be tabled until Commissioner Raley is available. Public commentary was taken under advisement that included a request that public meetings be scheduled and conducted that would allow for additional public input. The Board agreed to this proposal.

Dr. Myerberg's comments are attached to these Public Meeting Minutes as **EXHIBIT 1**.

6. The Purchasing Department presented the following recommendation of bid award to the Board of County Commissioners:
  - Request for Proposal – Public Relations/Marketing Services – Garrett County Office of Economic Development (RFP #14-0909). The Board, on a motion by Commissioner Crawford, which was seconded and carried by Chairman Gatto, approved a contract award to Platinum PR for \$65 standard hourly labor rate and a mark-up on ,materials and subcontracted services at 15%. Budget for Fiscal Year 2015 is \$25,000.
  - Bid Award – Contractual Snow Removal Services (bid #14-0925SR). The Board, on a motion by Commissioner Crawford, which was seconded and carried by Chairman Gatto, approved a contract award for a number of County Government facilities and building. Specifics of the award for specific location are on file with the Purchasing Department.
  - Bid Award – Winter Abrasives (bid #14-0925 WA). The Board, on a motion by Commissioner Crawford, which was seconded and carried by Chairman Gatto, approved a contract award to a number of vendors based on Department of Public Works – Roads Division area garage and product type. Specifics of the award for type of product and vendor are on file with the Purchasing Department.
  - Contract Award – Employee Assistance Program. CBIZ, the County’s Health Care Consultant was in attendance for this bid recommendation and provided the Board with a plan summary. The Board, on a motion by Commissioner Crawford, which was seconded and carried by Chairman Gatto, approved a contract award to Deer Oaks EAP Services. Cost for the Garrett County Health Care Coalition is \$17,019.60 and pro-rated to Garrett County Government, Garrett College, and Garrett County Board of Education based on the total number of employees in each entity.
7. The Board of County Commissioners and American Federation of State, County, and Municipal Employees, Council 67, Local 1834 executed a 3 Year Collective Bargaining Agreement.
8. Relative to Session 5, Chairman Gatto called for a vote by the Board of County Commissioners on the motion to approve the adoption of the Deep Creek Lake Watershed Management Plan but would withhold any adoption of other proposed memoranda of understanding at this time. Commissioner Raley reinforced the position of the Board that the Plan was a working document subject to amendment. The vote was unanimous.
9. The Board of County Commissioners, on a motion by Commissioner, which was seconded by Commissioner, and made unanimous by Chairman Gatto, reappointed Terry Riley to the Garrett County Commission for Women. An official letter will be sent to Ms. Riley under the signature of Chairman Gatto outlining the terms of appointment.
10. The 2014 Garrett County’s Most Beautiful Person Committee presented 5 nominees to the Board of County Commissioners. Norma Heslen was named and recognized as the 2014 Garrett County Most Beautiful Person. Other nominees were Warren and Adie Glotfelty, Wayne Johnson, Lois Sanders, and Paul Shogren.
11. The Board of County Commissioners conducted a **Public Hearing** to review a proposal by the Garrett County Planning Commission to amend the Deep Creek Watershed Zoning Ordinance. Three specific amendments were proposed for adoption and approval by the Board on this date:

- Amend Section 157.007- to clarify the definition of the maximum building height, due to ambiguities in the current language. Section 157.007 (13) would be amended to read: “ a building’s vertical measurement from the mean level of the ground abutting the building to a point midway between the highest and lowest points of the highest roof over any part of the building...”
- Amend Section 157.090 (E) 5 – The Office of Planning and Land Management believes that this requirement should be reduced from one space for every 100 square feet of area for servicing customers to one space for every 200 square feet of area for servicing customers, to eliminate needless parking spaces and to avoid the unnecessary creation of impervious surface. Section 157.090 (E) 5 for Retail stores and businesses would be amended to read: “One Off-Road Parking Space Required for Each- 200 square feet of area used for servicing customers”.
- Amend Section 157.067. M (6) - This section requires that a Planned Residential Development (PRD) final plan be drawn at a scale of one inch equals 50 feet. The scale is too large and creates a discrepancy between the Ordinance and the Garrett County Subdivision Ordinance. Section 157.067.M (6) a. would be amended to read: “The final plan of the PRD, drawn at a scale suitable for recording, and showing at least the following data:” (the words “of 1 inch equals 50 feet.” would be deleted).

Commissioner Crawford entered a motion to close the **Public Hearing**. *The motion was* seconded by Commissioner Raley and made unanimous by Chairman Gatto. Commissioner Crawford then entered a motion to approve all amendments as presented on this date. The motion was seconded by Commissioner Raley and made unanimous by Chairman Gatto.

12. The following agencies and offices presented an update to the Board of County Commissioners:
  - Garrett County Chamber of Commerce. A marketing plan presentation was included as part of this update which is on file with the Office of the Board of County Commissioners.
  - Dove Center. Commissioner Raley read a Proclamation naming the month of October 2014 as “Domestic Violence Month”. Executive Director Heather Hanline shared a number of statistics, fundraising activities, and upcoming events with the Board as part of this update.
  - Western Maryland Consortium. County Director Jon Wynn updated the Board on the Federal Workforce Innovation and Opportunities Act and other agency activities. Commissioner Raley expressed his appreciation for his years on the Consortium Board of Directors as the Garrett County Commissioner Representative.
13. Public Commentary. None on this date.
14. In compliance with the Maryland Open Meetings Act under section 10-509, a record of the Executive Session for September 25, 2011 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 Crawford, which was seconded by Chairman Gatto, and made unanimous by Commissioner Raley, moved into Special Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to financial matters related to the review of real property appraisal valuation reports and other economic development matters. The same motion ended the Executive Session.

- There will be no public disclosure of the financial matter related the review of real property appraisal valuation reports.
- Commissioner Crawford presented a letter for the Board of County Commissioners to review from Washington 2024 relative to the 2024 Olympic Games bid whereby the County would agree to be the site of certain venues of competition. The Board unanimously agreed to have Chairman Gatto execute the letter.

Note to the October 7, 2014 Public Meeting Minutes. As part of the September 16, 2014 Public Meeting, the Board of County Commissioners extended the appointment for members of the Garrett County Marcellus Shale Natural Gas Advisory Committee for a one (1) year period. The Board then amended this decision and extended the term of appointment to end on November 30, 2014. Amended letters of appointment were sent to all members.

**ADJOURNMENT OF PUBLIC SESSION**

**ADMINISTRATIVE SESSION**

1. The Board of County Commissioners approved and authorized Chairman Gatto and Mr. Pagenhardt to execute a Easement Deed between the Board and Henry F. Moomau TUW dtd 81409 MDQTIP.
2. The Board of County Commissioners Agreement for Use of Garrett County Government Property between the Board and Loud Television LLC
3. The Board of County Commissioners, on a motion by Commissioner Crawford, which was seconded by Chairman Gatto, and made unanimous by Commissioner Raley, moved into Executive Session under section 10-508 of the Maryland Open Meetings Law on this date to address personnel matters. The same motion ended the Executive Session.
4. Mr. Pagenhardt reviewed a number of administrative, personnel, and managerial matters under his authority and jurisdiction with the Board of County Commissioners.

**Attest:**

**By Order of the Board,**

\_\_\_\_\_  
R. Lamont Pagenhardt,  
County Administrator

\_\_\_\_\_  
Robert G. Gatto, Chairman  
Board of County Commissioners

\_\_\_\_\_  
Date

Comments on Presentation of Watershed Management Plan to Garrett County  
Commissioners and DNR

David Myerberg, October 7, 2014

Good morning, for the record, my name is David Myerberg. On August 13, 2013, the Garrett County Commissioners and the Secretary of Maryland Department of Natural Resources, Joseph Gill, signed a Memorandum of Understanding envisioning the Deep Creek Watershed Management Plan and creating a Steering Committee to assemble the initial Plan. I was selected as the Chairman of this Steering Committee.

All of us know that Deep Creek Lake is a substantial economic engine for Garrett County and a tremendous resource for the State and Region. We are all aware that the lake is aging and that the watershed can either help or hurt the aging process. Your Memo of Understanding emphasized that the Steering Committee should produce a plan that will "Maintain and enhance the natural resource, recreational and economic value" of the watershed. We hope that the Plan that I will provide to you today will begin the process of your mandate. The meetings of the Steering Committee were conducted according to the Maryland Open Meetings Act. This was an open and transparent process from start to finish. The entire process could not have been done without the staff provided and paid for by the County Commission and DNR. All members of the steering committee and the able sub-committees were volunteers in this process, and we all spent countless hours working on the plan. We are all hopeful that the level of staffing and volunteerism can be carried forward for years to come to support the process of enacting the Plan.

This plan also reflects the work of many State and Local experts whose knowledge and efforts are applied to the watershed every day. Without the continued application of these experts and others, as yet unnamed, the lake will not age well. The vision statement that the Steering Committee developed calls, in part, for "partnerships with private land owners and government agencies," in order to achieve the purposes of the Plan. All players need to work together to make the Plan a reality.

This Plan is a dynamic document which we hope will be embraced and improved upon by future Commissioners and future DNR secretaries. This Plan is the foundation on which government and citizens will build the house that is the functioning Plan. This Plan will require some expenditure of money and considerable staff time at both the State and Local levels as well as a healthy dose of citizen volunteers. The intention of the Steering Committee is that over many years to come, the Deep Creek Watershed will offer a supportive home for the lake, so that, when we here today are only a memory, the lake will provide all that it can for Garrett County, the State and the region.

As mandated, I provide for you and for the Secretary of Maryland Department of Natural Resources, the Deep Creek Watershed Management Plan.