

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY, DECEMBER 16, 2014

At 2:00 P.M., The Board of County Commissioners for Somerset County met in regular session with Commissioner President Randy Laird, Commissioner Vice-President Charles F. Fisher, Commissioner Rex Simpkins, and Commissioner Jerry S. Boston.

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

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

Upon motion made by Commissioner Boston, seconded by Commissioner Fisher, it carried unanimously to approve the Minutes from the Open and Closed Sessions held December 2, 2014.

Dr. John Gaddis, Superintendent for Somerset County Public Schools, appeared before the Board, accompanied by Ms. Nancy Smoker, Assistant Superintendent, to provide a brief update:

- Laptops and carts were purchased through FY15 non-recurring funds that were approved by County. Additional equipment was needed to allow for the wireless capability; however, they were able to obtain the items through cost savings.
- Budget meetings will begin after the holidays and a survey is available online for comments and suggestions related to the FY16 Budget.
- Dr. Gaddis praised his staff for their grant writing abilities which has secured them \$490,000 over a five year period. Any personnel hired under the grant will work on a contractual basis.
- A Judy Center will also be located in Crisfield, on the campus of the Crisfield High School, along with the Headstart Facility.

Mr. Clint Sterling, Director of Recreation & Parks, was now present before the Board to present several items for the Board's consideration:

- Requested permission to apply for grant funding through the Community Foundation of the Eastern Shore. If approved, the funding (\$7,600) would be used to purchase equipment such as tables and chairs, to organize large community events. There will be no cost to the County. Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried unanimously to authorize Mr. Sterling to apply for the grant funding.
- Requested approval to submit "Petition of Somerset County, Maryland, for Interim Trail Use Pursuant to 49 CFR 1152.29". Upon motion made by Commissioner Boston, seconded by Commissioner Fisher, it carried unanimously to authorize President Laird to sign the Interim Use Agreement for the proposed Bike Trail.

- Requested approval to submit a letter to The City of Crisfield, asking for their cooperation of the proposed bike trail. Although a portion of the trail will be within the city limits, the City Council will have no responsibility for its maintenance. Upon motion made by Commissioner Simpkins, seconded by Commissioner Fisher, it carried unanimously to authorize President Laird to sign the letter.

At this time, Mr. Gary Pusey, Director of Technical and Community Services, appeared before the Board, accompanied by staff members: Ms. Audrey Cornelius and Mr. Bob Spery, for a preliminary discussion before the adoption of a new floodplain ordinance. Mr. Pusey reminded the Board that the new FEMA maps will become effective February 4, 2015 and Somerset County must adopt a new ordinance prior to this date to allow the County's citizens to participate in the flood insurance program. A public hearing will be held by the Board on January 13, 2015 to receive public comment on the proposed ordinance revision. Mr. Pusey also briefly updated the Board on the appeal process of the FEMA maps. The criteria is very stringent for this process, and securing a consultant would be very costly to the County.

Mr. Spery discussed the option of including a "Freeboard" (above base flood elevation) requirement on new construction. Currently, the freeboard option is voluntary, however many residents have chosen to raise the elevation of their newly constructed house as an added layer of protection in the case of flooding. A freeboard requirement would be beneficial to the entire county as it would improve the chances that the County would qualify for CRS (Community Rating System) status that would overall reduce flood insurance rates"

The "Velocity Zone and LOMWA (Limit of Moderate Wave Action) are newly added designations for coastal zones that have a greater chance of flooding. Commissioner Simpkins addressed the concerns of requiring flood insurance for those in designated flood zones versus those residents that chose to not get flood insurance, yet were later awarded with a new home after receiving flood damage. Concern was also expressed by the Board that the new FEMA regulations may decrease property values and in some cases, force homeowners into foreclosure due to their inability to pay flood insurance premiums.

In other business, Mr. Pusey presented a grant amendment to the Board for approval. Under the Community Development Block Disaster Grant, the Program Income Plan Amendment would allow the loaned funds to come back to the County if a property that utilized disaster recovery funding were sold. In this case, the original loan amount would be returned

and used within the program. This policy would apply to the economic development loans as well.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to authorize President Laird to sign the Grant Amendment. The motion carried unanimously.

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

The Board reviewed a letter from the County Attorney regarding a recent meeting of the Somerset County Ethics Commission. In the letter, Mr. Simpkins addresses the 1) Financial Disclosure Forms; 2) Allegations against a member of the Planning Commission; 3) Wind Turbine Ordinance; and 4) Ethics Committee Term of Service. A new Financial Disclosure Form has been prepared for completion by the County Commissioners, by January 31, 2015. The Commission asked that no action be taken in regard to wind turbines until the new forms have been completed by the Board and the public has an opportunity to review them. Mr. Taylor reported that he has received the latest draft of the wind ordinance that was approved by the Planning Commission, and will delay presenting it for review as recommended by the Ethics Commission.

The Board was presented with the Emergency Solutions Grant Agreement (ESG) for signature by the Board. The Grant will provide \$130,500 in funding, through the Maryland Department of Housing and Community Development, for homeless prevention, rapid re-housing, street outreach, maintenance, staffing, administration, and operation of homeless shelters and post-shelter transitional units, including costs for case management and client services, and assistance to sheltered persons to facilitate their transition to permanent housing and independent living. A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to authorize President Laird to sign the Grant Agreement. The motion carried unanimously.

A Resolution was presented to the Board for their approval. Resolution No. 1083 provides the County's consent of the transfer of cable franchise and a change of control, from Charter Communications IV, LLC to CCO Transfers, LLC, a subsidiary of Comcast. A motion was made by Commissioner Boston, seconded by Commissioner Fisher, to adopt Resolution No. 1083 as presented. The motion carried unanimously.

Mr. Taylor reported on correspondence received from URS in regard to wetland mitigation options for the Crisfield – Somerset County Airport. Wetlands that are adjacent to the

airport, totaling 5.27 acres will require mitigation through either tree planting on a 1:1 ratio within the same watershed; or to purchase mitigation credits from a wetland bank, totaling \$573,902.50. Mr. Taylor suggested the County utilize surplus property for tree planting to meet the mitigation requirements and recommended URS be allowed to review the surplus property and map information. Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried unanimously to authorize Mr. Taylor to forward the surplus property/map information to URS as suggested.

The Board briefly discussed the need to hire a Project Manager for the construction of the Crisfield Library. A motion was made by Commissioner Simpkins, seconded by Commissioner Fisher, to authorize the County Administrator to research the issue. The motion carried 4-0.

Upon motion made by Commissioner Simpkins, seconded by Commissioner Fisher, it carried unanimously to authorize the following Proclamations: Robert Jones, Ted Phoebus, William Miles, Rachel Custis, and Gary Miller.

With no further agenda items, President Laird called upon the individuals that requested to address the Board.

Mr. Phil Riggin inquired as to the status of the Housing Study, a project funded through CDBG – Disaster Recovery.

Mr. Dan Kuebler commented on the amount of grant funding received for the public school system and the Judy Centers.

With no further business, a motion was made by Commissioner Simpkins, seconded by Commissioner Boston, 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. The motion carried unanimously. Also present for the Closed Session were Commissioner President Laird, Commissioner Vice-President Fisher, County Administrator, Ralph D. Taylor; and Executive Aide, Cynthia R. Ward.

Upon motion made by Commissioner Simpkins, seconded by Commissioner Fisher, it carried unanimously to adjourn the Open and Closed Sessions at 4:05 p.m.

Respectfully Submitted:

Cynthia R. Ward

Cynthia R. Ward
Executive Aide

Approved By:

Randy Laine

Board of County Commissioners
For Somerset County