

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY, JANUARY 14, 2014

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 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 Boston, seconded by Commissioner Fisher, it carried 4-0 to approve the Minutes of the meetings held December 31, 2013 (Open and Closed Sessions) as presented.

President Simpkins declared a public hearing open relating to the following matter:

"In accordance with the Natural Resources Article of the Annotated Code of Maryland, Sections 8-1801 et seq., and Section 13.1.b of the Somerset County Zoning Ordinance, Somerset County is considering the repeal of Sections 6.13 (entitled "CA-1 Critical Area Overlay District") and 6.15 (entitled "GA Growth Allocation Floating District") of the County's Zoning Ordinance and re-enactment of a separate Ordinance entitled "Somerset County Critical Area Ordinance."

Fair Summary

Somerset County is required by State Law to regulate land use activities within the Chesapeake Bay Critical Area, defined as those lands within 1,000 feet of the tidal waters of the Chesapeake Bay and its tributaries. The County has regulated these lands since September 10, 1988, through its Zoning Ordinance. A number of regulations have been adopted by the State that the County is required to implement that are not contained in the County's Zoning Ordinance. The Draft Ordinance would consolidate legislation previously adopted by the State and would create a new Critical Area Ordinance separate from the Zoning Ordinance. No new requirements are being imposed as a result of this proposed ordinance – the Draft Ordinance would only incorporate existing State legislation that the County is required to follow into its existing Ordinance, separate from the Zoning ordinance. At a later date all references to the Critical Area would be deleted from the Zoning Ordinance."

Mr. Tom Lawton, Senior Planner for the Department of Technical and Community Services, provided the Board with a brief history of the County's adoption of the original ordinance in 1988 and amendments since that date. The proposed ordinance discussed today will incorporate all amendments into a single document that will stand alone from the current County Zoning Ordinance. The Planning Commission has reviewed and acted on the proposed

ordinance and has provided the following comment: “forward to the County Commissioners this document that we agree with in principle, but not in content and the Commissioners consider this as such as mandated by the State of Maryland and the Critical Area Commission”. Mr. Bob Cadwallader, Planner for DTCS, advised of the State’s requirement to update the ordinance every six years.

President Simpkins asked for any proponents wishing to testify. There were none.

President Simpkins then asked for any opponents wishing to testify. There were none.

With no further comments or questions, the public hearing was closed at 2:10 p.m.

Written comments will be accepted until January 24, 2014.

At this time, President Simpkins opened sealed bids for the purchase of a 2015 Roll-Off Container Truck. Bid information is as shown below:

<u>Bidder</u>	<u>Bid Price</u>
1. Barr International	\$156,152.00
2. Harvey Mack Truck Center	\$161,805.00
3. Barr Truck Group	\$152,198.00
4. Western Star – Trucks of Delmarva	\$151,351.00
5. The Pete Store	(bid was not submitted properly)

Mr. Charles Cavanaugh, Director of Maintenance and Solid Waste, will review the bids and return at a later date to recommend the awarding of a contract for the truck purchase.

Ms. Kelsi Owens, Big Brothers Big Sisters Program Specialist, accepted a Proclamation from the Board of County Commissioners recognizing January 2014 as “National Mentoring Month”. Ms. Owens expressed her appreciation to the Board for their support.

The County Administrator reviewed correspondence and discussion items.

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried unanimously to proclaim Monday, January 20, 2014, as “Reverend Dr. Martin Luther King, Jr. Day” and urge all citizens to rededicate themselves to the principle of justice and equality for all.

The Board took a ten-minute recess.

At 2:30 p.m., the County Commissioners reconvened and President Simpkins declared a public hearing open relating to the following matter:

“Somerset County will conduct a Public Hearing to provide citizens with the findings from a Needs Assessment that was undertaken as part of the application process related to submission of an application to the State for funding. The County was impacted by Hurricane Sandy and Hurricane Irene and a Needs Assessment was conducted to determine unmet needs and to identify projects to be submitted.

The State of Maryland has been awarded \$20 million through the Maryland Community Development Block Grant Program (CDBG) to be used for unmet needs related to disaster recovery efforts for various storms. The CDBG Program is a federally funded program designed to assist units of general local government with community and economic development activities. It is administered by the Department of Housing and Community Development (DHCD). At the hearing, the County will provide information including but not limited to:

- The findings of the Needs Assessment;
- The list of projects that will be submitted in the application for CDBG funding;
- The estimated amount of the CDBG funds proposed to be used for projects that will meet the national objective of benefit to low and moderate income persons; and
- Whether any of the proposed projects will result in displacement and how the County will assist those impacted.”

The notice of public hearing was read aloud into the record by the County Administrator. Mr. Gary Pusey, Director of Technical and Community Services, began by reviewing the funding amount from the State and how it will be distributed, and the completion date for projects funded through CDBG. Based upon the December 17th public hearing, county staff compiled a list of projects and forwarded the list to the Maryland Department of Housing and Community Development at which time they assessed the projects and provided a response. A chart summarizing the projects, and their eligibility, was distributed to those attending the public hearing. As a result of the December 17th public hearing, fifty-four (54) projects were submitted to the County totaling \$100 Million. Projects identified as being eligible by DHCD totaled \$38 Million. Projects that were submitted for consideration, but did not meet the requirements, totaled \$58 Million. The deadline for submitting an application to the State is January 28, 2014. At that time, DHCD will rate the submitted projects that are deemed to be eligible. Most projects will be required to meet the low-moderate income level, as established by HUD. In these cases, surveys will be performed by county and city staff. Smith Island residents will assist with performing the surveys on the Island.

At this time, President Simpkins invited public comment on the projects deemed to be eligible for funding.

Rev. Charles Bagley, of 30006 Fairmount Road, Westover, distributed photographs that reflected the need for municipal water in the Westover area, as he presented during the December 17th public hearing. He has spoken with Robin Street, Delegate Charles Otto, and Senator James Mathias about this need, although it was deemed not eligible for DHCD funding. Rev. Bagley believes this project should be funded, as it relates to the Princess Anne Expansion Project, which was intended to serve ECI, Walmart, and the Westover residents. Rev. Bagley concluded by speaking on the costs he incurs to purchase drinking water and water conditioners due to the quality of the well water in Westover.

Mr. Kim Lawson, City Councilman, 11 Hall Highway, Crisfield, expressed his appreciation to the County for their work on providing a list that represents all facets of the County. Mr. Lawson provided a clarification to the bulk heading project next to the Depot. The property was purchased after the initial depot renovation work (engineering phase) began, in an effort to revitalize the entire depot area. Although the project is very important to the City of Crisfield, he did not rank its importance above any other project.

Ms. Alicia Robinson, of Shore Up! Inc., 520 Snow Hill Road, Salisbury, expressed her appreciation to the Board for their hard work and dedication. She also offered assistance in providing the income information that is needed to support their (Head Start) project.

Mr. Phil Riggin, of 4930 Thomas Long Road, Crisfield, expressed his appreciation to the Board for their hard work during strict time restraints and for sending employees to Crownsville for training. Mr. Riggin suggested DHCD reconsider their comments regarding the proposal for the new Crisfield Library. He believes the protection from the impact of future storms should be considered.

Ms. Tracy Grangier, Public Works Director, Town of Princess Anne, 30489 Broad Street, Princess Anne, expressed her appreciation to the County Commissioners and the Department of Technical and Community Services Staff.

With no further comments offered from the public, President Simpkins took the opportunity to express his gratitude to the County Administrator and to Mr. Gary Pusey and staff for their hard work and commitment to this project. With no further business, the public hearing was declared closed at 2:57 p.m.

After a brief recess, Mr. Charles Cavanaugh, Director of Maintenance and Solid Waste, appeared before the Board to present a contract from Design Atlantic for the design of the new Treasurer's Office at the Somerset County Office Complex, at a cost of \$30,850.


Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to approve the contract with Design Atlantic, as presented.

In other business, Mr. Cavanaugh reported on a grant award in the amount of \$19,990.70 from the Administrative Office of Court for security measures in the Somerset County Courthouse. A motion was made by Commissioner Laird, seconded by Commissioner Fisher, to accept the AOC grant award for courthouse security upgrades that will be carried out by Reed Security. The motion carried 4-0.

At this time, the County Administrator advised the Board of the need for a Closed Session. A motion was made by Commissioner Boston, seconded by Commissioner Fisher, 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. The motion carried unanimously. Also present for the Closed Session were Commissioner President Rex Simpkins; Commissioner Randy Laird; Commissioner Craig Mathies; County Administrator, Ralph D. Taylor; Executive Aide, Cynthia R. Ward; Human Resources Director, Erica Quillen; and Warden Louis Hickman.

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to adjourn the Open and Closed Sessions at 4:03 p.m.

Respectfully Submitted:


Cynthia R. Ward
Executive Aide

Approved By:


Board of County Commissioners
For Somerset County