

BOARD OF COUNTY COMMISSIONERS  
FOR SOMERSET COUNTY  
TUESDAY, DECEMBER 3, 2013

At 1:00 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.

(The previous meeting minutes were approved later in the meeting.)

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.

Mr. Charles Cavanaugh, Director of Maintenance, Solid Waste and Drainage, appeared before the Board to review the bid openings held on November 19, 2013 for two (2) Lead Ditch Drainage Projects (Sam Bowland Road and Annemessex Road). After reviewing the bids as well as the job specifications, the following action was taken:

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to award the contract for the Sam Bowland Road Drainage Project to the low bidder, Rick Jones, for his bid of \$4,759.00.

Upon motion made by Commissioner Mathies, seconded by Commissioner Fisher, it carried 4-0 to award the contract for the Annemessex Road Drainage Project to the low bidder, Beauchamp Construction, for his bid of \$7,572.00.

The Board also reviewed the sealed bids that were opened on November 19, 2013 for the "Sale of Surplus Equipment – Walk-In Freezers" and took the following action:

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to award "Item A" to the high bidder, Edgar Brimer, for his bid of \$1,005.00. The motion carried 4-0.

A motion was made by Commissioner Boston, seconded by Commissioner Laird, to award "Item B" to the high bidder, Harold Woolford, for his bid of \$1,100.00. The motion carried 3-0 with Commissioner Mathies abstaining.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to award "Item C" to the high bidder, Edgar Brimer, for his bid of \$1,006.00. The motion carried 4-0.

Mr. Cavanaugh concluded with an update on the Westover Senior Center Renovation Project. The asphalt paving of the parking lot is being performed today. According to Mr. Cavanaugh, the facility has successfully passed inspections by the Fire Marshal and County Zoning Inspector and they are awaiting the issuance of an Occupancy Permit. Project completion is expected in early January. With contingency funding of \$49,000 remaining, Mr. Cavanaugh proposed the following two items for approval:

- 1) Additional paving of 16,000 sq. ft., estimated at \$15,086, which would complete the entire parking area.

A motion was made by Commissioner Mathies, seconded by Commissioner Laird, to approve the request to perform the additional paving work, estimated at \$15,086. The motion carried 4-0.

- 2) Replace the kitchen wall covering, estimated at \$2,000.00. The County's Maintenance Department will perform the work.

A motion was made by Commissioner Mathies, seconded by Commissioner Fisher, to approve the request to replace the kitchen wall covering, estimated at \$2,000.00. The motion carried 4-0.

Ms. Julie Widdowson, Tourism Director, was now before the Board to present a Grant Agreement from the Maryland Tourism Development Board for approval and signature. According to Ms. Widdowson, the grant amount is based upon the Grantee's FY2013 Allowable Expenditures and the growth of certain tax categories from the State. For FY14, Somerset County has been awarded a grant in the amount of \$26,241. Ms. Widdowson concluded by advising that expenditures must meet certain criteria established by the State, and reports are maintained in her office for all expenditures related to the grant.

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to authorize President Simpkins to sign the Grant Agreement from the Maryland Tourism Development Board in the amount of \$26,241.

Mr. Gary Pusey, Director of Technical and Community Services, was now present before the Board. Mr. Taylor began by reporting that an additional \$16 Million may be coming to the County for Hurricane Sandy recovery. An application outlining the projects that will be submitted for approval must be received by the State before the end of January 2014. Projects may include: bridges; infrastructure; roads; repairs to surplus property; and funding match for

Corps of Engineers projects. A training workshop regarding the funding will be held by the Maryland Department of Housing and Community Development on December 19, 2013.

Mr. Pusey advised that the funding is awarded as Community Development Block Grant money and must follow the same HUD guidelines. Funding will only be awarded to counties. Any other interested parties may be considered as subrecipients. Projects submitted for funding must address a direct or indirect impact caused by the disaster(s); and must meet a CDBG national objective as well as other federal and state program requirements. As an example, Mr. Taylor advised that a road being raised to prevent flooding may qualify if the residents along the roadway met the low-moderate income requirement. There will be a significant amount of work involved to research each project to ensure that all requirements are met. The funds must be expended (and projects completed) within a two-year time period. If Somerset is unable to utilize the funds, the funding will become competitive to all counties. A public hearing will be required in which citizens, municipalities, and organizations will have the opportunity to express their views. Commissioner Laird expressed concern about getting the (project criteria) information out to the public in an effort to avoid receiving requests that would not qualify for funding. Commissioner Mathies suggested the written criteria be distributed to the attendees as they arrive at the public hearing. At the conclusion of the meeting, the Board agreed to proceed with the public hearing and invite representatives from both municipalities, Long Term Recovery Committee, Homeless Organizations, and Crisfield Housing Authority.

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

Mr. Taylor offered a proposal to the Board that all eligible full time county employees be awarded an incremental salary step of 2 ½ %. He went on to state that county employees have not received an incremental step since 2010, only offsets for increased health insurance and pension costs. Additionally, the County's financial picture is better than we expected at the time of FY14 budget deliberations. The salary step would take effect with the first full pay period in January 2014 and cost the County approximately \$82,000 for the remainder of FY14 pay periods (13 pay periods).

A motion was made by Commissioner Fisher, seconded by Commissioner Mathies, to approve the incremental salary step, as described above. The motion carried unanimously.

Mr. Taylor presented Ordinance No. 1070 for the Board's consideration. If adopted, Ordinance No. 1070 would give the County Commissioners the authority to implement an Emergency Burn Ban when climatic conditions indicate the threat of uncontrolled fire. A public hearing was held on November 19, 2013 to receive public comment on the proposed ordinance. No one attended the hearing and no written comment was received following the hearing. At this time, President Simpkins called for a motion on the proposed ordinance.

A motion was made by Commissioner Laird, seconded by Commissioner Fisher, to adopt Ordinance No. 1070. The motion carried 4-0.

Mr. Taylor addressed a presentation that was made to the Board on October 29, 2013 by Somerset County Deputy Sheriff Kevin Goepfert, Princess Anne Police Officer Rob Smith (President of the Fraternal Order of Police/Somerset County Lodge) and Gary McElhaney (non-attorney labor negotiator) regarding Collective Bargaining. Commissioner Laird noted that the Sheriff's Department has just received a pay raise and that it was not fair to other county employees that would not be entitled to Collective Bargaining. Commissioner Laird then made a motion to table (or disregard) the proposal. The motion was seconded by Commissioner Fisher, and carried 4-0.

Mr. Gene Adkins, Finance Director was now present before the Board, accompanied by Mr. Willis Dryden Jr., Somerset County Treasurer, to address the request made by Mr. John Phoebus on October 1, 2013 and October 29, 2013, to:

- 1) Freeze the pre-Hurricane Sandy assessment values (as determined by the January 1, 2012 valuation of the State Department of Assessments and Taxation) of properties that were significantly damaged due to Hurricane Sandy and that were subsequently rebuilt or substantially improved and to:
- 2) Limit the subsequent increase in value to 10% of the January 1, 2012 valuation of the State Department of Assessments (for purposes of the Homestead Tax Credit, as allowed in Sec. 9-105) as currently set for Somerset County.
- 3) Provide a credit that would alleviate the problem of lower income homeowners who are unable to afford the real estate taxes on the rebuilt or substantially improved property.

Mr. Adkins noted that the City of Crisfield has adopted legislation to implement a tax credit program for the residents within the city limits.

At this time, Mr. Adkins summarized the four decisions that are facing the County Commissioners:

- 1) Do the Commissioners want to provide for a special credit for Hurricane Sandy?
- 2) Do the Commissioners want the credit to be available to all homeowners or just the lower income homeowners?
- 3) How much do the Commissioners want the values of the properties to be able to increase, as a maximum percent per year?
- 4) Decide the length of program (currently set at five years).

After a lengthy discussion, considering all options, the majority of the Board agreed that there were too many unanswered questions and it was too early to proceed with new legislation that would not accomplish the intended goal. Additionally, existing legislation may address most of the tax increases. If necessary, they will re-evaluate the issue next year.

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to approve the Minutes of the meetings held November 19, 2013 and November 21, 2013 (open and closed sessions).

Mr. Taylor briefly reviewed the list of proposed legislation for the 2014 Session of the General Assembly. Minor adjustments have been made to the "Volunteer Service Award Program" to clarify questions that were presented in an earlier meeting. The Board was advised that we are still awaiting information from the Liquor License Board regarding legislation that they have requested.

The Board reviewed a letter from Karen Reddersen, University of Maryland Extension, regarding unexpended funds from the FY13 budget year totaling \$8,631.52. Ms. Reddersen has requested retention of \$6,600.00 for the purchase of: 1) New telephone system; 2) Supplies for multi-function copier; 3) Mobile projector; 4) Flatscreen television and wall bracket. Cost estimates and justification for the purchases were outlined in the letter.

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to approve the request to retain \$6,600.00 of the FY13 budget funds.

Commissioner President Simpkins asked for any comments or questions from the audience in regard to today's agenda.

Mr. Richard Crumbacker suggested the Board consider utilizing Disaster Recovery Funds to provide water service to the Westover area.

At this time, the County Administrator advised the Board of the need for a Closed Session. A motion was made by Commissioner Fisher, seconded by Commissioner Mathies, 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) (3) consider the acquisition of real property for a public purpose and matters directly related thereto. The motion carried unanimously. Also present for the Closed Session were Commissioner President Rex Simpkins; Commissioner Randy Laird; Commissioner Jerry Boston; County Administrator, Ralph D. Taylor; Executive Aide, Cynthia R. Ward; Department of Technical and Community Services Director, Gary Pusey; Human Resources Director, Erica Quillen; and Detention Center Warden, Louis Hickman.

At 3:10 p.m., upon motion made by Commissioner Boston, seconded by Commissioner Laird, it was carried 4-0 to adjourn the Closed and Open Sessions.

Respectfully Submitted:



Cynthia R. Ward  
Executive Aide

Approved By:



Board of County Commissioners  
For Somerset County