

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY, JULY 1, 2014

At 2:00 P.M., The Board of County Commissioners for Somerset County met in regular session with Commissioner Vice-President Charles F. Fisher, Commissioner Craig N. Mathies Jr., Commissioner Jerry S. Boston and Commissioner Randy Laird. President Simpkins was absent for today's meeting.

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

Vice-President Fisher 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 Laird, it carried 4-0 to approve the Minutes from the Open Session held Tuesday, June 17, 2014.

The County Administrator introduced Tom Robinson, President of CBG Communications, Inc., and Natausha Horton, Esquire, Cohen Law Group. Mr. Robinson began with an explanation of the assistance that his company provides to local governments in areas of communications, including cable franchise renewals. Somerset County currently has two franchise agreements (Comcast and Charter) that will be expiring in January 2015. A PowerPoint presentation was provided, which addressed the following items:

- Cable Franchise Renewals - Past Performance Reviews and Compliance Audits
- Needs Assessment –
 - Density Clauses
 - Connecting Public Facilities
 - Public, Educational and Governmental Access Channels – PEG
 - Customer Service Standards
- Cable Franchise Transfer
- Cable Franchise Renewal with Comcast
- Cable Franchise Transfer and Renewal with Comcast

Ms. Horton discussed the cable franchise transfer, from Charter to CCO Transfers, LLC. Ms. Horton also reviewed her recommendations for the transfer process:

- Review FCC Form 394 received from Comcast for key information.

- Conduct a franchise fee audit to determine whether Charter has paid the County all of the franchise fee revenue to which it is entitled.
- Draft transfer approval resolution that protects County's legal rights and secures potential new benefits.
- Negotiate transfer approval resolution with Comcast prior to approval.

Weaknesses were also noted in the current contract, including: franchise fee revenue collection and accountability; limited customer service standards; deficiencies in PEG; lack of free internet service for government buildings, schools and libraries; and vague right-of-way protection. Ms. Horton recommended franchise payments be made to the County quarterly, versus annually and penalties should be implemented for underpayments.

Commissioner Laird addressed several problems with Charter, including inadequate equipment and an overall lack of quality service for the customers in the Crisfield area. Ms. Horton recommended the County Commissioners address these problems in the franchise renewal process with the Charter/Comcast subsidiary, and Comcast will be forced to follow through with the terms of the franchise. Mr. Taylor also noted the importance of negotiating with McCready Hospital and the new Crisfield Library for services. Commissioner Mathies stressed the importance of better service for the residents. He also stated that the Board needs direction to negotiate the best franchise agreement for the County.

The Board thanked Mr. Robinson and Ms. Horton for their presentation. A proposal for negotiating the franchise renewals will be presented at a later date for the Board's consideration.

Mr. Gary Pusey, Director of Technical and Community Services, was now present before the Board to ask for the Board's support for the submittal of a Technical Assistance Grant funded through Maryland Department of Housing & Community Development, to assist with a Community-Based Visioning Study for Smith Island. A resolution in support of the grant submittal was presented for the Board's consideration.

A motion was made by Commissioner Laird, seconded by Commissioner Boston, to support the grant submittal and adopt Resolution No. 1078. The motion carried 4-0.

Ms. Julie Widdowson, Director of Tourism for Somerset County, appeared before the Board to present copies of her 2013 Annual Report. Ms. Widdowson also shared copies of materials that are distributed to tourists that visit their office and copies of publications that have featured articles on "Somerset County".

Somerset County Detention Center Warden, Louis Hickman, was now present to introduce Correctional Officer II James B. Aswell III as the "Officer of the Year for 2013". Mr. Aswell was commended for his excellent performance and was presented with a Certificate of Recognition from the County Commissioners.

Ms. Sharon Muir, Internal Auditor, appeared before the Board to present two documents for Board approval:

- 1) Sponsorship of Somerset County Library and Somerset County Sanitary District which allow them to obtain insurance coverage through Local Government Insurance Trust. Upon motion made by Commissioner Laird, seconded by Commissioner Boston, it carried 4-0 to authorize Vice-President Fisher to sign the sponsorship letter.
- 2) Subrecipient Agreement between Somerset County Commissioners and Somerset County Economic Development Commission for the disbursement of CDBG-Disaster Recovery Program funding received through DHCD in an amount not to exceed \$1,050,000 subject to the terms and conditions set forth in Exhibit A. Upon motion made by Commissioner Boston, seconded by Commissioner Laird, it carried 4-0 to approve the Agreement.

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

Mr. Taylor reminded the Board of the expiration of Paulette Collins' term as member of the Property Tax Assessment Appeal Board for the Somerset County. Upon motion made by Commissioner Boston, seconded by Commissioner Mathies, it carried 4-0 to nominate Ms. Collins for re-appointment to the Property Tax Assessment Appeal Board.

The Board reviewed a letter from the Maryland Department of Housing and Community Development inviting the County to transfer its 2014 housing bond allocation (\$925,765) to DHCD to fund housing programs or to issue mortgage credit certificates. Upon motion made by Commissioner Laird, seconded by Commissioner Boston, it carried 4-0 to transfer the 2014 housing bond allocation (\$925,765) to DHCD for use in the CDA Maryland Mortgage Program.

The Board also reviewed a letter from the Maryland State Soil Conservation Committee advising of the resignation of Rantz Purcell from the Somerset Soil Conservation District. Upon motion made by Commissioner Boston, seconded by Commissioner Laird, it carried 4-0 to nominate Wayne Widdowson for appointment to the Somerset Soil Conservation District as representative of the Somerset County Commissioners.

A notice from the Maryland Department of Natural Resources was reviewed, indicating the closure of portions of the Deal Island Wildlife Management Area to crabbing activities due to excessive littering. Mr. Taylor reported that Delegate Otto and Senator Mathies have been

contacted in an effort to partner with them to keep the area open for our citizens that utilize this area for recreational crabbing.

In a memo, dated June 23, 2014, Gary Pusey, Planning Director, advised the County Commissioners Office of the resignation of Steve Megrnigle from the Planning Commission, as he is relocating to Nova Scotia. The Board will consider a replacement for Mr. Megrnigle to serve out the remainder of his term, which expires January 2017.

The Board reviewed a letter from Ms. Marsha Beckett, of Metropolitan United Methodist Church, requesting a letter of support from the County for a grant application she is submitting to the African American Heritage Preservation Program on behalf of the Church. If approved, the funding would assist in the preservation and restoration of Metropolitan United Methodist Church. Upon motion made by Commissioner Laird, seconded by Commissioner Boston, it carried 4-0 to provide the letter of support as requested.

Mr. Taylor shared an email message received from the U.S. Army Corps of Engineers regarding the status of projects that were submitted to the Corps for consideration. In the message, the Corps of Engineers indicated that the Ewell Bulkheading Project and the Crisfield Tidal Dyke Project were recommended for a feasibility study; however, the Frenchtown and Rhodes Point Shoreline Erosion Control Project costs could not be justified.

At the conclusion of the agenda items, Vice-President Fisher asked for any questions or comments from the audience.

Mr. Phil Riggan, of Crisfield, expressed his appreciation for the presentation made by CBG Communications, Inc., and suggested that any recovered franchise related fees may help offset the cost of services that would be provided by CBG Communications.

Ms. Sarah Rayne, of Coastal Association of Realtors, appeared briefly before the Board to introduce herself and distribute copies of a publication that is devoted to real estate and smart growth.

With no further business, 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 Vice-President

Charles Fisher, Commissioner Craig N. Mathies, Sr., County Administrator, Ralph D. Taylor;
Executive Aide, Cynthia R. Ward; and Director of Solid Waste & Maintenance, Charles
Cavanaugh.

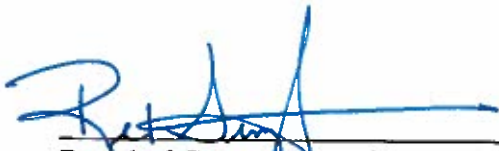
Upon motion made by Commissioner Laird, seconded by Commissioner Mathies, it
carried 4-0 to adjourn the Open and Closed Sessions at 4:20 p.m.

Respectfully Submitted:



Cynthia R. Ward
Executive Aide

Approved By:



Board of County Commissioners
For Somerset County