

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY, JULY 15, 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, July 1, 2014 and Closed Session on June 17, 2014.

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

"In accordance with Section 13 of the Somerset County Zoning Ordinance, Somerset County is considering amending the Zoning Ordinance to allow, in certain districts and in accordance with certain standards, electronic (or digital) signs. The amendments would revise Section 6.9, entitled "On-Site Signs", Section 6.10, entitled "Off-Site Signs", and Section 16, entitled "Definitions". The Planning Commission forwarded a favorable recommendation to the County Commissioners on the proposed amendments. The County Commissioners will hold a public hearing prior to making a decision.

Fair Summary

Electronic or digital signs are not currently addressed by the County's Zoning Ordinance. The proposed amendments will allow these signs in certain zoning districts subject to standards that address size, brightness, and length of transition time between messages. Standards are proposed for both on-site and off-site signs. In non-commercial districts, the amendments will require that electronic signs obtain approval from the Board of Zoning Appeals. The Planning Commission also recommended that maximum on-site signage for free-standing signs be increased from 60 sq. ft. to 80 sq. ft."

After reading the public notice into record, the County Administrator turned the hearing over to Gary Pusey, Director of Technical and Community Services for a staff report. Mr. Pusey reported that digital or electronic signs are not currently addressed in the Zoning Ordinance. Therefore, each application had to go before the Board of Zoning Appeals for consideration. In an effort to streamline similar requests, and eliminating delays and additional costs for the applicant, the recommendation was made to amend the Zoning Ordinance to include this as a text

amendment. At this time, Mr. Pusey reviewed the proposed changes, as they pertain to digital, and all types of signs.

Commissioner President Simpkins inquired about the large digital sign on U.S. Rt. 13; and Commissioner Laird inquired about indoor flashing lights. All existing digital signs have been grandfathered in, and indoor signs are not affected by the amendment.

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

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

In final summary, Mr. Pusey recommended the amendment to the Zoning Ordinance be adopted.

With no further testimony or questions, President Simpkins declared the public hearing closed. Written comments will be accepted until July 25, 2014.

At 2:13 p.m., President Simpkins declared a second public hearing open relating to the following matter:

“In accordance with the Annotated Code of Maryland, Transportation Article, Section 21-706.1(c)(1), the Somerset County Commissioners will consider the adoption of an Ordinance authorizing the use of school bus monitoring cameras in Somerset County, Maryland.

The proposed Ordinance authorizes a law enforcement agency, in consultation with the County Board of Education, to place monitoring cameras on county school buses. The purpose of school bus monitoring cameras is to record a motor vehicle committing a violation related to overtaking and passing a school vehicle. Adoption of the proposed Ordinance by the local governing body shall empower a law enforcement agency to issue a citation for violation of §21-706 of the Transportation Article, Annotated Code of Maryland.”

After reading the public notice into record, the County Administrator reported that the Sheriff's Office submitted a request to consider adoption of the Ordinance following the passage of Senate Bill 679. The Board of Education has also endorsed the proposed Ordinance.

Chief Deputy Ronnie Howard appeared before the Board in support of the school bus monitoring cameras and provided the following information:

- ▶ Cameras would initially be installed on the exterior of five (5) school buses.
- ▶ Violations would be deemed a civil infraction with a fine of \$125.
- ▶ Under the contract with Automated Traffic Safety Solutions, the Sheriff's Office will receive \$15 per citation.
- ▶ There will be no cost to the County.
- ▶ The cameras are capable of producing both video and still photos.
- ▶ The County Attorney has reviewed and approved the contract with Automated Traffic Safety Solutions.

Commissioner Mathies inquired if each school bus would eventually be equipped with cameras. Deputy Howard stated that the company would make that determination, based upon results of the existing cameras.

Commissioner Laird and Commissioner Boston inquired who is responsible for installing the cameras; and about the possibility of the company going out of business after the cameras are installed. Deputy Howard advised that the cameras will be installed by the company; and that he does not anticipate the company going out of business since they are currently serving several areas of the State. When asked by President Simpkins if we could opt out of the contract, if necessary, Deputy Howard replied "yes". As a school bus contractor, Commissioner Fisher endorsed the program and recommended each bus contractor sign a Release Agreement.

At this time, President Simpkins called for any proponents wishing to testify in support of the proposed Ordinance.

Mr. Dan Kuebler, Board of Education Member for District 4, expressed his support for the school bus cameras, citing an incident that already taken place. He urged the Board to ensure all details are addressed in the contract.

President Simpkins asked for any other proponents. There were none.

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

In closing, Deputy Howard commented on previously receiving complaints regarding vehicles that have passed stopped school buses, but were unable to provide vehicle tag numbers. The school bus cameras would help alleviate this situation.

With no further questions or comments, President Simpkins declared the public hearing closed at 2:22 p.m. Written comments will be received until July 25, 2012.

The County Administrator addressed the first item for discussion on today's agenda – Wind Energy Ordinance. Mr. Taylor reviewed the options, as presented during last week's meeting, in regard to the wind turbines and the draft ordinance:

- Option 1: Adopt the ordinance as currently drafted;
- Option 2: Send the ordinance to the Planning & Zoning Staff for review;
- Option 3: Send the ordinance back to the Planning Commission for review and public hearing;
- Option 4: Take no action on the ordinance.

Mr. Taylor reminded everyone that another public hearing would be required in either case if the Board wished to pursue wind energy.

Commissioner Fisher called upon Mr. Gary Pusey, Director of Technical & Community Services, for a recommendation. Mr. Pusey stated that he recommended the issue be referred back to the Planning Commission, with a time deadline for responding. After discussing the length of time that may be needed by the Planning Commission, the following motion was made:

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to refer the wind energy ordinance back to the Planning Commission and ask for a recommendation from them no later than October 3, 2014. The motion carried 3-1 with Commissioner Laird in opposition.

Mr. Gene Adkins, Finance Director, was now present to review the proposals received for financing of the following:

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.

Mr. Adkins noted that proposals were received from four (4) different banks: Hebron Savings Bank; Suntrust Bank; PNC Bank; M&T Bank; Bank of America; and BB&T Bank. Based upon the information provided, Mr. Adkins recommended Hebron Savings Bank be selected to finance the projects as listed above.

A motion was made by Commissioner Mathies, seconded by Commissioner Laird, to accept the proposal submitted by Hebron Savings Bank for the 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, pending the clarification of the attorney's fees included in the RFP. The motion carried 4-0.

A motion was made by Commissioner Mathies, seconded by Commissioner Fisher, to accept the proposal submitted by Hebron Savings Bank for the interim financing for construction of the new Crisfield Library and for the Treasurer's Office improvements at the County Complex, pending the clarification of the attorney's fees included in the RFP. The motion carried 4-0.

Mr. Charles Cavanaugh, Director of Maintenance and Solid Waste, was now present before the Board to review the bid information received and read aloud during the meeting of June 17, 2014, 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. Mr. Cavanaugh noted that \$32,342 was still remaining from the grant funds, and recommended the bid be awarded to Bozman Paving & Grading.

A motion was made by Commissioner Laird, seconded by Commissioner Boston, to award the paving contract to Bozman Paving & Grading for their bid of \$13,569. The motion carried 4-0.

Mr. Cavanaugh also addressed the availability of funds to purchase a generator for the Commission on Aging, estimated at \$40,455, utilizing the grant funds as shown below:

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|-----------------|--|
| \$30,355 | MD. Emergency Mgmt. Agency – Grant Funds |
| <u>\$10,100</u> | Commission on Aging Grant |
| \$40,455 | Total |

Upon motion made by Commissioner Fisher, seconded by Commissioner Mathies, it carried 4-0 to approve the purchase of a generator for the Commission on Aging Office utilizing the grant funds as noted above.

The County Administrator reviewed the remaining discussion items and correspondence.

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to adopt Resolution No. 1079, a Resolution to establish the Landfill Tipping Fees and Transfer Station Permit Fees for Fiscal Year 2015, based upon action taken by the Board of County Commissioners during their meeting of March 11, 2014.

Mr. Taylor reported on the availability of grant funding through FAA and MAA to perform a Pavement Condition Survey at the Crisfield-Somerset County Airport. The total cost of the project would be \$14,000, requiring a local match of \$360 from the County and \$360 from the City of Crisfield. Mr. Taylor recommended the Board take advantage of this funding opportunity. Commissioner Boston inquired if the City of Crisfield had been contacted. Mr. Taylor replied “yes”, the City of Crisfield has given their concurrence. Upon motion made by Commissioner Laird, seconded by Commissioner Boston, it carried 4-0 to approve the submittal of an application for grant funding to perform a Pavement Condition Survey.

The Board reviewed a letter from the Maryland Department of Housing and Community Development announcing the availability of FY2015 funding, totaling \$40,000, for the Rental

Allowance Program. The grant funding shall be used to make rental allowance payments to eligible recipients occupying eligible dwelling units. Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-0 to authorize President Simpkins to sign the Rental Allowance Program grant application for FY2015 funding.

In a memo from Gary Pusey, the County Commissioners were advised of the term expiration of two members serving on the Board of Zoning Appeals: Brian Laird and Isaac Ballard. Both members have indicated they would like to continue their service on the Board.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to re-appoint Brian Laird to serve another three-year term as member of the Board of Zoning Appeals. The motion carried 4-0.

A motion was made by Commissioner Fisher, seconded by Commissioner Laird, to re-appoint Isaac Ballard to serve another three-year term as member of the Board of Zoning Appeals. The motion carried 4-0.

The Board reviewed a letter from Garland Hayward, President, Commissioners for the Town of Princess Anne, regarding a name change for a road located within the Town limits. According to President Hayward, the Town Commissioners passed a Resolution changing the road name of Wink Lane to Anne's Way. Mr. Taylor will forward the road name request to the Department of Emergency Services and the Department of Technical and Community Services.

With no further agenda items, President Simpkins asked for any questions or comments from the audience.

Mrs. E.J. Monheiser asked for clarification on the Board's decision regarding the wind turbines. President Simpkins advised of the Board's decision to send the Ordinance back to the Planning Commission and reiterated the public hearing process that will be required.


Mr. Dan Kuebler spoke on the increased size of the proposed wind turbines and offered to provide this information to the Board in writing. President Simpkins recommended the information be sent to the Planning Commission. Mr. Kuebler also inquired as to why the grass runway at the Crisfield Airport was kept open since it is not used. Closing the grass runway could result in a cost savings to the County and City.

(Ret.) Gen. Warner Sumpter, Board of Education Member, expressed his support for the school bus monitoring cameras and inquired if public information would be released to educate the public on the use of these cameras.

With no further business, a motion was made by Commissioner Fisher, seconded by Commissioner Mathies, 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 Jerry Boston, Commissioner Randy Laird, County Administrator, Ralph D. Taylor; Executive Aide, Cynthia R. Ward; and Director of Solid Waste & Maintenance, Charles Cavanaugh.

Upon motion made by Commissioner Boston, seconded by Commissioner Laird, it carried 4-0 to adjourn the Open and Closed Sessions at 3:40 p.m.

Respectfully Submitted:


Cynthia R. Ward
Executive Aide

Approved By:


Board of County Commissioners
For Somerset County