

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY, NOVEMBER 3, 2015

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 Jerry S. Boston, Commissioner Rex Simpkins and Commissioner Craig Mathies, Sr.

Also present were Ralph D. Taylor, County Administrator-Clerk and Lory E. Ebron, Administrative Aide.

President Laird 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 unanimously to approve the minutes as written from the Open and Closed Session Meetings held Tuesday, October 20, 2015.

President Laird called the Public Hearing open at 2:00 p.m. in the meeting room of the Board of County Commissioners to amend the Somerset County Forest Conservation Ordinance. Mr. Taylor read the public hearing notice into record as follows:

“In accordance with the Forest Conservation Act, Natural Resources Article 5-1601 through 5-1612 of the Annotated Code of Maryland and Article XXI of the County's Forest Conservation Ordinance (Ordinance #1029), the Somerset County Commissioners will conduct a Public Hearing to consider an amendment to the County's Forest Conservation Ordinance.

Members of the public are invited to attend the Public Hearing and comment on the draft Ordinance. The County Commissioners will consider all public comment prior to making a decision on the draft Ordinance.

Fair Summary

The County proposes to amend the current Ordinance to allow for an exemption from Forest Conservation requirements for the clearing of trees affecting navigable airspace when it is determined by the Federal Aviation Administration that they are a hazard to aviation. Currently the Ordinance exempts projects or activities located within the Crisfield Airport Zone, but the exemption does not extend to areas outside the boundaries of the Airport Zone. The proposed amendment would be in conformance with State law.

For further information please contact the Somerset County Department of Technical and Community Services at 410-651-1424. Board of Commissioners for Somerset County . Ralph D. Taylor, County Administrator.”

Mr. Pusey, Director of Planning and Ms. Kymberly Kudla, Planner I were asked to come forward. Mr. Pusey explained the history of the Forest Conservation Ordinance (FCO), first adopted in January 1995, noting the revisions that have been made over the years. In 2011, the FCO updated omitted a text amendment that had been made in July 2005 which pertained to obstruction removal surrounding the Crisfield Airport Zone. Mr. Pusey advised that the

amendment pertained to the text of Section 3.2, I which added the following language: “and the cutting or clearing of trees to comply with the requirements of 14 D.F.R.S.77.25 relating to objects affecting navigable airspace, provided that the Federal Aviation Administration has determined that the trees are a hazard to aviation.”

President Laird asked if there were any proponents present wishing to speak. There were none.

President Laird asked if there were any opponents present wishing to speak. There were none.

President Laird advised that public comment would be taken for 10 days until November 13, 2015. The Public Hearing was declared closed at 2:08 p.m.

Next Mr. Pusey presented the FY16 Rental Allowance Program Grant Agreement for the President's signature. The grant, in the amount of \$40,000 from the Maryland Department of Housing & Community Development (DHCD), provides rental assistance to low income families who are homeless or have an emergency housing need.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Mathies, it carried unanimously to approve the President's signature on the FY16 Rental Allowance Program Grant as presented.

Sheriff Ronnie Howard was now before the Board to discuss his request to lease two additional vehicles for his department. Sheriff Howard explained that during the past budget deliberation, the Board had approved the department to lease one new vehicle immediately, and two in the spring of 2016. Sheriff Howard explained that vehicle maintenance expense to date for his department is \$25,553, and therefore he was here today to request the additional 2 vehicles early. It was his recommendation to not continue maintenance efforts on the failing vehicles and lease the remaining two new vehicles before the spring of 2016. He advised that the cost for all three leases for the remainder of this fiscal year will come in under budget.

Following the discussion, upon a motion made by Commissioner Mathies, and seconded by Commissioner Simpkins, Sheriff Howard received approval to lease the additional two vehicles as requested. Commissioner Fisher abstained; therefore the motion carried 4-0-1. Mr.

Taylor asked Sheriff Howard to have Mr. Adkins, Finance Director, verify the remaining budgeted amount he presented, was correct as stated.

Mr. Taylor continued the meeting with correspondence and discussion items at this time.

Maryland Department of Planning submitted a State Clearinghouse Review Project request regarding the University of Maryland System for UMES. The project is for a School of Pharmacy & Allied Health Professionals that will be located off Backbone Road, opposite the new quad in the farm area. It was Mr. Taylor's recommendation that the county submit a "no comment" designation for this project review.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Mathies, it carried unanimously to designate a "no comment" response for this project as recommended.

Mr. Taylor advised the Board that he was copied on a letter sent from Mayor Kim Lawson, City of Crisfield, to Mr. Garland Hayward, President, Town of Princess Anne, requesting their consideration to reinstate alternating membership on the Tri-County Council between the two municipalities.

A letter was received from Tri-County Council requesting the County's nominees to the Executive Board for their upcoming meeting.

Following a brief discussion, a motion was made by Commissioner Fisher and seconded by Commissioner Mathies to nominate President Laird to serve as 2nd Vice Chair, and Commissioner Rex Simpkins to serve a Treasurer for the Tri-County Council for the Lower Eastern Shore in 2016. The motion carried 4-0.

Mr. Taylor reviewed a letter received from Ms. Catherine A. Brown, President of It Takes a Village to Help Our Children, Inc. (ITAV). In the letter, Ms. Brown states that ITAV was unable to accept the terms of the Hurricane Sandy funded project as proposed to be constructed at Crisfield High School. The organization also requested to discuss how the unused Hurricane Sandy funds allotted to them could be reallocated to support their efforts. The Board discussed the request, and were in consensus to first; advise the Board of Education that ITAV has withdrawn from the construction project at CHS, and advise them to move forward with the Head Start project and secondly; notify Ms. Taylor that the Board would like to meet with both

her and the Board of Directors for It Takes a Village to Help Our Children, Inc., to discuss the possible reallocation of funds as requested.

Mr. Taylor discussed the current Steering Committee status, advising that he has received email communication from Ms. Charlotte Scott requesting the addition of two public housing residents to the committee. Four names were submitted for the Boards consideration.

After discussion, upon a motion made by Commissioner Simpkins, and seconded by Commissioner Mathies, Ms. Anita Whittington was appointed to serve as a citizen representative on the committee. The motion carried unanimously.

Next, upon a motion made by Commissioner Simpkins, seconded by Commissioner Mathies, Mr. James Lane was appointed to serve as a citizen representative on the committee. The motion carried unanimously.

Next, Mr. Taylor presented the draft Scope of Services/Land Acquisition regarding the Crisfield-Somerset Airport, and recognized that Ms. Jennifer Lutz, from AECOM was also present in the audience to answer any questions the Board may have. He advised that he reviewed the drafted scope of services for Alternative 4, containing 13 parcels of land acquisition associated with the asphalt runway, stating the importance of moving forward with a decision, as any future funding needs will be delayed or not occur until this phase of the project is completed. He noted that the City of Crisfield has earmarked their 2.5% share. Mr. Taylor also reminded the Board that \$650,000 has been budgeted towards this expense, however it is anticipated that there may be a potential of a large outlay of funds by the county before any reimbursement is received back from the FAA, which begins after the first easement is signed, and continues as each one is received. It was noted that the City and the County are not in agreement regarding the Alternatives (13 parcels vs. 17 (or more) parcels), stating we are 3 months into the 6 month extension request of study by the City. Mr. Taylor noted that depending on what the City decides, their request could result in a large expense should they request the alternative that reopens the entire grass runway.

At the conclusion of the discussion, upon a motion made by Commissioner Boston, and seconded by Commissioner Mathies, approval was given to proceed forward with the Scope of

Services as presented for the 13 parcel easement option (Alternative 4) associated with the asphalt runway as presented. Commissioner Fisher opposed the motion which carried 4-1-0.

Mr. Taylor reminded the Board of the vacancy that exists on the Social Services Board as well as the Tourism Commission. Commissioner Mathies made a motion to appoint Mr. Marcellus Connor to the Tourism Commission, to represent his district on this Commission. Commissioner Simpkins seconded the motion, which carried unanimously.

President Laird invited Mr. Terry Pehan forward to address the Board.

Mr. Terry Pehan requested to discuss two items; the easement acquisition for the airport and Charter Communications. First, as President of the Homeowners Association, he expressed his concern that the county has not yet received the Environmental Assessment back from the FAA. Mr. Pehan was told that the FAA has said the delay is due to a back log. He stated the association will not be interested in any discussions until the assessment is received and shows the impact of the overall project. The total amount of acreage that will be impacted was not known. He agreed that the process should be started, however no final decisions should be made on which alternative is chosen until the Environmental Assessment is received. Secondly, Mr. Pehan stated he appreciates the continuing updates and communication from the county on the status regarding negotiations, but expressed concern regarding Charter's delays. It was noted that the franchise agreements are independent of each other, and the delays caused by Charter will not keep the Comcast agreement from moving forward. It was also noted that the consultants are continuing to communicate with Charter for a response.

With no further business, Mr. Taylor advised the Board of the need to enter into closed session. Therefore, at 3:07 p.m. on a motion was made by Commissioner Simpkins, and seconded by Commissioner Mathies, it carried unanimously 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.

Upon motion made by Commissioner Boston, seconded by Commissioner Fisher, it carried unanimously to adjourn the Open and Closed Sessions at 3:28 p.m.

Respectfully Submitted:



Lory E. Ebron
Administrative Aide

Approved By:



Board of County Commissioners
For Somerset County