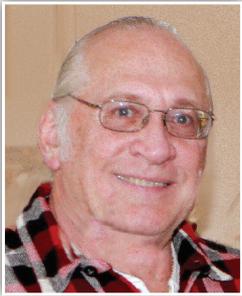




# DEEP CREEK DISPATCH

Winter 2017

Newsletter of the  
Property Owners' Association  
of Deep Creek Lake, Inc.



## The President's Message

In this issue of *The Dispatch*, we continue to pursue a broadened focus of information sharing for our members by providing the budget we followed for 2016 which shows our estimates for various expenses for the year as well as the actual expense numbers for our fiscal/calendar year ending December 31, 2016. You will also be able to see where donations were made by the board and to what organizations for what purpose. In addition, we have provided the total number of membership accounts for the fiscal year which, when multiplied by \$30, provides the amount of revenue with which the board had to work for last year. Membership accounts can also be looked at as "households" because there are often multiple members per membership account or "household". That is the reason we do not use the membership account number to indicate the number of members we have but rather use a factor we developed some time ago by surveying members on their membership applications.

For this edition of the *Dispatch*, I also asked our board members to furnish the editor with an estimate of the number of hours they spent during the year on POA related business. You will also find a variety of projects or efforts your board supported with these hours worked on behalf of the POA. As a member, you receive both the *Dispatch* and a variety of eBlasts throughout the year electronically so you see what products the board is furnishing you as members. This is pretty straight forward in that members receive information every year that pertains to our lake, watershed, and community matters of interest to property owners whether they reside in the Deep Creek Community full time or part time. However, we thought you might find interesting the wider variety of work the board members accomplish for the POA which may not be quite as visible as the products you receive. One of this board's key objectives is to continually work at developing and maintaining relationships with a variety of state and county officials to insure the POA is always seen as a credible voice of property owners in our community.

I want to make an additional comment or two about your POA board. For at least the last four years but probably

much longer, we have never published hours spent in support of POA related matters in a given year nor have we provided information about some of the efforts and time spent that are in support of more public products or accomplishments. However, as one who sees the time and effort this dedicated body of 18 individuals willingly and routinely contributes to insure you are kept informed about the health of our lake and its watershed as well as what the POA is doing to support these important efforts, I wanted to take the opportunity to give you a glimpse of that picture. Please believe me when I say this is not provided to seek praise or thanks but merely to assist our membership in a fuller understanding of what goes on to keep your POA relevant and engaged.

Lastly, you have received forms via this *Dispatch* relating to the United Way and the annual effort to seek funds to support charitable activities it performs in Garrett County. The POA often highlights a charity for its membership but the only one the POA encourages its' members to consider making a donation to is the United Way. Once again, we ask you to consider making a donation to help residents of Garrett County less fortunate than ourselves. Thank you.

*Cheers, Bob*

### Lou Battistella Re-Appointed

By Lulu Gonella

Congratulations go out to former POA President, Lou Battistella, for being re-appointed by the Board of County Commissioners to serve on the Garrett County Local Emergency Planning Committee as the primary representative of the Garrett County Emergency Services Board. Lou's term will run from January 2017 to January 2019. Thank you, Lou, for your continued service to our community.



# What Does the POA Do for the Membership?

When board member Tony Lombardi fields questions at the Welcome Party Mondays in the summer at the Honi-Honi, one question often posed is “What does the POA do for the membership?” We thought we would take some space in this edition of the *Dispatch* to share some of the accomplishments and continual activities that your board members undertake to represent your interests as a property owner at Deep Creek Lake.

Your board consists of 18 members as well as 6 Emeritus board members who each formerly served as President of the POA. These 18 members dedicated over 2,106 hours of work on your behalf over the past year. Beyond regular board meetings and general membership meetings, these volunteers led and served on committees with governmental agencies, civic groups and ad hoc issue based groups. They communicated important, timely and accurate information through eBlasts and the quarterly *Dispatch*. They partnered with DNR, the County and MDE to develop and disseminate educational information as well as support the

implementation of the Watershed Management Plan. They assisted community organizations through donations and support. They utilized the relationships they have fostered with business leaders, county officials, State officials and others in the community to keep you apprised of what is going on that will impact the lake and inserted themselves into important discussions. The result is that our membership is well represented by a board of dedicated volunteers who are committed to advancing the interests of our membership. The graphic on the opposite page details some of the ways your POA board has worked towards our mission:

The mission of the Property Owners’ Association of Deep Creek Lake, Inc. is to advocate on behalf of the property owners of the Deep Creek Lake area. To accomplish this we strive to promote, preserve and protect the quality of life, environment, recreational opportunities, historic sites and historic areas on Deep Creek Lake and in its watershed, Garrett County, Maryland.

## 2016 Budget/Actual Through 12/31/2016

As conscientious stewards of the membership dues, the POA board carefully allocates funds based on staying true to our mission. Your \$30 annual dues provide you access to eBlasts containing timely information regarding lake issues, and the quarterly *Dispatch*. Your dues also affords you the benefits from the efforts of the dedicated board members who are continuously representing your interests in important issues around the lake. In 2016, there were 946 active accounts or household members in the POA. That represents approximately 2,423 adult family members within those households.



## A LOOK at the BUDGET

Category	Budgeted	Actual 12/31/2016
Administration.....	\$ 5,600.00	\$ 7,186.15 <sup>1</sup>
Ads.....	\$ 600.00	\$ 83.50
Board Meetings .....	\$ 550.00	\$ 482.97
Constant Contact .....	\$ 400.00	\$ 423.00
Copying .....	\$ 15.00	\$ 0.00
Discretionary .....	\$ 3,000.00	\$ 7,696.69 <sup>2</sup>
Insurance .....	\$ 2,608.00	\$ 2,608.00
Mapping.....	\$ 0.00	\$ 0.00
Members Meetings .....	\$ 700.00	\$ 1,272.00
Dues.....	\$ 500.00	\$ 590.00 <sup>3</sup>
Membership Solicitation .....	\$ 2,500.00	\$ 1,218.30
Newsletter .....	\$ 5,000.00	\$ 3,629.14
PO Box.....	\$ 69.00	\$ 69.00
Rainy Day Fund.....	\$ 3,200.00 <sup>4</sup>	\$ 1,919.25 <sup>5</sup>
Postage.....	\$ 10.00	\$ 10.00
Tax Prep.....	\$ 880.00	\$ 870.00
Web Maintenance .....	\$ 360.00	\$ 445.00
TOTALS .....	\$ 25,992.00	\$ 28,703.00

- \$7,020 paid to Coldwell Banker \$64.50 paid to RASI – Registered Agent representation, \$101.65 paid to Harland Clark for check print fee
- \$5,000 – Deep Creek Watershed Foundation, \$100.00 Southern HS Prom Night, \$500.00 Crime Solvers, \$2,000 Fireworks and \$96.69 Boater’s Safety Tri-fold
- Chamber, NALMS and GC Development Corp.
- Estimate based on projected 2016 dues of \$32,000
- Rainy Day Fund Goal 10% of gross annual dues – underfunded by \$951.05 – Total Dues collected 2016 = \$28,703.00 (this number may not tie directly to the number of accounts because some members pay one or more years in advance in the previous years)



\* Indicates an event or activity that may have been started or undertaken prior to 2016

# Board Approves POA By-Law Amendments

By Susie Crawford

During the Fall of 2016 POA President Bob Hoffmann appointed a committee of the Board of Directors to review how the Board could better share pertinent information with the POA Membership and to determine whether there are any procedures, processes, policies and practices, including the By-Laws, that may be in need of changes/updates for any reason. The committee recommended, and the full Board unanimously approved, two amendments to Article IV of the By-Laws governing the Board of Directors.

The first amendment is to Article IV, Section 4. Nomination and Election of Directors. The changes to Section 4 establish reasonable timelines for the nomination of candidates for the position of Director by the General Membership and the vetting of potential candidates by the Nominating Committee. The amendments also clarify the role of the Nominating Committee in presenting a candidate or candidates to the Board and the General Membership for election at the August meeting. These amendments clear up perceived vagueness with regard to timelines and the role of the Nominating Committee and render the process of nomination and electing Directors more transparent in keeping with good governance practices. The amended Section 4 reads as follows:

**Section 4. Nomination and Election of Directors. No later than June 30 of any year in which the term of any Director is scheduled to expire, any member of the Corporation may nominate any member of the Corporation who is in good standing for consideration by the Nominating Committee as a nominee for the position of Director. Any person so nominated and wishing to be considered as a nominee for the position of Director shall meet with the Nominating Committee at least twenty-one days prior to the August meeting of the members of the Corporation. At least fourteen days prior to the August meeting of the members of the Corporation, the Nominating Committee shall decide upon a slate of Directors, and shall present said slate to the Board of Directors of the Corporation for approval at its meeting prior to said August meeting. The Nominating Committee shall thereafter present said slate of nominees to the members of the Corporation for election at the annual August meeting.**

The second amendment is to Section 13. Nominating Committee. This amendment gives more flexibility with regard to the composition and number of committee members to the President of the POA who appoints the Nominating Committee. For example, for health and other reasons, sometimes the immediate past president of the POA has been limited in his or her ability to participate in POA

activities. The committee is still subject to the approval of the Board at its June meeting. The amended Section 13 reads as follows:

**SECTION 13. Nominating Committee. The President shall select a Nominating Committee from the Board of Directors. The Nominating Committee shall be subject to the approval of the Board at the regular June meeting of the Board.**

The principal goal of the Board in approving these amendments to the By-Laws is to achieve greater clarity and transparency in the process of nominating and electing Directors of the Board.



## Michael "Jim" Delligatti

August 2, 1918 – November 28, 2016

By Lulu Gonella

When most of the country learned of the passing of Jim Delligatti, it was the first time they had ever heard his name, although they certainly knew of his most famous creation, the Big Mac. To many in Garrett County, Jim Delligatti was a friend and prominent business owner who was frequently seen at his business complex which includes Uno's, the Honi-Honi, Garrett 8 Cinimas and the Arrowhead Market. The Delligatti family has been a fixture at the lake for decades.

Jim Delligatti opened his first McDonald's restaurant in Western Pennsylvania in 1957 and opened 47 more franchise stores over the next two decades. In an attempt to compete with Big Boy's and Burger King's larger sandwich offerings, Delligatti proposed the Big Mac. It was initially not warmly received by McDonald's corporate executives, but eventually in 1967 Delligatti was given permission to pilot the Big Mac in the Uniontown, PA market. The rest is history.

Jim Delligatti is survived by his wife, Ellie, sons, Mike and Jim, five grandchildren and eight great-grandchildren as well as many friends and business associates around the lake.

# Marcellus Shale Gas Update

By John Quilty

**Proposed Regulations**—As noted in a recent eBlast, the joint, bi-partisan Administrative, Executive, and Legislative Review (AELR) committee placed adoption of the state-proposed oil and gas (“fracking”) regulations on “hold”, stating their intention to “conduct a more detailed study” (inclusive of public comments). The AELR is conducting its own further review in parallel with Maryland Department of Environment (MDE) efforts to consider and respond to received public comments. The public controversy continues as to whether the proposed regulations, described as “platinum” by MDE Secretary Grumbles, provide sufficient protection of “public health, safety, the environment and natural resources”.

**Potential Legislation**—The expected introduction of a bill calling for an outright ban of “unconventional” natural gas recovery occurred on 3 February; Senator Bobby Zirkin (Baltimore County) introduced such a bill (SB 740). The full bill, to be effective 1 October 2017, can be found by googling Maryland SB 740. A companion House bill was also introduced.

Consistent with press articles including front page coverage in the 9 February Republican, a bill was introduced (SB 862, 6 February).—competitive with the ban proposal—to extend the moratorium by another 2 years (until 1 October 2019) and require local (county or municipality) referenda in 2018. A positive majority vote in favor of “frack-

ing” would be a condition for proceeding with drilling. Put differently, “fracking” would be effectively banned at the local level unless and until a positive referendum vote is recorded. This bill, with its largely unexpected referendum provisions, was filed by Senator Joan Carter Conway (Baltimore City), the chair of the key Senate committee, and is supported by 23 other Senators (including Mike Miller, the President of the Senate, and George Edwards). As per normal practice, a House version of the bill was also filed. The full bill can be found by googling Maryland SB 862.

An interesting aspect of the moratorium/referendum bills is that they require MDE to propose regulations by 1 October 2018 which are at least as protective as the “best practices” identified in the previous administration’s Safe Drilling Initiative and which reflect protection findings/recommendations in the recent EPA study of water quality impacts and from any relevant studies in other states. (But, there is no requirement that MDE review various available “private” studies on public health.)

Note that sponsors of the “moratorium + referendum” legislation can argue that their bill will provide the maximum level of available protection (even beyond MDE’s arguably current “platinum standard” proposal) and that those with serious residual concerns can effectively ban “fracking” locally by majority vote. The bills’ content and strong sponsorship are being viewed as making an outright ban unlikely.

*Continued to Page 7*

## Making Improvements? Do I Need a Permit and How Do I Get One?

While we still may be in the depths of winter, thoughts of warm summer days may begin to surface. Along with those thoughts may be considerations of making improvements in the buffer strip adjacent to your property. DNR has specific requirements and procedures for such changes. Seth Metheny from the Lake Management Office provided the following information and links to DNR’s website with useful information about how to go about making improvements in the buffer strip.

Message from Seth:

*For special permits there are three documents that we have on our website that would be beneficial to property owners.*

*The first is the special permit application. It is used when a Buffer Strip Use Permit holder would like to install an improvement on the buffer strip. Once we receive an application we will do an inspection of the buffer strip to assess the ecological impact of the requested improvement. When a special permit is approved there is a one-time \$70 fee. Here is a link to our application.*

<http://dnr2.maryland.gov/publiclands/Documents/SpecialPermitApplication.pdf>

*The second document is a conservation easement alteration application (CEAA). This document is for when an improvement is going on the buydown area. CEAA’s are reviewed by the Deep Creek Lake Policy & Review Board (PRB) for a period of two weeks and we will also assess the ecological impact of the requested improvement. There is no fee associated with a CEAA. Here is the link for this application.*

[http://dnr2.maryland.gov/publiclands/Documents/conservation\\_easement\\_application.pdf](http://dnr2.maryland.gov/publiclands/Documents/conservation_easement_application.pdf)

*The third document is guidelines for the improvements. It goes over size restrictions and types of improvements that are most commonly approved. If property owners submit an application within the improvement guidelines and the ecological impact is kept to a minimum it is likely that the application would get approved. Here is a link to our guideline.*

<http://dnr2.maryland.gov/publiclands/Documents/GuidelinesForSpecialPermits.pdf>

*Requests to remove submerged aquatic vegetation (SAV) will be evaluated on a case-by-case basis with specific emphasis given to safety and environmental protection.*

# Did you ever wonder about the EmPower Surcharge on your Potomac Electric bill?

Since 2006 all Potomac Edison residential customers have paid an EmPower surcharge on their monthly bill. The surcharge was originally part of a Maryland program to reduce energy use by Maryland residents by 15% by 2015. Because of the success of the program, it has been

extended at least through 2017. The program provides for participating contractors to provide energy inspections and certain products to Potomac Edison residential customers at no charge. Hot Shotz is one of those participating contractors working with Potomac Edison to provide these services.

*Note: POA Board of Directors is not endorsing or guaranteeing the services offered and encourages any interested members to do additional due diligence to their own satisfaction. We are simply sharing this information with our membership.*

Below is the Informational Sheet from Hot Shotz:



Above: Uniformed officers from various local and state offices volunteered to shop with children, who were given money to purchase Christmas gifts for their family members and themselves. The officers escorted children to select appropriate gifts and then attend a luncheon party where the gifts will be wrapped to take home. The program was designed to foster positive relationships between youth and officers. It was funded entirely by donations.

## Police Providing Presents

Thank you to the members of the Deep Creek Lake POA that so generously gave to the first annual Police Providing Presents event. Because of our community's overwhelming support, 31 children were given a little extra Christmas joy and enjoyed a day with members of Garrett County law enforcement, various staff, and volunteers.

Sincerely,  
Sgt. Michael D. Friend  
Area 8 District 7 Supervisor  
Maryland Natural Resources  
Police Dept of Natural Resources

## HOT SHOTZ THERMAL IMAGING SERVICES

Every residential Potomac Edison customer in Maryland is entitled to complementary goods and services.

Local building science professional Mark Watkins of Hot Shotz Thermal Imaging Services LLC will inspect the following at no charge.

- \* Heating/air conditioning systems
- \* Insulation levels, attic, crawl space
- \* Possible ventilation & moisture issues
- \* Evidence of excessive air leakage.

During the evaluation Hot Shotz will install at no charge:

- \* Up to ten energy saving LED light bulbs
- \* Two shower heads, regular and/or hand held
- \* Kitchen and bath aerators
- \* Pipe insulation for your electric water heater

All of your old light bulbs, shower heads, etc. are left on site. Hot Shotz will not perform an install unless the new product complements the décor and is of equal or greater value than the existing product.

This service including the products is already paid for through the EmPower Maryland Surcharge, paid by all MD Potomac Edison customers, as seen on each electric bill.

If you would like more information contact:  
Mark Watkins, cell 240-321-5050 | Office: 240-442-2159  
Email; [mark@hotshotsinspections.com](mailto:mark@hotshotsinspections.com)  
<http://www.hotshotsinspections.com/about-hot-shotz/testimonials/>



## POA Board Again Recommends Support for the United Way of Garrett County

By Tom Myers

United Way of Garrett County’s vision is to provide the building blocks for long-term self-sufficiency so that we can put more of our families and neighbors on the path to stability. Solutions for individuals and families living in poverty is at the heart of this work in collaboration with Garrett County Community Action—helping children be successful, having a safe place to call home, and helping people find stable employment with access to healthy foods and resources. We need the help of our com-

munity supporters, like the POA, and our volunteers to make this happen.

With over 35% of the households in Garrett County making less than a sustainable wage, health and human service needs are absolutely necessary to put families on a better path to success. Thanks to the generosity of our Property Owners over the past 8 years, more than \$73,000 has been donated to United Way that has assisted with many critical resources. The POA is a leader in group giving.

## Marcellus Shale Gas Update

Continued from Page 5

Further on the legislative front, Senator Edwards introduced a bill (SB 640, 3 February) which gives Garrett and other counties—along with local municipalities—broad authorities to locally address truck traffic issues associated with natural gas recovery operations. The bill grants specific authorities to local jurisdictions to require bonding to cover road damage and permitting to manage truck routes and timing for safety and traffic control purposes (e.g., avoiding school bus activity. In this case, our other local elected state official—Delegate Wendell Beitzel—filed the companion bill in the House. The full Senate bill can be found by googling Maryland SB 640.

**Implications**—Given that the current legislative session of the MD General Assembly ends on 10 April, the “fracking” situation in Maryland will be known in the near future—a ban, an extended moratorium with an unexpected referendum provision, or an environment in which drilling/natural gas recovery can proceed under regulations to be adopted by 1 October 2017. The last case would occur only if neither the ban nor extended moratorium/referendum bills were passed, or if one of these were passed but was successfully vetoed by the Governor.

Your POA Board will be tracking these developments and, at the local level, will be prepared to push for zoning amendment protection of the Deep Creek Watershed if warranted (e.g., if “fracking” is enabled and the watershed protection provision is dropped from the current draft regulations).

**A final topic: the proposed study of the economic impacts of “fracking” on tourism** (to include 2nd/vacation home property values and recreational activities)—bids were received and evaluated, but the County Commissioners have decided to not proceed with the study, at least at this time. This was announced at a 17 January public Commissioners’ meeting. Reservations were stated about

spending significant funds when a ban is still under active consideration. It was further noted that the results would not be available in time to support the ongoing legislative deliberations, but that study initiation could be reconsidered after the session—if warranted.



Keep your POA membership active by renewing your membership now. There are several ways to renew and ensure you keep receiving quarterly editions of the *Dispatch* as well as important information from our eBlasts. Many of our members consider it to be the best \$30 they spend a year. Pay online using Paypal or a credit card, or complete the dues form and mail a check. All renewal methods can be accessed here: <http://www.deepcreeklakepoa.com/about-the-poa/join-the-poa>

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