

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY, APRIL 24, 2012

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.

Also present was Ralph D. Taylor, County Administrator-Clerk; and Cynthia R. Ward, Executive Aide.

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

Upon a motion made by Commissioner Mathies, seconded by Commissioner Laird, it carried unanimously to dispense with the reading of the Minutes of the following meetings:

April 10, 2012	Open Session
April 17, 2012	Work Session
March 20, 2012	Work Session
March 27, 2012	Closed Session
April 10, 2012	Closed Session
April 11, 2012	Closed Session

President Simpkins began by welcoming members of the University of Maryland Eastern Shore Bowling Team, which captured their second consecutive NCAA Championship on Saturday April 14, 2012 by defeating Fairleigh Dickinson University 4-2 in the best of seven. On behalf of the Board of County Commissioners, President Simpkins presented the Bowling Team with a Proclamation commending the members of the team as outstanding athletes in their chosen area of competition. Accepting the Proclamation was: Valerie Riggin, Tatiana Munoz, Mariana Alvarado, Kristina Frahm (Interim Coach), and Stan Bradley (Sports Information Director).

Deputy Jonathon Todd, Somerset County Sheriff's Office, was now present before the Board to report on the availability of federal grant funding, through the U.S. Department of Justice for the purchase of new body armor vests for the Deputies. Deputy Todd stated that the vests only have a performance life of five years, and the vests currently in use by the Sheriff's Office are in need of replacement. The vests are \$550 each (Level III Threat), for a total of \$12,100. Deputy Todd asked for the Board's support and authorization to apply for the grant funding.

A motion was made by Commissioner Fisher, seconded by Commissioner Mathies, to authorize the Somerset County Sheriff's Office to pursue the federal grant funding for the purchase of new body armor vests. The motion carried unanimously.

At this time, the County Administrator reviewed correspondence and discussion items with the Board.

Mr. Taylor reviewed a project notification from the Maryland Department of Planning, State Clearinghouse, regarding a Draft Programmatic Environmental Impact Statement which covers the potential significant environmental effects of multiple geological and geophysical activities on the Atlantic Outer Continental Shelf. It evaluates the types of geological and geophysical surveys and activities in the three program areas managed by the Bureau of Ocean Energy Management; oil and gas exploration and production; renewable energy; and marine minerals. Since the project would have no effect on Somerset County, Mr. Taylor recommended we respond with a C-5 designation, indicating the project is consistent with our plans, programs, and objectives.

A motion was made by Commissioner Laird, seconded by Commissioner Fisher, to authorize the County Administrator submit a response with a C-5 designation. The motion carried 4-0.

The Board reviewed a request submitted by the City of Crisfield, for ECI inmate labor assistance with a beach cleaning project planned for Brick Kiln Beach in Crisfield.

Upon motion made by Commissioner Laird, seconded by Commissioner Fisher, it was carried unanimously to approve the request made by Crisfield Mayor, Percy J. Purnell, for assistance in providing a supervised inmate crew from ECI for a clean-up project at Brick Kiln.

Mr. Taylor advised the Board of a letter received from Raymond S. Smethurst, Jr., of Adkins, Potts & Smethurst, LLP regarding the proposed ordinance for Industrial Wind Energy Conversion Systems. In the letter, Mr. Smethurst requests, on behalf of a number of Somerset County residents who own property in close proximity to the locations being considered for industrial size wind turbines, the proceedings be re-opened to present suggested changes. Mr. Taylor reminded everyone that a public hearing was held by the Board on Tuesday, February 28, 2012 to accept testimony from the public and written comments are still being accepted. President Simpkins invited Mr. Smethurst to participate in a work session, Tuesday, May 1, 2012, at which time Mr. Smethurst will have one hour to make his presentation. The Board will

continue to accept written comments during this period. President Simpkins also encouraged him to review the proposed revision to the original ordinance amendment that is being presented today. Mr. Taylor concluded by directing Mr. Smethurst to forward any documentation to his attention.

A memo from Recreation and Parks Director, Paige Hurley, was reviewed by the Board regarding the expiration of terms for the members of the Recreation Commission. Mr. Hurley advised that all members have been contacted and have agreed to serve another term, if re-appointed.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to re-appoint the following members of the Recreation Commission for another three-year term: Mike Miller, Marshall Becoat, Charles Laird, Dale Turpin, and Wayne Muir. The motion carried unanimously.

Mr. Taylor reported on a petition received from residents and watermen in the Wenona Harbor area regarding the need for dredging of the Lower Thorofare Federal Navigation Channel in Wenona. Additionally, Mr. Taylor has drafted a letter to James Henry, Program Director, Maryland Department of Business and Economic Development, to formally request funding for the final design and dredging of the Lower Thorofare Project, which Somerset County has worked diligently since 2006 to see completed. Mr. Taylor recommended the Board submit an application for funding through a One Maryland grant in the amount of \$1,625,000.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to submit an application to the Maryland Department of Business and Economic Development for \$1,625,000 in funding through a One Maryland grant. The motion carried unanimously.

Commissioner Laird inquired if similar funding would be available for Jenkins Creek. Mr. Taylor was unsure if Jenkins Creek would qualify, but he will research the issue.

At this time, the County Administrator presented the Board with a proposed revision of the Zoning Ordinance Amendment for Industrial Wind Energy Conversion Systems. As a result of a trip to New York to view the wind turbines in a similar setting, and the considerable amount of public comment received, a revision is being proposed for the Board's consideration. The new revision includes changes to the setback requirement; height restrictions; responsibility for road damage/maintenance; underground wiring; and blade height. The Board will review the proposed revision and discuss it at our next work session.

The Board was presented with a draft Resolution for a Joint Land Use Study (JLUS). The JLUS, as proposed by Tri-County Council, is a community sponsored and led study designed to promote compatible development patterns near Naval Air Station, Patuxent River by applying a local planning process to update local plans and supporting regulations relating to the Naval Air Station's mission and impacts on surrounding communities. Mr. Taylor acknowledged a suggested change to the original Resolution which states: "The Somerset County Commissioners commit to a good faith effort to implement any recommendations included in the JLUS while still recognizing the importance of private property rights; however, the Board of County Commissioners reserves the right to not implement any recommendations that will adversely affect the economy of Somerset County." Before taking action on the proposed Resolution, the Board agreed to obtain a legal opinion from the County Attorney.

President Simpkins was presented with a letter confirming the Airport Capital Improvement Plan to be submitted, as requested, by the Federal Aviation Administration. The Plan outlines the capital projects planned for the Crisfield-Somerset County Airport for the next five years, which include the Avigation Obstruction Removal Project – Phase One and Two; Runway Rehabilitation; and T-Hangar Design Work.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to authorize President Simpkins to sign the Airport Capital Improvement Plan. The motion carried unanimously.

Upon motion made by Commissioner Boston, seconded by Commissioner Fisher, it was carried unanimously to adopt a Proclamation in recognition of the National Day of Prayer, observed on Thursday, May 3, 2012.

As noted on the Agenda, the Board considered appointments for the Agricultural Preservation Advisory Board and for the Citizens Review/Grievancy Committee.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to appoint Mr. Langford Anderson to serve as member of the Agricultural Preservation Board, as replacement to James T. Nelson, Jr., whom is completing his term in June of this year. The motion carried unanimously.

Upon motion made by Commissioner Laird, seconded by Commissioner Boston, it was carried unanimously to re-appoint Mr. David Tawes to serve as member of the Somerset County Citizens Review/Grievancy Committee for a term of three years.

At the conclusion of the meeting, President Simpkins reminded everyone of the work session scheduled for May 1, 2012, at 1:00 p.m., to discuss the Zoning Ordinance Amendment for Industrial Wind Energy Conversion Systems, and asked for any questions from the audience. Ms. Tanna Johnson inquired as to who selected Sheldon, New York, as the chosen area to visit, and why. Mr. Taylor advised that the site was suggested by EDC Director, Danny Thompson, but was unsure why that location was selected.

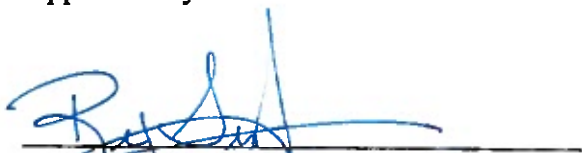
With no further business, a motion was made by Commissioner Boston, seconded by Commissioner Fisher, to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 2:35 p.m.

Respectfully Submitted:



Cynthia R. Ward
Executive Aide

Approved By:



Board of County Commissioners
For Somerset County