

BOARD OF COUNTY COMMISSIONERS  
FOR SOMERSET COUNTY  
TUESDAY, JANUARY 13, 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 Craig N. Mathies Sr., Commissioner Rex Simpkins, and Commissioner Jerry S. Boston.

Also present was Ralph D. Taylor, County Administrator-Clerk; and Cynthia R. Ward, Executive 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 Fisher, seconded by Commissioner Boston, it carried unanimously to approve the Minutes from the Open and Closed Sessions held December 30, 2014.

President Laird declared a public hearing open at 2:00 p.m. relating to the following matter:

"In accordance with Section 1361 of the National Flood Insurance Act of 1968, as amended, Somerset County has been notified by the Federal Emergency Management Agency (FEMA) that its existing Floodplain Management Ordinance (Somerset County Ordinance # 1021) must be amended to meet new federal regulations in order for the County to continue its participation in the National Flood Insurance Program (NFIP).

The proposed Floodplain Management Ordinance regulates all development and new construction occurring within Special Flood Hazard Areas (SFHAs) as identified by the Flood Insurance Rate Map (FIRM) prepared by FEMA. The SFHAs are subject to a 1% or greater chance of flooding in any given year. The proposed ordinance requires permits for development in the SFHAs and ensures that construction materials and methods used will minimize future flood damage, such as the possible inclusion of a "freeboard" requirement. Adoption of the Floodplain Management Ordinance by Somerset County allows residents and property owners in the County to purchase flood insurance through the NFIP."

After reading the public hearing advertisement aloud for the record, the County Administrator called upon the Director of Technical and Community Services, Gary Pusey, for a staff report. Mr. Pusey began by providing a brief history on the development and purpose of the Floodplain Ordinance and advised of the need to adopt a new Ordinance on or before February 4, 2015 in order for the County to continue its participation in the National Flood Insurance Program (NFIP). The section related to "freeboard" has been left blank for now until the Board is able to make a decision on whether to require it in the construction of new homes in the County. A cost analysis for adding a freeboard to the elevation of a house was provided to the

Board. Also provided was information related to flood insurance rates and a savings in premiums by building at least one foot (or more) above base flood elevation. Adding a freeboard requirement will also help the County in attaining credit in a Community Rating System which would help reduce flood insurance rates. Mr. Pusey also updated the Board on the FEMA maps and a previous discussion regarding a possible appeal. According to preliminary estimates, it would cost hundreds of thousands of dollars to appeal the maps, with no assurance that FEMA would repeal them.

Mr. Bob Spery, Zoning Inspector, advised that the proposed ordinance revision is very similar to the existing ordinance. The most significant change involves the first floor elevation level (base flood elevation). Mr. Spery provided a photograph of a newly constructed house with three feet of freeboard. Other changes included: the designation of several new zones such as "Velocity Zone", "LMWA", "Coastal A Zone", and "Cobra"; and a change to the statute of limitation on the completion of construction, once the application permit has been filed (for properties within the floodplain) from the current time period of one year to the new proposed time period of 180 days.

At this time, Commissioner President Laird called for public testimony and asked if there were any proponents wishing to testify in favor of the ordinance. There were none.

Commissioner President Laird then called for any opponents, wishing to testify in opposition of the ordinance.

Mr. Mark Simmons, of 9554 Millard Long Road, Westover, provided a written statement and expressed his opposition to the new FEMA maps and claimed that they do not truly represent the flood risk. The elevation and wave action designation is incorrect and the maps illustrate his claim. Mr. Simmons suggested that historical data be gathered to challenge the FEMA maps, and encouraged the Commissioners to enlist the help of our delegation.

Ms. Elizabeth Butler, of Shelltown, discussed previous experiences with flooding in her area. Ms. Butler also suggested that the freeboard requirement be removed and inquired about the effect that this requirement would have on the replacement of chicken houses and other outbuildings if they incurred flooding damage.

Mr. Alan Butler, of Shelltown, stated that he is now in the flood zone, according to the new FEMA maps, even though he did not experience flooding in the last storm. Mr. Butler

expressed his opposition to the maps, stating their inaccuracy and the costs that he will incur due to this designation.

Ms. Tammy Truitt, of Marion, expressed her concern about the new FEMA maps and compared Somerset to Dorchester County, which recently experienced a decrease in the overall areas that were located in the 100 year floodplain, even though both counties are very similar in nature. Ms. Truitt opposes the maps based upon the apparent inaccuracy of the maps.

Mr. Phil Riggan, of Crisfield, opposes the process and inquired if the new maps apply to public structures? If so, there are many building structures in Crisfield that will be affected. Mr. Riggan also commented on the accuracy of the maps, in comparison to other counties.

Commissioner President Laird asked for any further testimony. There was none.

With no further testimony, the public hearing was closed at 2:50 p.m. Written comments will be accepted until January 23, 2015.

Ms. Samantha Hill, Program Specialist for Big Brothers - Big Sisters of the Greater Chesapeake, appeared before the Board to accept a Proclamation recognizing January as Mentoring Month in Somerset County.

Ms. Sherree Marshall, Executive Director for Somerset County Commission on Aging, was now present before the Board to request approval for the submittal of a grant application for the Senior Care Program, totaling \$108,000. Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried unanimously to approve the submittal of the grant application.

Ms. Julie Widdowson, Director of Tourism for Somerset County, was now present before the Board to request approval for the acceptance of a Marketing Grant Agreement, totaling \$16,558. Upon motion made by Commissioner Boston, seconded by Commissioner Fisher, it carried unanimously to approve the Marketing Grant Agreement.

Mr. Charles Cavanaugh, Director of Maintenance and Solid Waste, appeared before the Board to present several items for the Board's consideration:

1. Requested approval for two (2) Contract Change Orders for the Treasurer's Office:
  - a. Addition of panic buttons for security purposes, estimated at \$2,578.89.
  - b. Increase the height of the glass at the service counter for added security, from 10" to 24", estimated at \$1,500.  
The total estimated increase to the contract would be \$4,078.89. Mr. Cavanaugh reported that even with the changes, the Project is still under the budgeted amount. Upon motion made by Commissioner Fisher, seconded by

Commissioner Boston, it carried unanimously to approve both Contract Change Orders.

- c. Security cameras may also be installed in the Treasurer's Office at a later date.
2. The Board was advised of grant money that is available for security equipment at the Courthouse, totaling \$20,000 with no local match required. Mr. Cavanaugh has submitted an application for the funding. The Board will consider acceptance of the grant at a later date, if the application is approved.
3. Mr. Cavanaugh requested permission to purchase two (2) roll-off containers to replace older containers that have deteriorated severely. The cost is within his budget, however it exceeds his purchase limit, and asked to purchase the containers under the Commissioners purchase limit. Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried unanimously to authorize the purchase.

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

A Lease with USDA was presented to the Board for their approval. The Lease would be a renewal for the office space that is currently occupied by Farm Service Agency (FSA) at the Howard Anderson Building in Princess Anne, at an annual rate of \$29,942. The new lease would terminate on September 30, 2018.

A motion was made by Commissioner Fisher, seconded by Commissioner Simpkins, to approve the Lease renewal. The motion carried unanimously.

The Board was reminded of one remaining vacancy on the Somerset County Tourism Commission. Upon motion made by Commissioner Fisher, seconded by Commissioner Simpkins, it carried unanimously to appoint Frederick Howard to serve as member of the Tourism Commission.

A request for assistance was received from Mr. Andre White in regard to funeral services for his father, Brian T. White. Upon motion made by Commissioner Simpkins, seconded by Commissioner Boston, it carried unanimously to approve an expenditure of \$250 from the pauper burial fund to assist with the funeral expenses.

With no further agenda items, President Laird called upon the individuals that requested to address the Board.

Mr. Dennis Williams, of Princess Anne, expressed his appreciation for the Board's support of the request of the Board of License Commissioners regarding proposed legislation.

With no further business, a motion was made by Commissioner Fisher, 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; and Section 10-508 (a) (7) consult with counsel to obtain legal advice. The motion carried unanimously. Also present for the Closed Session were Commissioner President Laird, Commissioner Mathies, Commissioner Simpkins, County Administrator, Ralph D. Taylor; Executive Aide, Cynthia R. Ward; and County Attorney, Kirk Simpkins.

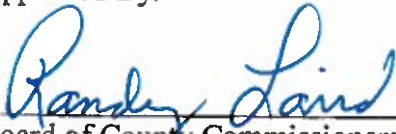
Upon motion made by Commissioner Boston, seconded by Commissioner Fisher, it carried unanimously to adjourn the Open and Closed Sessions at 3:40 p.m.

Respectfully Submitted:



Cynthia R. Ward  
Executive Aide

Approved By:



Board of County Commissioners  
For Somerset County