

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY, JUNE 17, 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 Jr., 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 Laird, seconded by Commissioner Boston, it carried 4-0 to approve the Minutes from the Open and Closed Sessions held Tuesday, June 3, 2014.

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

"To consider passage of two borrowing resolutions pursuant to the authority of Chapter 445 of the Laws of Maryland 2004 and Section 12 of Article 31 of the Annotated Code of Maryland (2007 Replacement Volume and 2011 Supplement):

1. A Resolution of the County Commissioners for Somerset County authorizing the issuance and sale, upon the full faith and credit of the County, of a general obligation installment note in the principal amount not exceeding \$2,000,000 to provide interim financing for Board of Education construction projects to include a new HVAC system and roof at Greenwood Elementary School and other minor capital improvement projects.
2. A Resolution of the County Commissioners for Somerset County authorizing the issuance and sale, upon the full faith and credit of the County, of a general obligation installment note in the principal amount not exceeding \$1,000,000 to provide local interim financing for construction of the new Crisfield Library and for the Treasurer's office improvements at the County Complex.

The County will not issue debt greater than \$10,000,000 in any fiscal year. It is the intention of the Commissioners to replace these interim loans with permanent long-term financing when the projects are completed."

Mr. Gene Adkins, Finance Director, was present for the public hearing and reiterated the need for the borrowing resolutions and briefly discussed the capital projects being funded.

President Simpkins called for any proponents wishing to testify on the proposed borrowing resolutions. There were none.

President Simpkins also called for any opponents wishing to testify. There were none.

With no further comments or questions, President Simpkins declared the public hearing closed. Written comments will be accepted until June 27, 2014.

Mr. Tom Lawton, Senior Planner for the Somerset County Department of Technical and Community Services, was now present for a public hearing relating to the following matter:

"Pursuant to the recommendations of the Somerset County Planning and Zoning Commission and the Somerset County Agricultural Preservation Advisory Board, the Board of County Commissioners for Somerset County will consider recommending eight (8) Agricultural Preservation Easement sale candidates to the Maryland Agricultural Land Preservation Foundation.

- (1) The creation of an Agricultural Preservation Easement on 84.15 acres of property owned by George C. Butler, Sr. & Joyce G. L/E & George C. Butler, Jr. & Etal. Rem. The property is located in the Dublin Election District and can be found on County Tax Map 50, Grid 24, Parcel 29 and is located on the easterly side of Powell Wharf Road, approximately 900 feet south of MD Rt. 667.
- (2) The creation of an Agricultural Preservation Easement on 107.45 acres of property owned by J & J AG, LLC. The property is located in the Brinkleys Election District and can be found on County Tax Map 57, Grid 9, Parcel 594 and further identified as "Parcel A" on a plat recorded in Plat Book 35 Page 15. The property is located on the southwesterly corner of Charles Cannon Road and Coulbourn Creek Road.
- (3) The creation of an Agricultural Preservation Easement on 58.01 acres of property owned by Thomas Edward, Jr. Latimer & Pamela G. Latimer. The property is located in the West Princess Anne Election District and can be found on County Tax Map 8, Grid 21, Parcels 358 & 359 and is located on the northwesterly side of Eby Road, approximately 4,000 feet north of Drawbridge Road.
- (4) The creation of an Agricultural Preservation Easement on 49 acres of property owned by James M. and Joy D. Long. The property is located in the Dublin Election District and can be found on County Tax Map 50, Grid 16, Parcel 20 and is located on the northeasterly corner of MD Rt. 667 and Gordy Road.
- (5) The creation of an Agricultural Preservation Easement on 58.29 acres of property owned by James M. and Joy D. Long. The property is located in the Dublin Election District and can be found on County Tax Map 50, Grid 22, Parcel 25 and is located on the southerly side of MD Rt. 667 opposite the intersection of Gordy Road.
- (6) The creation of an Agricultural Preservation Easement on 285.0677 acres of property owned by Thomas Hammond Smith, III. The property is located in the Dublin Election District and can be found on County Tax Map 25, Grid 18, Parcel 41, Lots A & B; Tax Map 25, Grid 12, Parcel 52; and Tax Map 26, Grid 7, Parcel 2, Lots A & B. The properties are located east of Perryhawkin Church Road and north of Fleming Mill Pond Road.
- (7) The creation of an Agricultural Preservation Easement on 63.595 acres of property owned by Thomas M. Wilson and William H. Wilson, LE. The property is located in the Dublin Election District and can be found on County Tax Map 24, Grid 21, Parcels 8 & 50 and is located 1,650 feet east of Arden Station Road.
- (8) The creation of an Agricultural Preservation Easement on 43.5 acres of property owned by Crist B. and Jean Ann Yoder. The property is located in both the Brinkleys and Westover Election Districts and can be found on County Tax Map 50, Grid 8, Parcels 106 & 124 and is located on both sides of Boggs Schoolhouse Road approximately 2,800 southwest of Mennonite Church Road.

Mr. Lawton described the ranking process and criteria for recommendation of an agricultural preservation easement. Mr. Lawton concluded by advising that a total of forty (40) easements have now been approved.

A motion was made by Commissioner Mathies, seconded by Commissioner Fisher, to approve the candidates, as listed above, for recommendation to Maryland Agricultural Land Preservation Foundation. The motion carried 4-0.

Ms. Jenny Roser, Somerset County Department of Social Services, was now present, accompanied by Ms. Denean Jones, of Catholic Charities - Seton Center, to request approval from the Board for the submittal of an application to Maryland Department of Housing and Community Development for funding through the Emergency Solutions Grant (ESG). If awarded, the Seton Center would receive \$145,000 (\$80,000 state and \$65,000 federal) for targeted programs entitled Rapid Rehousing and Homeless Prevention.

A motion was made by Commissioner Fisher, seconded by Commissioner Laird, to authorize President Simpkins to sign the ESG application, as requested. The motion carried 4-0.

The County Administrator reviewed correspondence and discussion items at this time.

The Board reviewed a letter from the Director of Somerset County Library System, Gail Sheldon, regarding the term expiration of George Milbert on the Board of Trustees.

Upon motion made by Commissioner Laird, seconded by Commissioner Boston, it carried 4-0 to re-appoint George Milbert on the Somerset County Library System's Board of Trustees to serve another five-year term.

Mr. Taylor reviewed a project notification from Maryland Department of Planning, State Clearinghouse, regarding an application submitted by Hien Nguyen to USDA Farm Service Agency to provide guaranteed loan financing to build three (3) poultry houses on Mitchell Road in Princess Anne, and a 1,652 square foot residential dwelling on the farm. According to Planning Director, Gary Pusey, the proposed construction project is within the approved guidelines and meets zoning requirements. Mr. Taylor recommended the Board respond with a C-5 designation – indicating the project is consistent with plans, programs, and objectives.

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to respond to the project notification with a C-5 designation.

The Board was presented with a Cooperative Agreement Between the Department of Agriculture and Somerset County for the control and eradication of noxious weeds, during the period of July 1, 2014 through June 30, 2015.

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to authorize President Simpkins to sign the Cooperative Agreement.

The Board was also presented with a Resolution and Proclamation for their approval:

1. Resolution No. 1077 – A Resolution to amend the Somerset County Employees

Handbook of Governing Rules & Regulations, in the following sections:

- a) Section III. Statement of Policy, C. Probationary and Regular Status
- b) Section V. Disciplinary Measures, C. Suspension
- c) Section VI. Compensation Plan, E. Salary Increases
- d) New Appendix “D” added (“Somerset County Computer, Email, Internet and Network Use Policy”)

Upon motion made by Commissioner Laird, seconded by Commissioner Fisher, it carried 4-0 to adopt Resolution No. 1077.

2. Proclamation – In recognition of Robin Street on the occasion of his retirement from the Somerset County Sanitary District after 39 years of service. Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried unanimously to adopt a Proclamation in recognition of Robin Street.

Ms. Sharon Muir, Internal Auditor, was now present before the Board to request the approval and signature of the President on the “Right of Recovery Notice” for the Westover Senior Citizen Renovation Project. According to Ms. Muir, execution of this document is necessary to close out the project and receive the final portion of grant funding (CDBG and Senior Citizen Grant Funding). The document also gives assurance that the property is being used by the County for the designated purpose.

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to authorize President Simpkins to sign the “Right of Recovery Notice”.

President Simpkins opened sealed bids for the extension of an existing parking lot at the new Westover Senior Center, which measures 15'x175'. Only one bid was received for the project: Bozman Paving & Grading - \$13,569. Since there were some questions in regard to the availability of remaining project funds and the possible purchase of a generator, the Board agreed to delay awarding the contract until a later date.

Mr. Cavanaugh, Director of Maintenance, was present for the bid opening, and remained present to review the bids received and opened on June 3, 2014 for the renovation of the Treasurer's Office. A letter from the project's Architect, Finith Jernigan (Design Atlantic), was reviewed by the Board regarding the bid results. Based on his review, Mr. Jernigan recommended the contract be awarded to RD Meredith, the apparent low bidder, for \$166,200.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to award the construction contract to the low bidder, RD Meredith, for his bid of \$166,200. The motion carried 4-0.

The Board was advised of the need to go into Closed Session. A motion was made by Commissioner Laird, 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 4-0. Also present for the Closed Session were Commissioner President Rex Simpkins, Commissioner Vice-President Charles Fisher, Commissioner Craig N. Mathies, Jr., County Administrator, Ralph D. Taylor; and Executive Aide, Cynthia R. Ward.

Before moving into Closed Session, Mr. Phil Riggin reiterated the need for the Corps of Engineers Projects, which were designated to receive Hurricane Sandy Disaster Recovery Funding. Mr. Riggin concluded by stating that he hopes the projects do not compete against one another. The Board resumed in Open Session at 3:13 p.m.

Mr. Scott Tawes, Auditor for the Somerset County Liquor Control Board, was now present before the Board to review the preliminary audit results for the year ending April 30, 2014. Also present was Andy Haynie and Ashley Stern, of PKS & Company; and Liquor Control Board Members, Ken Ballard and Paul Benton (Chair). Mr. Tawes began by presenting the Board with three checks from the profits of alcohol sales at the Highway Store (Dividing Creek Rd.); and the stores located in the Town of Princess Anne and City of Crisfield:

Somerset County	\$103,060
The City of Crisfield	\$12,486
The Town of Princess Anne	\$12,486

Mr. Tawes reported that sales had declined at the Highway Store, mostly due to the recent opening of a new liquor dispensary in Pocomoke, near Lowes; and the bridge construction

work that has just begun near the entrance to the County's dispensary (Dividing Creek Road location). Before concluding, Commissioners Fisher and Boston addressed wine sales and the possibility of purchasing alcohol from Worcester County.

Mr. Tawes advised that the formal audit report will be submitted next week.

With no further business, a motion was made by Commissioner Fisher, seconded by Commissioner Boston, to adjourn the meeting. The motion carried 4-0 and the meeting was adjourned at 3:30 p.m.

Respectfully Submitted:



Cynthia R. Ward
Executive Aide

Approved By:



Charles Fisher V Pres.
Board of County Commissioners
For Somerset County