

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY, NOVEMBER 5, 2013

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 motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to approve the Minutes of the meetings held October 22, 2013 as presented.

Mr. Taylor welcomed the Deputy Secretary of Maryland Department of Transportation, Wilson Parran, to today's meeting. The Deputy Secretary proceeded to introduce the following MDOT staff members: Melinda Peters (State Highway Administration); Beth Kreider (Director of Local Transit Support for MTA); Sean Adgerson (Deputy Administrator of Motor Vehicle Administration); Donnie Drewer (District Engineer for State Highway Administration). Senator James Mathias and Delegate Charles Otto were also present for today's meeting.

Mr. Parran began by discussing the Transportation Investment Act that will provide \$15.4 Billion over the next 6 years, and focuses on projects that will deliver us to work and home safely and on time. The Local and Regional Transportation Funding Task Force will look at projects and funding sources. December 15th is the deadline for identifying and reporting those priority projects. Over the next six years, Stormwater Management and wetlands projects will be implemented to protect our watersheds and improve the water quality of the Chesapeake Bay. Locally, the Eastern Shore will receive \$160 Million from the Transportation Investment Act, for projects which include the Roundabout at UMES, a \$4 Million project. The project will include the construction of sidewalks along Rt. 675. Construction of the Roundabout is expected to begin this winter and conclude next Fall. The project is intended to enhance the safety of pedestrians and motorists. Mr. Parran thanked County Officials and Princess Anne Officials for

partnering with them on this project. He also thanked The City of Crisfield for expediting the construction of the City Dock.

Mr. Parran reported on the federal funding that is needed to maintain navigational channels for the Port of Baltimore. Poplar Island and Mid-Chesapeake Bay Island are considered high priorities for dredging placement sites.

Mr. Sean Adgerson, Deputy Administrator of Motor Vehicle Administration, spoke on the goals of his department which center around safety and service. He also spoke on the “Zero Death Campaign”, a national campaign to cut traffic fatalities in half during the next 20 years. Mr. Adgerson reported on legislation that became effective October 1st, including a cell phone ban, which is now a primary offense. As we all know, distracted driving number is the number one cause of all reported crashes. This statistic includes texting and driving, particularly related to teen drivers. Also effective October 1st, was the strengthening of the seat belt law, which now requires all passengers, including back seat passengers, to utilize seat belts. Service initiatives that are now being introduced by the Motor Vehicle Administration include:

- 1) Electronic services that incorporate vision testing and online drivers license renewals;
- 2) Eight-year renewals for drivers licenses;
- 3) Email notifications of the expiration date for drivers license and vehicle registrations are available

Mr. Adgerson concluded by introducing staff members from the local MVA Office.

Ms. Beth Kreider, Director of Local Transit Support for MTA, addressed the Board. She began by stating that MTA has a dual role to support state as well as local transit systems. Next year, new resources will provide \$2 Million in operating funds to enhance and expand the local transit system (Shore Transit). They will also receive \$1 Million in capital funding for shop equipment, the purchase of five new buses, and to fund their preventive maintenance program. Ms. Kreider also reported that Somerset County Commission on Aging will receive over \$100,000 for operation funding. Discretionary grant funding has been awarded to the JARC (Job Access Reverse Commute) Program and Non-profit organizations to provide transportation services for senior citizens and those with disabilities. She also recognized Shore Transit for their new \$10 Million facility and stated they were very pleased to be a part of it. Ms. Kreider noted an increase in ridership for both local transportation programs and appreciates the partnership and excellent working relationship with both Shore Transit and the Commission on Aging.

Ms. Melinda Peters, of State Highway Administration, was now before the Board. She began by introducing her staff members and echoed the safety messages of her fellow MTA workers and asked the Board to share that message with their constituents. Education and safety messages launched in Ocean City this summer have continued throughout many of our area schools. In key projects within the County, she reported on the plans to resurface the decking on the Pocomoke River Bridge which will involve temporary roadways, with one-lane traffic during the construction period. One side of the bridge will only receive asphalt overlay while the other side will require major reconstruction. The project will begin later this year and is expected to take several years to complete. Ms. Peters concluded by reporting on the UMES Roundabout and sidewalk project. A "Notice To Proceed" is expected to be issued soon and they hope to have the project completed by next Fall.

Mr. Donnie Drewer, District Engineer for State Highway Administration, was now before the Board to report on the local preservation program, including the various locations that were resurfaced this year or planned for resurfacing in the upcoming fiscal years. Mr. Drewer reiterated the plans for the Pocomoke River Bridge deck work that is planned to commence in December of this year. He elaborated on SHA's plans to accommodate large farm equipment by escorting them through Pocomoke City. The project should take approximately two years to complete. The UMES Roundabout, sidewalks and drainage improvement Project will start next month and should be done by this time next year. Mr. Drewer noted the progress of the Ferry Terminal Project in Crisfield and addressed a new project in the County, a hiker/biker trail. SHA will partner with the County to construct a hiker/biker trail on the old railroad bed from Westover to Crisfield. He believes it will be very much utilized and be a "boom" for the County's economy.

Commissioner Fisher commended SHA for their trimming work on Rt. 363, although grass cutting could be improved.

Commissioner Laird expressed his appreciation to SHA for their work on MD Rt.380.

Mr. Taylor expressed his appreciation to Mr. Drewer for his dedicated work on the UMES roundabout project. He also inquired if the biker trail can be funded next year. Ms. Peters responded by stating that she is willing to work with the County and get the paperwork moving on this worthwhile project. Mr. Drewer stated that their first task is to clear the right-of-way.

Commissioner Fisher addressed US Rt. 13 and its designation as a non-access highway. He continued by asking if we can get a release on this designation for economic development purposes. Mr. Drewer recommended the County put together a proposal that would address a particular project and submit it for MDOT's consideration.

The meeting concluded with comments from our legislative delegation. Sen. Mathias thanked the Deputy Secretary and his staff for all of the good work they do for the State of Maryland. Delegate Otto echoed the Senators comments and also recognized the issue of tall grass in the County and is hoping for more improvement next year.

At this time, the Board continued with their regular session.

Mr. George W. Barnes, Director of County Roads Department, was now present to review a Contract Change Order (No. 1) for Contract SO 2013-3 Lower Thorofare Dredging, Wenona, MD. The Contract Change Order is described as:

“Install a 20” OD Snap-Tite Pipe to line existing 24” CMP pipe that has failed. Fill void between pipes with a 3500 PSI grout. Timber Wave Break change from a 3” rough cut lumber to 4” dressed lumber.”

The Change Order will increase the contract by \$19,582.71, for a new total contract price of \$949,757.71. Mr. Barnes reported that the changes have been approved by NRCS and will be covered by the grant funding. There will be no cost to the County.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to approve the Contract Change Order as presented. The motion carried 4-0.

Mr. Gary Pusey, Director of Technical and Community Services, was now present to request the approval of the following plans for Federal Grant Eligibility:

- 1) Fair Housing and Equal Opportunity (FHEO) Plan
- 2) Minority Business Plan
- 3) Section 3 Plan

Mr. Pusey reported that his office is fully involved with Hurricane Sandy Disaster Recovery grant funding. According to Housing and Urban Development (HUD), the plans, as listed above, are required for recipients of federal funding. The Board was advised of a requirement in Section 3 of the Housing and Urban Development Act of 1968, that employment and contracting opportunities be provided to low and very low income persons, to the greatest extent possible. Commissioner Mathies inquired about the County's performance in regard to this regulation. Mr. Pusey stated that no complaints have been received, and he plans to use

MDOT's list of qualified minority and women-owned businesses. The County cannot, however, restrict the employment and contracting opportunities to local residents.

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to approve the following plans, as required:

- 1) Fair Housing and Equal Opportunity (FHEO) Plan
- 2) Minority Business Plan
- 3) Section 3 Plan

Commissioner Laird asked for confirmation regarding information he received that 80% of the applicants for grant funding were disqualified. Mr. Pusey advised that his office is still working with most of the applicants. Not all of the applicants will qualify for the Disaster Recovery grant funding, however, they may qualify for some of the other funding programs. Commissioner Laird expressed his concern for the County's ability to disperse all of the funds to those in need.

Mr. Charles Cavanaugh, Director of Maintenance and Solid Waste, was now before the Board to present a Grant Application and Contract Change Orders for approval. The Board was advised of the availability of \$20,000 in state grant funding through the Administrative Office of the Courts, to replace analog equipment with digital equipment in the Courthouse through Reed Security. A local match will not be required.

A motion was made by Commissioner Fisher, seconded by Commissioner Laird, to approve the request to submit the grant application as described, and authorize the County Administrator to execute the grant documents. The motion carried 4-0.

The following Contract Change Orders for the Westover Senior Center Renovation Project was presented for Board approval:

- 1) Vanity/Sink replacement \$2,262
Upon motion made by Commissioner Mathies, seconded by Commissioner Laird, it carried 4-0 to approve the Contract Change Order.
- 2) Repaint metal doors \$1,859
Upon motion made by Commissioner Mathies, seconded by Commissioner Fisher, it carried 4-0 to approve the Contract Change Order.
- 3) Asphalt Paving (3 proposals received;
Bozman Paving was the lowest bidder) \$17,967
Upon motion made by Commissioner Laird, seconded by Commissioner Mathies, it carried 4-0 to award Bozman Paving the contract for the asphalt paving, and approve the Contract Change Order.

At this time, Mr. Taylor reviewed correspondence and discussion items with the Board.

A letter was submitted to the Board by the Director of Technical and Community Services, Gary Pusey, advising of the expiration of the term of Richard Evanusa, for his membership on the Seafood Reconciliation Board. A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to re-appoint Richard Evanusa to serve another four-year term as member of the Seafood Reconciliation Board. The motion carried unanimously.

The Board reviewed a letter submitted by Ms. Barbara Leatherbury seeking financial assistance for the costs associated with the cremation of her son that passed away October 31, 2013. A motion was made by Commissioner Fisher, seconded by Commissioner Mathies, to approve a donation of \$250 from the pauper burial fund towards the cremation of Mr. Leatherbury. The motion carried unanimously.

The Board was presented with two Resolutions for the Board's approval and signature:

- 1) Resolution No. 1068 – A Resolution to increase the marriage license fees from the current rate of \$15 to \$25.

A motion was made by Commissioner Boston, seconded by Commissioner Fisher, to adopt Resolution No. 1068. The motion carried 4-0.

- 2) Resolution No. 1069 – A Resolution to adopt a comprehensive revision of the "Somerset County Employees Handbook of Governing Rules & Regulations".

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to adopt Resolution No. 1069. The motion carried 4-0.

The Board was advised of a request from the Crisfield Heritage Foundation to waive the tipping fees for the debris related to the demolition of the Ward Brothers Homeplace. Upon motion made by Commissioner Laird, seconded by Commissioner Boston, it carried 4-0 to waive the tipping fees as requested.

The Board discussed a recent proposal by the Maryland Department of Agriculture to implement a "Phosphorus Management Tool" plan for nutrient management. Under the new plan, farmers may be unable to utilize poultry litter on their fields, or in some cases be unable to transport it to other farms for use as fertilizer. Due to the negative impact this regulation may have on our agricultural community, the Board agreed to submit a letter to the Secretary of the Maryland Department of Agriculture strongly opposing the implementation of the "Phosphorus Management Tool". A motion was made by Commissioner Laird, seconded by Commissioner Boston, to authorize the submittal of the letter. The motion carried 4-0.

At the conclusion of the agenda items for today's meeting, President Simpkins asked for any comments or questions.

Mr. Terry Pehan, of Crisfield, thanked the Board for waiving the tipping fees for the Crisfield Heritage Foundation.

Mrs. Carolyn Marquis, of Crisfield, thanked the Board for supporting The City of Crisfield and their ecotourism plans that involve Janes Island State Park and a proposed passenger ferry.

Mr. Phil Riggin, of Crisfield, expressed his appreciation to the Board for their opposition to the "Wildlands" designation, as proposed by the Maryland Department of Natural Resources.

At this time, the County Administrator advised the Board of the need for a Closed Session. A motion was made by Commissioner Laird, seconded by Commissioner Boston, to go into Closed Session authority of State Government Article of the Annotated Code of Maryland, Section 10-508 (a) (1) (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; and Section 10-508 (a) (7) to consult with counsel to obtain legal advice. The motion carried 4-0. Also present for the Closed Session were Commissioner President Rex Simpkins; Commissioner Vice-President Charles Fisher; Commissioner Craig N. Mathies; County Administrator-Clerk, Ralph D. Taylor; Executive Aide, Cynthia R. Ward; County Attorney, Kirk Simpkins; Human Resources Assistant, Kimberly Widdowson; Department of Technical and Community Services Director, Gary Pusey; and Finance Director, Gene Adkins.

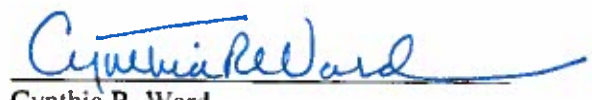
At 4:30 p.m., upon motion made by Commissioner Boston, seconded by Commissioner Laird, it was carried 4-0 to adjourn the Closed and Open Sessions.

Approved By:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Cynthia R. Ward
Executive Aide