

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
SEPTEMBER 13, 2011

At 2:00 p.m., the Board of County Commissioners for Somerset County met in regular session with Commissioner President Rex Simpkins, Commissioner Vice President Charles F. Fisher, Commissioner Craig N. Mathies, Sr., Commissioner Jerry S. Boston and Commissioner Randy Laird.

County Administrator-Clerk, Cynthia R. Ward and Executive Secretary, Lory E. Ebron were also present.

President Rex Simpkins called the meeting to order, and asked Commissioner Mathies to lead those attending the meeting in repeating the Lord's Prayer and the Pledge of Allegiance.

Upon a motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to dispense with the reading of the Minutes of the meeting held on Tuesday, August, 30, 2011 and approve the minutes as presented.

Mr. Tom Johnson, of Eastern Shore Forest Products, was now present before the board to discuss his FY 2012 request for property tax exemption in the amount of \$51,503.58. Mr. Johnson noted that he has installed some new equipment, and there has been some expansion in all of his office locations. Mr. Johnson questioned if the Commissioners would seek legislation that would permit his company to have permanent exemption status, as this had been an agreement made by the Commissioners serving the county in 2008. Mr. Johnson requested that the current Board honor the previous board's commitment, and stated that if permanent exemption status is not obtained, he may have to leave Somerset County and expand his Wicomico County and Delaware plants where he has permit permanent exemption status. Commissioner Laird questioned if the exemption applies to all businesses. Mr. Johnson explained that the legislation would apply to manufacturers only. Mr. Johnson noted that pursuing the legislation allowing permanent personal tax exemption would benefit the County as it would attract manufacturing businesses to Somerset County. Commissioner President Simpkins noted that the philosophy of the board may have changed. Commissioner Boston noted that there are no other businesses in Somerset County that have been granted a permanent exemption. The Board feels that they may need to see more benefits coming to the County in order to consider legislation that would permit permanent exemptions. Mr. Johnson continued to express his opinion that allowing this legislation would create economic development for Somerset County. Commissioner Fisher stated that

he feels the Board needs to consider the previous Boards commitment, and that the county should move forward to pursue legislation that will allow permanent manufacturer property tax exemption. Mr. Johnson advised that his attorney has submitted information relating to applying for the legislation to County Attorney Simpkins, advising that the procedure is a simple one.

Therefore, on a motion by Commissioner Boston, seconded by Commissioner Fisher, it carried 4-0 to approve the FY 2012 personal property tax exemption to Mr. Johnson, Eastern Shore Forest Products in the amount of \$51,503.58. Additionally, County Attorney Simpkins will be contacted to explore legislation that will permit permanent tax exemptions to manufacturing businesses in Somerset County.

Now before the Board were Mr. Stephen Shiloh, Chief Executive Officer, Maryland Correctional Enterprises, Mr. William O. Filbert, Assistant Commissioner, Ms. Donna Beck, Regional Manager, ECI and Mr. Danny McGarity, ECI Furniture/Transportation. Mr. Shiloh began by explaining the mission of Maryland Correctional Enterprises (MCE), which is to provide structured employment and training activities for offenders in order to improve employability upon release, enhance safety and security, reduce prison idleness, produce quality goods and services and to be a financially self-supporting State agency. Mr. Shiloh explained that MCE would like to house Pre-Release inmates at ECI as it would save on time and costs related to transportation from Poplar Hill. Mr. Shiloh referenced a letter his office received from the Somerset County Commissioners Office, voicing concerns relating to the use of two inmates at the ECI Annex that would be reclassified to pre-release status and be allowed to work outside the facility and be supervised by non-correctional staff. He began by explaining that he is requesting the use of two inmates, that would be housed at ECI for laundry and furniture restoration. Commissioner Fisher asked about the jail time limits of the inmates that will be used. Mr. Filbert stated it would be within two years of their release date. Commissioner President Simpkins questioned the security level, and the treatment of inmates when used in the pre-release program. Mr. Filbert explained that the inmates are under the same standards when at the facility, noting that there is a mix of security levels on a regular basis. Commissioner President Simpkins explained that his personal concern is that it has only been one year since the Board approved the work release program under supervision of Correctional Officers. Mr. Shiloh explained supervisory staff within MCE receives the same training as the Correctional Officers, and proceeded to provide a spreadsheet for review that outlined the training requirements.

At the conclusion of the discussion, the Board was in approval to allow Maryland Correctional Enterprises to house the pre-release inmates participating in the MCE program at the ECI Annex.

Ms. Dottie Butler was now present before the Board to accept a Proclamation on behalf of Ms. Wendy Restine in honor of Constitution Week, occurring the week of September 17th through September 23, 2011. Ms. Butler thanked the Board for the Proclamation, stating her appreciation to the Board for bringing recognition to this very special and important document.

Ms. Ward began review of correspondence that had been received since the last meeting.

Notification was received from Maryland Department of Planning regarding the submittal of a maintenance dredging project in the Lower Thorofare Federal Navigation Channel.

A letter received from the State Highway Administration (SHA) states that SHA is currently conducting environmental analyses, engineering studies and related activities including field research and survey activities relative to studies on the bridge rehabilitation project on the US13 Bridge over the Pocomoke River. The letter was sent to notify Somerset County that personnel may be required to enter temporarily onto county property located at 7260 Hayward Road in order to conduct the analysis.

Ms. Ward next presented a memo from Mr. Gary Pusey, Director of the Department of Community and Technical Service requesting the Boards consideration to waive a total of \$417.00 in permit fees for a new home replacement project that has been approved for Mr. Eugene Smith, 6512 George Riggan Road, Westover. The request has been approved through a Special Loan Program offered through the Department of Housing and Community Development. Mr. Pusey noted that historically the County building fees have been waived since the County is a partner in this program.

A second memo from Mr. Gary Pusey, requested the Boards consideration to waive the electrical permit fee for property located at 3084 Calvary Road, Crisfield. Damage was incurred to the property during Hurricane Irene. The Maryland Emergency Management Administration (MEMA) is paying for the materials, and the occupant's church has agreed to provide labor. MEMA has asked the county to waive the \$30.00 electric permit fee. It was noted that the occupant is disabled, and that this is an emergency situation.

Therefore, on a motion by Commissioner Laird, seconded by Commissioner Fisher, it was unanimously approved to waive the fees as requested for Mr. Eugene Smith, 6512 George Riggan Road, Westover in the amount of \$417.00 and a \$30.00 electric permit fee for property located at 3084 Calvary Road, Crisfield.

Ms. Ward next presented the information received from Mr. Bob Cadwallader, Somerset County Forester, with regard to the Maryland Department of Planning State Clearinghouse Intergovernmental Review of a project submitted by the Maryland Department of Natural Resources for the Firewise and Invasive Species Initiatives in Maryland's Coastal Plains. The project, discussed at the August 30, 2011 meeting, would receive federal funding in the amount of \$260,000.00 with a matching state grant in the amount of \$260,000.00, totaling \$520,000.00. A response to the project review was postponed during the August 30, 2011 meeting so that the Forester could be questioned with regard to the specifics involving this project and how it will affect Somerset County. Ms. Ward reported that Mr. Cadwallader reviewed the project, and after speaking with the State Forester, feels this project is beneficial to the county, and does not conflict with any other initiatives in place. Ms. Ward noted that the project will bring funding back into the county to support DNR staff, and will also assist to eliminate invasive plant species.

Therefore, on a motion by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to submit a C-5 response with regard to the State Clearinghouse Intergovernmental Review of the project submitted by the Maryland Department of Natural Resources for the Firewise and Invasive Species Initiatives in Maryland's Coastal Plains.

Ms. Ward next presented two requests received for Pauper burial assistance. The first request was submitted by Mr. Terry L. Purnell on behalf of Ms. Rawley R. Ames whom resided in Princess Anne Maryland and passed away on September 8, 2011. Mr. Purnell stated that Ms. Ames had no life insurance or any funds left after her death. Services are to be held at Anthony Ward Funeral Home. The second request was for assistance on behalf Mr. Joseph Douglas Crockett, requested on behalf of his family. Mr. Crockett's service will be held at Bradshaw Funeral Home.

On a motion by Commissioner Fisher, seconded by Commissioner Mathies, it unanimously carried to submit \$250.00 to Bradshaw Funeral Home on behalf of Rawley R. Ames, and \$250.00 to

Anthony Ward Funeral Home on behalf of Joseph Douglas Crockett for pauper burial funding assistance.

Ms. Ward presented a request for signature from the State of Maryland Department of Human Resources regarding the new The Emergency Food Assistance Program (TEFAP) Memorandum of Agreement (MOU) for the period of October 1, 2011 through September 30, 2014. The TEFAP MOU allows for the distribution of foods and receipt of funds to pay for food storage and distribution under The Emergency Food Assistance Program. Ms. Ward noted that there is little change in the agreement and that Somerset County is a sponsoring agent.

On a motion by Commissioner Laird, seconded by Commissioner Boston, it carried 4-0 to authorize Commissioner President Simpkins to sign the The Emergency Food Assistance Program (TEFAP) Memorandum of Agreement (MOU) for the period of October 1, 2011 through September 30, 2014.

Lastly, Ms. Ward presented a draft version of the Maryland Planning Bill of Rights, submitted by Mr. Doug Howard, Commissioner District 5, Carroll County, Maryland. The Maryland Planning Bill of Rights relates directly to the ongoing discussions that have been held with regard to PlanMaryland, and the need for local jurisdictions to offer their comments and express their concerns with regard to State authority over local jurisdiction decisions. Mr. Howard has requested Somerset County to support the Maryland Planning Bill of Rights by drafting a letter of support, resolution or any other type of inclusion that will support the efforts of PlanMaryland. After discussion, Ms. Ward was directed to draft a Resolution that will be considered for approval at the next scheduled meeting.

Mr. Phil Riggin was now present before the Board. Mr. Riggin questioned the meeting scheduled at UMES on September 14, 2011 at 9:00 a.m., asking if it is customary to organize a meeting to discuss the creation of a newly formed private renewable energy company. Mr. Riggin noted that there is some confusion regarding the renewable energy issue, and wonders if this matter is a statewide initiative. He also asked if this company could be invited to attend a Somerset County Commissioners meeting for discussion and explanation. Commissioner Boston noted that the meeting scheduled at UMES is open to the public and perhaps Mr. Riggin could consider attending the meeting to have his questions answered.

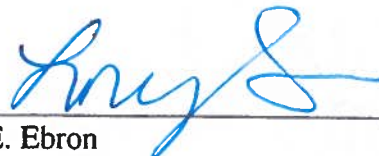
Mr. Dan Kuebler was now present before the Board. Mr. Kuebler questioned the Duel Bridge work scheduled for the U.S. Route 13 bridge over the Pocomoke River, stating that it was just maintained two years ago and the previous work took years to complete. Additionally, Mr. Kuebler said that at that time, the maintenance work being performed was dangerous for commuters, and perhaps the State could be asked to brief us, and perform the work in a more timely manner.

With no further business, the meeting adjourned at 3:38 p.m.

The amount drawn on the General Fund Checking Account for the week of September 13, 2011, from check no.86402 through check no. 86452 was \$642,568.52.

The amount drawn on the General Fund Checking Account for the week of September, 20, 2011, from check no. 86454 through check no.86485 was \$433,616.24.

Respectfully Submitted:



Lory E. Ebron
Executive Secretary

Approved by:



Board of County Commissioners
For Somerset County