

BOARD OF COUNTY COMMISSIONERS

FOR SOMERSET COUNTY

SEPTEMBER 10, 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.

County Administrator-Clerk, Ralph D. Taylor 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, second by Commissioner Boston, it carried 4-0 to dispense with the reading of the Board of County Commissioner Minutes of the meeting held Tuesday, August 27, 2013, and the Closed Meeting Minutes held August 20, 2013 and August 27, 2013, and approve the minutes as presented.

Charles Cavanaugh, Director of Solid Waste and Maintenance, was now present before the Board to present the sealed bid submissions received with regard to the Burton Avenue (Crisfield) and Wallace Taylor Road (Westover) drainage ditch maintenance projects. President Simpkins proceeded to open the sealed bids received for the projects as follows:

<u>Bidder</u>	<u>Burton Avenue (1,420 ft.)</u>	<u>Wallace Taylor Road (4,250 ft.)</u>
Doug Vann	\$9,200.00	\$8,859.00
Mark Bozman	\$8,350.00	\$9,400.00
Rick Jones		\$4,950.00
Gerard Dumpsha	\$28,500.00	\$18,500.00
Beauchamp Construction	\$28,500.00	\$10,750.00

A motion was made by Commissioner Laird, and seconded by Commissioner Mathies to award the Burton Avenue ditching project to Mark Bozman in the amount of \$8,350.00.

A motion was made by Commissioner Boston, seconded by Commissioner Fisher to award the Wallace Taylor Road ditching project to Rick Jones in the amount of \$4,950.00.

Mr. Karl Binns from the University of Maryland Eastern Shore was now present before the Board to discuss the Fall 2013 Hospitality Facilities Design Project. Mr. Binns thanked the

Board for giving him the opportunity to present this project which was established as the central activity of the Capstone HMGT-404 Facilities Design Project class. It was explained that this year's seniors were instructed to take on a project that would involve a local municipality (Town of Princess Anne/ Washington Hotel) to develop a marketing plan for the project. Mr. Binns explained that this project was designed to help the students understand and apply what they have learned over the past 5 years, and also help to expand the project beyond this program. Mr. Binns explained his reason for speaking to the Board today was two-fold:

1. UMES is looking for sponsorship of the project, in that a \$2,500 cash award will be given to the team (consisting of 3 teams of 4 students) that presents the "Best Idea". It was noted that he would be asking the Town of Princess Anne as well as Main Street Princess Anne Partnership to contribute as well.
2. To ask the Board to designate an official to serve as a panel judge and evaluator for the mid-term evaluation grade.

Being that the County, Town of Princess Anne and Main Street were being asked to sponsor the program, President Simpkins noted that the award of \$2,500.00 divided by three would equal \$833.33 and asked Mr. Binns if that was what he was requesting of the Board to donate today. Mr. Binns replied yes, noting that sponsorship of the entire amount would also be acceptable. President Simpkins advised Mr. Binns that the Board will consider the request presented, and report back with an answer at a later time. Mr. Binns was excused from the meeting at this time.

Mr. Woody Barnes, Roads Department Director was now present before the Board to discuss the results of the bid reviews performed for the Lower Thorofare Channel Improvement & DMP Refurbishment project. Mr. Barnes noted that the review was completed with the assistance of Andrews, Miller & Associates. Five bids were submitted during the August 20, 2013 meeting. Mr. Barnes advised the Board that it was found that the lowest bid submitted from RNI in the amount of \$441,900 was disqualified for missing the "earth work" component. Mr. David Nornes officially withdrew their submission to Mr. Barnes via email on August 28, 2013. Therefore, after review, it was the recommendation of Mr. Barnes and Andrews, Miller & Associates to award the bid to Edwin A. & John O. Crandell, Inc., the second lowest bid submitted, in the amount of \$930,175.00. President Simpkins noted that Ray Nornes Inc., (the disqualified bidder) was listed as a subcontractor supplier. Mr. Barnes noted that the subcontractors were consistent on all the contractor bids.

Noting the research that had been performed in the review of the bid submissions, and the fact that Mr. Barnes advised that he is comfortable with Crandall, Inc., Commissioner Fisher made the motion to award the bid to Edwin A. & John O. Crandell, Inc., in the amount of \$930,175. The motion was seconded by Commissioner Laird. The motion carried 3-0-1 with Commissioner Boston abstaining.

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

The Maryland State Department of Education has advised Mr. Hehman, interim Somerset County Library Director, that the Division of Library Development and Services has presented the Somerset County Library with a grant award for the new Crisfield Library: Construction Phase One- 2014 in the amount of \$3,000,000. Mr. Taylor advised that a meeting has been scheduled for September 18, 2013, and that there has been some discussion within the Library Board that the groundbreaking may be delayed as funding may not be in place before the project starts. This is contradictory to what Ms. Ranck, the former Library Director had originally proposed. If the decision is made to wait until funds are generated, there will not be a groundbreaking until the Spring of 2014.

County Attorney Kirk Simpkins as advised the Board in his letter dated August 28, 2013 that Mr. Wayne Ward had submitted a request to his office to purchase the property of Nellie A. Todd, Evelyn T. Hill and Carol T. Creasy (Account No. 07-134479). The amount due is \$3,769.44 which includes county and city fees and expenses involved in the tax sale proceeding.

On a motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 3-0-1 to approve the request presented by Mr. Wayne Ward to purchase the property of Nellie A. Todd, Evelyn T. Hill and Carol T. Creasy (Account No. 07-134479). Commissioner Laird abstained as a family member was involved with the transaction.

Correspondence has been received from the Maryland Department of Planning, State Clearinghouse with regard to the Hazard Mitigation Grant Program: Somerset County Tide Gauge/Weather Station Application. Mr. Taylor stated that the only tide gauge on the Tangier Sound is at Bishops Head and if one were closer it may offer better data and forecasts for our county. It was Mr. Taylor's recommendation to submit a C-5 response.

On a motion by Commissioner Fisher, seconded by Commissioner Laird, it carried 4-0 to submit a C-5 response to the Hazard Mitigation Grant Program: Somerset County Tide Gauge/Weather Station Application (ID MD20130829-0665).

Also received from the Maryland Department of Planning was a State Clearinghouse Review request for the Final EIS/Overseas IES: Atlantic Fleet Active Training & Testing: Sonar Maintenance Outside Navy Range Complexes and Testing Ranges; Pier Side Sonar Testing, Repair Activities at Navy Piers; New Construction/Overhaul at Navy Contracted Shipbuilder Locations. It was Mr. Taylor's recommendation to submit a "no comment" response to this review.

On a motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to submit a "no comment" response to the Final EIS/Overseas IES: Atlantic Fleet Active Training & Testing: Sonar Maintenance Outside Navy Range Complexes and Testing Ranges; Pier Side Sonar Testing, Repair Activities at Navy Piers; New Construction/Overhaul at Navy Contracted Shipbuilder Locations project ID MD20130828-0653.

Ms. Susanna Henson, Executive Director Local Management Board, was now present before the Board to present the FY 2014 Community Partnership Agreement for approval and signature. This agreement provides funding in the amount of \$288,755 through the Governor's Office for Children. It was noted that \$65,000 will go towards administrative costs, with the remaining funds allotted for the Early Intervention and Prevention; 'K' is for College and Communities Mobilizing for Change on Alcohol (CMCA) programs. Ms. Henson also advised of additional multi-level funding the LMB will be receiving; from the Maryland Strategic Prevention Framework (ADAA) a grant in the amount of \$74,294 and Healthy Families (MSDE) a grant in the amount of \$299,562. Additionally, Ms. Henson said she received a letter today from the Maryland State Department of Education that has awarded the 21st Century Grant for afterschool programs that will provide funding in the amount of \$348,249 over a 5 year period, equating to a total of \$1,427,822. In closing, Ms. Henson stated that the total budget for FY14 is \$1,007,860.00.

A motion was made by Commissioner Laird, seconded by Commissioner Mathies, and carried 4-0, authorizing Commissioner President Simpkins to sign the FY2014 Community Partnership Agreement between the Somerset County Local Management Board and the Governor's Office on Children.

Next, Mr. Taylor presented the Grant Offer for Airport Improvement Program (AIP) Project No. 3-24-0012-010-2013 at Crisfield Municipal Airport. This agreement would allow a FAA Environmental Assessment with regard to obstruction removal. Funding obligation would be as follows; \$218,151(Federal), \$12,121(State) and \$12,119(Local). The local share would be equally divided between the County and the City of Crisfield. The total obligation will be \$243,391.00. Mr. Taylor then requested the Boards approval for the President's signature on the Grant as described.

On a motion by Commissioner Laird, seconded by Commissioner Boston, President Simpkins was authorized to sign the Grant Offer for Airport Improvement Program (AIP) Project No. 3-24-0012-010-2013 at Crisfield Municipal Airport. The motion carried 4-0.

Mr. Taylor advised that the Maryland Community Development Block Grant Agreement (No MD-14-DR Hurricane Sandy Recovery) has been received which outlines the County's requirements as the Grantee. Mr. Taylor stated that Mr. Gary Pusey, Director of Community and Technical Services, has reviewed the agreement. This grant, between DHCD and the County Commissioners of Somerset County had been previously awarded to provide assistance to persons impacted by Hurricane Sandy which occurred in October 2012. Mr. Taylor noted that it is anticipated that we receive the first allocation of funds by the end of this month.

Therefore, on a motion made by Commissioner Boston, seconded by Commissioner Fisher, it carried 4-0 to authorize the President's signature on the Maryland Community Development Block Grant Program Disaster Recovery Grant Agreement/No. MD-14-DR.

Commissioner Laird has requested the Boards consideration to submit a letter to Mr. Tom Rutledge, President and CEO of Charter Communications to advise him of the issues with regard to cable and internet services we have been experiencing in the southern end of the county and our futile attempts to obtain answers to these issues. Mr. Taylor noted that he had a phone conversation with Mr. Jim Corrin today, the local Charter Communications contact, who advised that a meeting with the Board to voice concerns in a public forum was being planned to occur in the last quarter of this year. The meeting, originally scheduled to occur in August had been cancelled. No specific date was provided for the rescheduled meeting. Additionally Mr. Taylor advised that Mr. Corrin had advised that there has been a significant decrease (50%) in the customer base within the Crisfield area. Commissioner Laird stated that a letter should be sent to Mr. Rutledge as no progress is being made at the local level.

Therefore, on a motion made by Commissioner Laird, seconded by Commissioner Boston, it carried 4-0 to authorize Mr. Taylor to draft a letter to be sent to Mr. Rutledge, President/CEO Charter Communications, and present the letter for the Boards approval at the next scheduled Commissioner's Board meeting.

Mr. Taylor presented a request for a Letter of Support from Somers Cove Marina Commission which was established by House Bill 1463 in 2008. This request is pursuant to the requirements stated within the bill, and will be forwarded to Mr. Joseph P. Gill, Secretary of the Maryland Department of Natural Resources.

Therefore, on a motion made by Commissioner Laird, seconded by Commissioner Boston, President Simpkins was authorized to sign the Letter of Support drafted with regard to Somers Cove Marina and the Marina Commission. The motion carried 4-0.

Mr. Taylor presented a Proclamation for Board approval to be provided to the Pi Alpha Chapter of the Omega Psi Phi Fraternity Inc., who is celebrating their 75th Anniversary of the establishment of the Chapter at UMES, formally known as Princess Anne College.

On a motion by Commissioner Laird, seconded by Commissioner Boston, it carried 4-0 to approve the Proclamation as presented to the Pi Alpha Chapter of the Omega Psi Phi Fraternity, Inc., in celebration of their 75th Anniversary.

The Board was asked if they had a name to submit with regard to the Somerset County Tax Assessment Appeal Board, which has had a vacancy since this past June. Commissioner Laird noted that Ms. Carolyn Marquis was present in the audience today, and asked her if she would be interested in having her name submitted to serve on the Tax Assessment Appeal Board. It was explained that 3 names are required to be submitted to the Governor's Office, who will make the final decision. Ms. Marquis noted that she does have a background in tax assessment, and would accept the request to submit her name to serve on the Tax Assessment Appeal Board.

On a motion by Commissioner Laird, seconded by Commissioner Boston, it carried 4-0 to submit Ms. Carolyn Marquis to serve on the Somerset County Tax Assessment Appeal Board. Mr. Taylor also noted that we need to check with Mr. Kirkwood Cottman on acceptance of his nomination as well.

With no further agenda items, Commissioner President Simpkins asked if there were any questions or comments from those in attendance today.

Mr. Terry Pehan stood, and requested to address the Board.

Mr. Pehan stated he wished to express his support of the Charter Communications letter. Mr. Pehan said that it is not just a matter of services that Charter customers are paying for and not receiving, it also services that Charter is not offering to customers in the Crisfield area. It was noted that Charter has made adjustments to invoices for those who have called in complaints, but has not made overall billing corrections. Mr. Pehan questioned why high definition is not being made available, and why Crisfield doesn't qualify for DVR's. Mr. Pehan said his complaint is two-fold. They are not getting the service they pay for and they can't get other features provided to other areas. Mr. Pehan questioned if the county and city have the availability to invite proposals from other ISP's such as Comcast or Verizon. Commissioner Laird noted that we have a non-exclusive franchise agreement in place with Charter. Mr. Taylor added that the agreement runs through January 2015. Commissioner Laird also added that he has been told that Verizon is not taking any proposal invites.

Ms. Carolyn Marquis asked to address the Board.

Ms. Marquis explained that real estate agents do not have access to view real estate properties, and have to refer to local agents to obtain local real estate information. Ms. Marquis noted that the lack of being able to obtain real estate information online impacts the county. Ms. Marquis asked the Board if there was anyone available in the county who had expertise in where to get information such as zoning maps, districts or city and county tax rules. Commissioner Simpkins suggested that Ms. Marquis check with the State Department of Assessments and/or Mr. Gary Pusey, Director of Technical and Community Services for further information and/or assistance.

Mr. Phil Riggin asked to address the Board.

Mr. Riggin stated that he shared Mr. Pehan's opinions regarding Charter. Mr. Riggin also thanked Commissioner Laird for all of his efforts with regard to this matter as well. Mr. Riggin questioned the project start date for the new Crisfield Library, asking the reason it was being delayed until next year. Mr. Taylor replied that it is his understanding that they are hedging in that direction, and may address the matter at their meeting scheduled for September 18, 2013. Mr. Riggin stated in closing that all private funding is being driven by the start date.

With no further business, at 2: 55 p.m., on a motion made by Commissioner Boston and seconded by Commissioner Fisher it carried 4-0 to go into Closed Session by Authority of State Government Article of the Annotated Code of Maryland, Section 10-508 (a) (1) (i) the

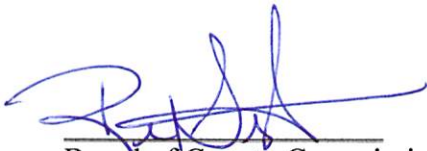
appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction.

Respectfully Submitted:



Lory E. Ebron
Executive Secretary

Approved By:



Board of County Commissioners
For Somerset County