

# DEEP CREEK DISPATCH

Spring, 2006

Newsletter of the  
Property Owners' Association  
of Deep Creek Lake, Incorporated

## POA Notices

The 2006 POA General Meetings will be held on **Saturday June 24<sup>th</sup>** and **Saturday August 26<sup>th</sup>**. Both meetings are at **8:30 am** at the **Garrett 8 Cinema**. Please mark your calendar and attend. It is a great opportunity to meet Garrett County and State of Maryland officials, DNR management, and your POA Board Members. Items of interest to Deep Creek property owners will be discussed and the floor is always open to questions or comments from our members.

The POA has changed its telephone number to **(301) 616-4339**. In the past, we had a landline phone with an answering machine but we now have a cell phone carried by our President that should result in more human answering and less message leaving. Also note that in every edition of the *Dispatch*, we publish the phone numbers of the Board members and we encourage our POA members to call individual Board members on specific questions.

This edition of *The Dispatch* is being sent to all current POA members plus those who were members in 2005 but have not yet paid their 2006 dues. The remainder of the 2006 issues will go only to dues paying members. We are also sending this issue to 84 new property owners who have purchased lake area properties since January 1, 2006 and who we hope will join our organization (if you want more information on the POA and what we do, please call or e-mail Bill Nickles, Membership Chairman). If you have not yet paid your dues for 2006, please use the form contained in this issue and mail your check for \$30 to the POA, PO Box 816, McHenry, MD 21541. By checking the mailing label on this issue, you can tell your payment status. If the year shown after your name is 2006, you have paid your POA dues for this year. If the year is 2005, you have not paid yet (the 84 new property owners will not show a year).

## Property Assessments

All properties in Garrett County are reassessed every 3 years by the local branch of the State Assessors Office.

Of the 30,000 properties in Garrett County, about 7,000 are in the lake area. During 2005, the lake area properties north of the 219 Bridge (Area 3) were reassessed. In 2006, the reassessment area (Area 1) does not include any lake area properties but in 2007 the lake area properties south of the 219 Bridge (Area 2) will be reassessed.

In viewing the following numbers that have been reported by the Assessors Office, remember that the increases shown are over a three-year period since the last reassessment. The 2005 assessment average increase in **Lakefront** land was +61% with improvements (buildings) increasing +21% since the prior assessment in 2002. This resulted in an average total increase of +47%. **Lake Access** land was +77% and improvements +20% for an average total of +46%. **Lake Influence** land was +109% and improvements +29% for an average total of +65%. **Condos** had a total average increase of +66%. The Assessors Office uses the prior 12 months of actual sales as the basis of their assessments.

For comparison, the 2004 reassessment of properties south of the 219 Bridge had an increase in **Lakefront** land of +83% with improvements +5% for a total average of +55%. **Lake Access** land was +125%, improvements +11%, and the total +47%. **Lake Influence** land +118%, improvements +14%, and the average +50%. **Condos** increased +53%.

The above numbers show the substantial increase in the sales value of lake area properties. For many years, the only major increases were in lakefront properties and in later years also in lake access properties. While in the actual dollar amount of the increase, the lakefront and lake access properties continue to lead, the lake influence and condo properties have pulled ahead in the percentage increase during the 2005 reassessment (from a lower dollar value base).

The reassessments conducted during 2005 become effective on January 1, 2006 and are the basis for the tax bill issued on July 1, 2006. Property owners in the area that has been reassessed are notified of the results in early January of each year. If an assessment increases,

the increase is phased in over 3 years at 1/3 of the increase per year. While the assessment is controlled by the State, the County controls the county portion of the tax rate (which was \$1/\$100 of assessed value last year). Property taxes generate 46% of the County's income and the constant yield rate for the coming budget year is 89.3 cents per \$100 of assessed value (the constant yield rate is the tax rate needed to generate the same property tax revenue as the previous year and provides guidance to the Commissioners in setting the actual tax rate to be charged).

The Garrett County Commissioners held hearings on April 18<sup>th</sup> to solicit public input on the tax rate and will announce the budget and their decision on this year's rate at a public meeting on June 6<sup>th</sup>. While there were many comments in support of the lower constant yield rate, there was significant public support for holding the rate at \$1/\$100 to support budget increase requests by the school system and other county agencies.

In light of the significant increases in assessed value, the Homestead Credit Law which limits the property tax increase for Garrett County permanent residents to 5% annually is very beneficial to those who qualify. This limit is not available to homes owned by a limited partnership and the assessed level from which the 5% increase is calculated must be reset if improvements of \$50,000 or greater are made to a home or if the home is sold.

During 2005, there were 305 residential home sales in the Lake area valued at \$156.7 million or \$513,787 average per residential transaction. In 2005, there were also 208 non-commercial lot/land sales in the Lake area valued at \$46.0 million or \$223,436 per land transaction. Compared to 2004, the number of sales in the Lake area was down almost 3% but the average sales dollar value was up 18.3% for home sales and 25.2% for land sales. For 2005, the Lake area real estate transfers represented 58% of the County real estate transfers and 82% of the County real estate sales dollars (the Lake area contains 23% of the County's properties).

## Lake Water Level

In early February, Brookfield Power did upgrade work on the dam and power plant control equipment as approved by the Maryland Department of Environment. In preparation for this work, the level of water in the lake needed to be lowered to 7-feet below the top of the dam (to the January lower rule band level of 2455.0 elevation) for safety and flood control reasons. During the four weeks required to complete the job and in the time since, the precipitation in the lake area was significantly below normal. As of April 21<sup>st</sup> the lake level was at 2458.4 elevation which is about one foot below normal for this time of the year. To get the lake level back to normal as quickly as possible, Brookfield did

not run the generators after completing the work in early March and cancelled half of the mandatory whitewater releases. The almost 3-inches of rain from April 22<sup>nd</sup> through 25<sup>th</sup> has now raised the lake level back into the normal range. For the latest information about the lake level and rule bands, go to the POA web site ([www.deepcreeklakepoa.com](http://www.deepcreeklakepoa.com)) and click on "Lake Elevation". (Note: Brookfield Power was previously named Brascan Power and purchased the Deep Creek Lake dam and power plant from Reliant Energy on May 12, 2005. Brookfield operates 131 hydroelectric power stations and is part of a 100-year-old company that has \$40 billion of assets under management).

## AEP Power Line

American Electric Power has announced plans to build a 765-kilovolt electricity transmission line (the highest voltage used in the U.S.) from southwestern West Virginia to central New Jersey (550 miles). The proposed \$3 billion project would permit inexpensive power from coal-fired generators to be sent to the mid-Atlantic coastal area, reducing the chance of blackouts and improving transmission grid reliability while reducing that area's dependence on high cost natural gas and oil fired generators. The line would supplement service to approximately 50 million energy-hungry electricity customers from New York City to Washington, D.C. If approved, the line could be in service by 2014. All of this sounds great until you consider that the preliminary path of the giant power lines on 135-foot towers in 200-foot rights-of-way cuts right through the southern portion of Garrett County. In response to questions asked by a reporter from *The Republican*, an AEP representative said that the proposed route "is extremely rudimentary and tentative and definitely subject to change". AEP continued "public opinion will be solicited during the routing studies and will be considered". Utilities typically negotiate agreements with private property owners to acquire rights-of-way but if negotiations fail to result in an agreement, utilities have the ability to use eminent domain proceedings to acquire rights-of-way.

The POA Board will closely monitor AEP's activities and assure that the Garrett County Commissioners and the Public Service Commission of Maryland keep the lake area property owners' interests along with environmental interests at the top of their list. Historically, property values decline in the immediate vicinity of new high voltage transmission lines. Given the significance of our members' property taxes to Garrett County's financial stability, we believe that the Commissioners will do what is necessary to prevent any adverse impact on lake area property values. This will undoubtedly be a topic of discussion at the POA June 24<sup>th</sup> General Meeting.

## DNR Topics

Maryland's **new life jacket law for children** became effective April 1<sup>st</sup>. If a child is less than 4 years of age or weighs under 50 pounds, the child must wear a PFD with additional safety features including a strap that is secured between the child's legs to fasten together the front and back of the PFD, an inflatable headrest or high collar to keep the child's head above water, and a web handle to ensure the ready accessibility of the child from a vessel. Detailed information about the new PFD is on the DNR website [www.dnr.state.md.us/boating](http://www.dnr.state.md.us/boating).

Pinnacle Magazine has named Deep Creek Lake as the favorite "Best Four Seasons Recreation" in the magazine's 2006 Best of the Mountains Awards. This award recognized "heavenly places where fun is a year-round thing". Referenced in the award were swimming, boating, and sailing on Deep Creek Lake; the Wisp ski slopes and 25 miles of cross-country ski trails; and snowshoeing, hiking and snowmobiling at State Parks.

The State of Maryland offers a **Golden Age Pass** to any resident 62 years of age and over. This Pass entitles the cardholder free entry and boat launch at all Maryland State Parks and half price camping Sunday through Thursday (excluding holidays). Applications are available at the DNR office or on the web at [www.dnr.state.md.us/publiclands/goldenage.html](http://www.dnr.state.md.us/publiclands/goldenage.html).

The Natural Resources Camping Reservations telephone number in the 2005 Phone Book is incorrect (the toll free number is listed as an 800 number; it is actually an 888 number). To make camping, cabin, and shelter reservations at any Maryland State Park call (888) 432-2267 (CAMP) or go to the web site <http://reservations.dnr.state.md.us>.

## TVRU Update

The Transient Vacation Rental Unit (TVRU) Licensing Ordinance, which was discussed in the Winter *Dispatch*, was approved by the Garrett County Commissioners effective March 1, 2006. The approved ordinance is on the County web site ([www.garrettcounty.org/pandz/licenfman.html](http://www.garrettcounty.org/pandz/licenfman.html)). The final wording of the ordinance eliminated the word metal from the requirement for bear proof trash containers and changed the license from an annual license to a two-year license. The requirement for a Health Department approved disinfection device installed in the water system was removed as long as the rental unit continues to pass annual water sample tests. However if an annual sample and resample fail the tests or if two consecutive annual samples fail the test, a Health Department approved disinfection device along with any other additional water treatment equipment necessary

to assure bacteria free water must be installed to continue rental of the unit. The requirements for parking spaces available for a rental unit was changed for units approved prior to August 5, 2003 by providing alternatives including off-site parking and controlled parking permits. A provision was also added to allow transfer of the TVRU License to a new owner under specified timing constraints. The Office of Licensing and Enforcement Management of Garrett County will handle the implementation and enforcement of this new ordinance.

## Gypsy Moth Spraying

The State has approved aerial spraying for gypsy moth caterpillars in selected areas of Garrett County beginning in May. The Maryland Department of Agriculture said that approximately half of the acreage in the County is scheduled to be treated and that homeowners in the areas that are going to be treated have been contacted by letter. The spray schedule along with the pesticide being used on each spray block (B.t. or Dimilin) will be on the MDA web site [www.mda.state.md.us](http://www.mda.state.md.us).

## Flowery Vale

The Flowery Vale Health & Fitness Center in Accident offers a full range of exercise equipment, fitness classes, and specific programs tailored to each individual's needs. Garrett County Community Action's Area Agency on Aging operates the Center and membership is available to all County landowners of age 50 and over. The fees are modest and membership can be annual, monthly, or per visit with day use at \$3 per person. Each new member receives a personal fitness assessment and a program of cardiovascular, weight resistance, and flexibility exercises. Classes in yoga, Pilates, aerobics, and stability ball exercises are offered for no additional fee to members or for a nominal fee to non-members. Christy Hoalcraft is the Director of the Center and can be reached on (301) 746-8050.

## Thousand Acres Development

On January 24<sup>th</sup>, DNR Lake Manager Carolyn Mathews issued a letter to TAD Inc regarding their application for a Buffer Strip Use Permit. The letter states that the basic concept of their proposed uses of the lake and buffer strip associated with the private membership club are acceptable subject to ten conditions which she defines (please e-mail [BillNickles@hotmail.com](mailto:BillNickles@hotmail.com) if you would like a copy of the DNR letter). She also states that two proposed uses of the buffer strip are not ap-

proved (mooring buoys and shoreline erosion control). The letter concludes that final issuance of a buffer strip use permit and special permits for alterations and improvements cannot occur until TAD Inc obtains Garrett County Zoning Office approval for a Private Membership Club on the adjoining parcel and conforms to any and all zoning requirements. In addition, the letter lists three other requirements concerning ownership, title requirements, and corporate registration.

TAD Inc will be submitting their private membership club application to the Planning Commission for a public hearing before the Board of Special Appeals. This hearing will be held on Thursday, May 18<sup>th</sup> if the application is submitted by the end of April.

## Summer Cultural Event Schedule

**GLAF (20<sup>th</sup> Anniversary)** Call 866-356-0445 toll-free for tickets and information or buy tickets on-line at [www.artsandentertainment.org](http://www.artsandentertainment.org) (Cost: Adult/Student/Youth): **May 13<sup>th</sup>—River City Brass Band**, Lodge at Wisp, 2:30pm, \$15/\$7/\$3; **June 2<sup>nd</sup>—ForeBiddin Picnic!**—11:00am Putting Contest and 1:00pm Golf at Oakland Golf Club, 6:30pm Happy Hour, Dinner, and Auction at Will O' the Wisp — \$125 (Golf + Evening) or \$50 (Evening Only); **June 10<sup>th</sup>—Piano4**—Garrett College Auditorium, 7:30pm, \$15/\$7/\$3; **July 5<sup>th</sup> through 8<sup>th</sup>—Chautauqua**, Garrett College Tent, 7:00pm, Free (7/5 Paul Robeson, actor; 7/6 Henry Ford, inventor; 7/7 Leonardo da Vinci, artist; 7/8 Coco Chanel, designer); **Aug. 19<sup>th</sup>— Music on the Mountain: The Brits are Coming**, Garrett College Auditorium, 8:00pm, \$22/\$10/\$10; **Aug. 25<sup>th</sup> — Music on the Mountain: The Symphony Goes POPS!**, Slopes at Wisp, 7:30pm, \$15/\$5/\$5; **Aug. 26<sup>th</sup>—Music on the Mountain: The Gypsy Spirit**, Lodge at Wisp, 8:00pm, \$22/\$10/\$10; **Nov. 4<sup>th</sup>—Midori** (Violinist), Garrett College Auditorium, 7:30pm, \$25/\$7/\$3.

**Our Town Theatre** (Call 301-334-5640 for Tickets and Information; web [www.ourtowntheatre.org](http://www.ourtowntheatre.org)): **May 17<sup>th</sup> to 20<sup>th</sup>** (8:00pm) and **May 21<sup>st</sup>** (2:00pm)—**Rounding Third** (hilarious baseball play). Tickets for Friday and Saturday are \$8; other days are \$5.

Garrett Community Concert Band (**Tickets from Band members or at the door; call 301-387-3127 or 301-387-6463 for further information; web <http://home.earthlink.net/~communityband>**): May 5<sup>th</sup>—Spring Concert (**8:00pm, Wisp, \$8 adults, \$2 students**); July 4<sup>th</sup>—Annual Independence Day Concert (**7:30pm, Garrett College Tent, Free**).

McHenry Festival (19<sup>th</sup> Annual) **Tickets available on their web site ([www.highlandfest.info](http://www.highlandfest.info)) or at the**

**door: June 2<sup>nd</sup> through 4<sup>th</sup>—Friday St. Andrew's at Wisp Golf Tournament; Friday night Celtic Concert 8:00pm at Wisp (\$20) with Bonnie Rideout (internationally acclaimed Scottish fiddler) and the rollicking Celtic band Coyote Run; Saturday Highland Festival 9:00am to 5pm at Garrett County Fairgrounds in McHenry (\$10 adult, \$5 student, and free for under 12 with paying adult).**

**Music at Penn Alps (14<sup>th</sup> Season)** (Web [www.musicatpennalps.org](http://www.musicatpennalps.org) or call 301-895-4250)—Concerts are held at 7:30pm on Saturday nights at Penn Alps (\$12). **June 3<sup>rd</sup> Slippery Rock Trio** (Violin, Cello, Piano); **June 10<sup>th</sup> Monongahela Trio** (Flute, Cello, Piano); **June 17<sup>th</sup> Hasse Borup & Mary Kathleen Ernst** (Violin, Piano); **June 24<sup>th</sup> Rossignol** (Early Music Ensemble); **July 8<sup>th</sup> Robin, Jon & Joe** (Bluegrass); **July 15<sup>th</sup> Lomazov & /Rackers** (Piano 4 Hands); **July 22<sup>nd</sup> Eun-Suk Jung** (Piano); **July 29<sup>th</sup> John Weigand & James Miltenberger** (Clarinet, Piano); **Aug. 12<sup>th</sup> Covington String Quartet** (Violin, Violin, Viola, Cello); **Aug. 19<sup>th</sup> Robert Psurny & Donna Baroudi Moore** (Tenor, Piano); **Aug. 26<sup>th</sup> Miltenberger Jazz Quintet** (Piano, Bass, Drums, Sax, Flute, Voice); **Sept. 2<sup>nd</sup> Chesapeake Trio** (Violin, Cello, Piano); **Sept. 16<sup>th</sup> Bobby Mitchell** (Piano).

Little Yough Music Series (10<sup>th</sup> Season): **Free concerts are held at the Mt. Fresh Pavilion (Oakland Parking Lot) at 7:00pm on Friday nights. Bring a lawn chair; food available for purchase.** June 23<sup>rd</sup> Mon River Big Band (**Big Band Era Music and Vocals**); June 30<sup>th</sup> Dennis McClung Blues Band; July 7<sup>th</sup> Suede (**Pop & Jazz Vocalist**); July 14<sup>th</sup> The Kennedys (**Folk**); July 21<sup>st</sup> Zydeco-A-Go-Go (**Cajun, R&B**); July 28<sup>th</sup> Christine Lavin (**Singer, Songwriter, Humorist**); and September 1<sup>st</sup> The Remedy (**Classic Rock and Roll**).

## Wisp Summer Activities

Wisp has announced a new Kid's Adventure Program and a Kid's Night Out Program both of which offer activities and games for children for a day, an evening, or an entire week. These new programs are in addition to scenic chairlift rides, disc golf, skate park, paintball, hayride/bonfires, nature programs, mountain biking, and mountain boarding. Also Wisp will be active in fly-fishing activities this summer including 2-day fly-fishing classes in partnership with Orvis Outfitters, equipment rental, a retail store, guide services, children's clinics, and women's workshops. For more information, scheduled dates, and prices, contact Wisp Outdoors Center at (301) 387-4911 or view their web site at [www.wispresort.com](http://www.wispresort.com).

# Property Owners' Association of Deep Creek Lake

P.O. Box 816  
McHenry, MD 21541  
(301) 616-4339

## Dues Statement

Description	Amount
2006 Calendar Year Dues Entitles you and immediate family to the privileges of membership—attendance at two general meetings during the summer, receipt of the Dispatch quarterly newsletter, participation in an organization representing the common interests of property owners, and advice and counsel on specific problems.	\$30.00

Fill in and return the application form below with your payment.

**ONLY FOR THOSE WHO HAVE NOT PAID 2005 POA DUES**  
**POA—PROPERTY OWNERS' ASSOCIATION OF DEEP CREEK LAKE, INCORPORATED**  
**P.O. BOX 816 • McHENRY, MD 21541 • (301) 616-4339**

RENEWAL  
NEW MEMBER

CALENDAR YEAR 2006 DUES—\$30.00

Name \_\_\_\_\_ Home Phone \_\_\_\_\_

Lake Location \_\_\_\_\_ Lake Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

E-mail address \_\_\_\_\_

Legal Residence:   Lake   Other

Comments \_\_\_\_\_

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\_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

## POA Board Members

Lou Battistella, Secretary ..... '07 ..... 301-387-2094 Lbatt859@aol.com	Marge Mahood ..... '07 ..... 301-387-5885 mahood@gcnetmail.net
Michael Belmonte ..... '06 ..... 301-387-6371	W. Tom Myers, Treasurer .... '08 ..... 301-387-9162 tom@mountaineerlog.com
Louise Conjura ..... '07 ..... 301-387-5857 lconjura@gcnetmail.net	Bill Nickles, VP Membership '06 ..... 301-387-2506 BillNickles@hotmail.com
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Katheryn Gemberling, ..... '07 ..... 301-384-2850 VP Planning kgember@aol.com	Robert Sutton ..... '08 ..... 301-387-4957 rasutton@nauticon.net
Scott Johnson, ..... '06 ..... 301-387-8547 President scott.johnson@coldwellbanker.com	Fred Thayer ..... '07 ..... 301-387-9439 fthayer@mindspring.com
Jonathan Kessler ..... '06 ..... 301-387-6229 Smiley@smileysfunzone.com	Roger Titus, Senior VP ..... '07 ..... 301-344-0052 rwtitus@hotmail.com
Ed King ..... '08 ..... 301-387-5702 ed.king@longandfoster.com	Barry Weinberg ..... '06 ..... weinutr@verizon.net

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Deep Creek Lake, Inc.  
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