

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY, JUNE 16, 2015

At 2:00 P.M., The Board of County Commissioners for Somerset County met in regular session with Commissioner President Randy Laird, Commissioner Jerry S. Boston, Commissioner Craig Mathies, Sr., and Commissioner Rex Simpkins. Commissioner Vice-President Charles F. Fisher was not in attendance at this time.

Also present was 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 Simpkins, it carried unanimously to approve the Minutes from the Open and Closed Session Meetings held Tuesday, June 2, 2015.

Mr. Clint Sterling, Recreation and Parks Director, was now present to accept the sealed bids received with regard to the 'Request for Proposal' to construct a restroom facility adjacent to the gymnasium at the Somerset County Behavioral Health Building in Westover. President Laird proceeded to open and read aloud the following bids received:

<u>Bidder</u>	<u>Amount</u>
<u>Farina Construction</u>	\$43,997.00
Cost Reduction Options	-\$ 2,000.00 (Monolithic Slab Foundation)
	-\$ 1,750.00 (Unisex 2 piece bathroom)
<u>Kevin E. McIntyre</u>	<u>\$28,640.00</u>

Mr. Sterling will review the bids received, and make a bid award recommendation at the next meeting scheduled for June 30, 2015.

At 2:06 p.m. President Laird declared the Public Hearing open regarding the Amendment to the Somerset County Comprehensive Water and Sewerage Plan. Also in attendance were Commissioner Jerry S. Boston, Commissioner Craig Mathies, Sr., and Commissioner Rex Simpkins. Commissioner Vice-President Charles F. Fisher was not in attendance at this time.

Mr. Gary Pusey, Director of Technical and Community Services, Mr. Tom Lawton, Senior Planner and Mr. Anthony Stockus, General Manger, Sanitary District, were also present. Mr. Taylor proceeded to read into record the Fair Summary as follows:

“The current Plan was adopted in 2008. The purpose of this hearing is to present to the public an amendment to the 2008 Plan revising Chapter Three - Water Systems, Section I, Subsection 2. Princess Anne Water System and Subsection 4. Fairmount Water System. The amendment addresses upgrades to the Princess Anne Water System allowing the upgraded water system to tie into the Fairmount system and to serve both existing and proposed development in the Princess Anne Service Area.

Also included is an amendment to Chapter Four- Sewerage Systems, Section I, Subsection 2. Princess Anne Sewerage System and Subsection 4. Fairmount Sewerage System. This amendment addresses potential plans to decommission the Fairmount Waste Water Treatment Plant in lieu of constructing a new plant and to eliminate the Fairmount WWTP discharge into Halls Creek which feeds into the Chesapeake Bay by way of the Big Annemessex River. The sewage will be pumped to the Westover sewer system, which pumps to the Princess Anne WWTP.

The proposed Amendment revises pages of the existing Plan and provides updated Princess Anne and Westover Water System and Sewer System Plan maps which more clearly show the various phased planning areas in color on a parcel based map. Also included are amended tables and allocation maps. The Amendment also includes review procedures to ensure that future connections comply with Priority Funding Area requirements. Board of County Commissioners for Somerset County, Ralph D. Taylor, County Administrator”.

Mr. Lawton began by explaining that the original plan was adopted in 2008, and the purpose of the public hearing was to present an amendment to the 2008 Plan, revising Chapter Three addressing upgrades to the Princess Anne Water System. This amendment would allow the upgraded water system to tie into the Fairmount system, to serve both existing and proposed development in the Princess Anne service area. He advised allocation lists will be updated, as well as the existing State maps, which will be overlaid with the water system layout.

Mr. Stockus continued, explaining the history of the water and sewerage plan, and the benefits that the amendment will provide, including less work load on staff, and less driving hours. Also explained was the plan to include the County Landfill, and the processing of Lechate, noting that this plan is a greener solution. Mr. Stockus also complemented Ms. Cornelius and the assistance she provided in drafting the overlay maps. He closed in saying that the plan was approved by the Planning Commission during their May 7, 2015 meeting.

Commissioner Boston questioned if the Fairmount location will be closed with this plan. Mr. Stockus confirmed it would. Commissioner Simpkins asked if rates will change. Mr. Stockus advised that rates will be different however the plan as recommended will be the most cost effective way to go. Lastly, Commissioner Boston asked if water will be coming to the Westover area with this plan. Mr. Stockus explained that he doesn't know the future of water in Somerset County, however it is his desire to make the best use of the water sources that we have.

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.

The President stated that written comment will be taken for ten days, until June 26, 2015. The Public Hearing was closed at 2:27 p.m.

At 2:27 p.m., President Laird declared the Public Hearing open regarding the CDBG Disaster Recovery update of progress being made regarding recovery efforts. Also in attendance were Commissioner Jerry S. Boston, Commissioner Craig Mathies, Sr., and Commissioner Rex Simpkins. Commissioner Vice-President Charles F. Fisher was not in attendance at this time.

Mr. Gary Pusey, Director of Technical and Community Services and Mr. Mark Konapelsky were also present. Mr. Taylor proceeded to read into record the notice of public hearing as follows:

“Somerset County will conduct a Public Hearing to provide citizens with a status report of activities undertaken by the County through its implementation of the Hurricane Sandy Disaster Recovery Grant at the above-referenced time and location.

The County Commissioners entered into a grant agreement with the Maryland Department of Housing & Community Development (DHCD) to use Community Development Block Grant (CDBG) funds for Hurricane Sandy recovery efforts in July 2013. The total amount of funds awarded was \$8.6 million, with an initial partial allocation of \$4.2 million. These efforts include a Housing Recovery Program to rehabilitate houses damaged by the Hurricane and to construct new homes to replace those damaged extensively by the storm; and an Economic Recovery Program to assist small businesses with unmet needs related to the Hurricane.

In accordance with the grant agreement, the County is required to hold public hearings twice annually to provide an update of progress being made on the recovery efforts.

Efforts will be made to accommodate the disabled and non-English speaking residents with five days advance notice to Gary Pusey at 410-651-1424. Board of County Commissioners for Somerset County, Randy Laird, President”.

Mr. Pusey explained that the County’s Grant Agreement for Phase I of the Hurricane Sandy Disaster Recovery efforts requires that a public hearing be held every six months to provide an update of completed and anticipated grant activities. The total grant amount was \$8,640,000, with an initial allocation (Phase I) for \$4,200,000 which includes the Housing Recovery Program and an Economic Recovery Program. Approved activities are to be completed by December 9, 2015. With activities of the grant started, the hiring of contractual employees to handle disaster recovery projects was completed in July of 2013. Training was provided by the DHCD, and the availability of the grant funding was publicized, generating an early influx of light inquiries. Efforts continued to publicize the availability of funds, including a

mass mailing in January 2014 to all property owners in the County. This resulted in an outpouring of persons requesting assistance, resulting in additional new applications being received. Mr. Pusey also noted that a similar process occurred with the Economic Development portion of the funding, with a slow start, but increasing at a steady rate. Three homes were purchased to provide temporary housing for approximately \$380,000. The summary of housing activity to date was as follows:

- 1 rehabilitation job completed - \$25, 140
- 13 new home rebuilds completed - \$2,147,515.96
- 5 new homes under construction - \$855,575
- 7 new homes with application pending - \$1,000,000

Combined, these 26 applications will total an estimated \$4.03 million. Mr. Pusey stated that there will be no issues to spend the Phase I allocation by the December 2015 deadline.

Mr. Pusey then provided an update regarding the Economic Development portion of the grant as follows:

- 56 Watermen's grants approved - \$141,934
- 2 Façade Improvement grants approve - \$10,000
- 10 Business Loans approved - \$600,000
- 2 Business Loans pending - \$120,000

Combined, this activity totals \$871,934.00

Mr. Pusey explained that combined, total activity totals \$4.9 million. Adding in administrative costs such as salaries and the home purchases, total expenditures actual and anticipated, come to approximately \$5.6 million to date and therefore, easily exceeds the grant amount of \$4.2. Mr. Pusey noted that the \$1.4 million above the Phase I grant amount will be incorporated into the Phase 3 Grant, which is in process of being approved by DHCD and HUD. Commissioner Boston expressed concern that funding had exceeded the original allocated amount in Phase I. Mr. Pusey explained that it is actually a good problem at this point in the project in that the funds are being utilized, as any unused funds will be required to be returned. He also assured the Board that his department is closely monitoring funding allocation, so that in the end, an overage in spending does not occur.

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

President Laird asked if there were any opponents wishing to speak. There were none. Public comment will be taken for 10 days, until June 26, 2015. The President closed the Public Hearing at 2:33 p.m.

At 2:34 p.m., President Laird declared the Public Hearing open regarding the adoption of the Somerset County Building Code. Also in attendance were Commissioner Jerry S. Boston, Commissioner Craig Mathies, Sr., and Commissioner Rex Simpkins. Commissioner Vice-President Charles F. Fisher was not in attendance at this time.

Mr. Gary Pusey, Director of Technical and Community Services and Mr. Mark Konapelsky were also present. Mr. Taylor proceeded to read into record the notice of public hearing as follows:

“In accordance with the Public Safety Article of the Annotated Code of Maryland, Title 12, Subtitle 5, known as the Maryland Building Performance Standards, which requires all counties in the State of Maryland to adopt the International Building Codes (IBC), with or without amendments, the Somerset County Commissioners will conduct a Public Hearing to consider adoption of the 2015 IBC with local amendments.

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 proposed Building Code Ordinance regulates all construction occurring within the unincorporated areas of Somerset County. The State of Maryland has recently adopted the 2015 IBC, and Somerset County is considering its adoption also, but with local amendments. Included in the 2015 State-adopted Code is a requirement that new single-family and two-family homes must contain a residential fire sprinkler system. Although the County has exempted this requirement in the past, State law passed in 2012 no longer allows a local jurisdiction to exempt a fire sprinkler system for residences. Among other requirements that the County has exempted in prior years include the issuance of building permits and inspections for agricultural buildings and accessory buildings of a certain minimum size, and the County may continue these exemptions.

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

Mr. Pusey explained that the State adopts new codes every three years. On January 1, 2015, the State of Maryland adopted the 2015 IBC, requiring counties to adopt the codes within six months. He advised that all of the codes remained the same relative to the 2012 edition, with the exception of the requirement that new construction one and two-family homes be required to have sprinkler systems installed. This new code requirement will go into effect July 1, 2015. Any new home construction permits obtained prior to July 1 will be grandfathered in, and not have to meet this new code requirement. Mr. Konapelsky also added that any mobile home that was manufactured prior to July 1, 2015 will also be exempt.

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.

Written comment will be taken for ten days, until June 26, 2015. Therefore, at 2:38 p.m. the Public Hearing was declared closed.

Mr. Konapelsky remained present to provide the recommendation for the bid award for Disaster Housing Assistance regarding 11181 Messick Road, received during the bid openings presented during the May 19, 2015 meeting. After review of the bids received, it was found and reported that the lowest bid received by Top Notch Drywall for the Messick residence was a relative (Brother-In-Law) to the homeowner. At that time, Mr. Konapelsky requested additional time to contact the State for clarification as to whether or not the bid could be accepted. Mr. Konapelsky advised that upon calling the State, they deemed the contractor ineligible and felt there was a potential and apparent conflict of interest making a strong recommendation to award the bid to another bidder. It was the recommendation of Mr. Konapelsky to award the bid to the next lowest bidder 'The Parsons Group' in the amount of \$181,400, as recommended by the State.

Commissioner Boston made the motion to award the bid regarding 11181 Messick Road to The Parsons Group in the amount of \$181,400. Commissioner Mathies second the motion. Commissioner Simpkins was opposed. Therefore the motion carried 3-1. Mr. Pusey and Mr. Konapelsky were excused from the meeting at this time.

Warden Hickman, and COII Purnell were now present before the Board. Mr. Hickman explained that Mr. Purnell had been nominated by his peers as 2014 Officer of the Year, noting that he does a good job in his duties on the transportation team, is sincere, dependable and honest. President Laird read the Certificate of Appreciation awarded to Mr. Purnell by the Board, commending him on a job well done.

Ms. Erica Quillen, HR Director was now present before the Board to present Resolution No. 1092, amending the Somerset County Employees Handbook of Governing Rules & Regulations. She explained the two changes made following the discussion held during the June

9, 2015 Work Session meeting (adding B.7(c) and language to Section III.H.). The final Resolution was then presented for the Boards approval.

On a motion was made by Commissioner Simpkins and seconded by Commissioner Boston, it carried unanimously to approve Resolution #1092, amending the Somerset County Employees Handbook of Governing Rules & Regulations as presented.

Mr. Taylor proceeded with discussion items and correspondence at this time.

A letter was received from Mr. Clint Sterling, Director of Recreation and Parks regarding Recreation Board Appointments. In the letter, Mr. Sterling requested the reappointment of the following current members, whose terms expired in May, 2015; Mr. Jim Webster, Mr. Mike Miller, Mr. John Dize, Mr. Marshall Beacoat, Mr. Dale Turpin, Mr. Charles Laird and Mr. Charles Fisher. Mr. Sterling also requested to fill the remaining two vacancies with a resident from District 1, and an 'at-large' position. The recommendation was made to award the first vacancy to Ms. Dawn Lankford who resides in District 1. The following names were provided for the Boards consideration for the second vacant position; Ms. Keisha Evans, Ms. Stacy McIntyre, Ms. April Benton and Ms. Robey French.

Upon a motion made by Commissioner Mathies, seconded by Commissioner Simpkins, it carried unanimously to appoint the first vacancy to Ms. Dawn Lankford, representing District 1.

A motion was made by Commissioner Boston, seconded by Commissioner Simpkins, and carried unanimously to appoint the second 'at large' vacancy to Ms. Robey French.

Commissioner Fisher arrived to the meeting at this time.

A letter was received from Ms. Julie Widdowson, Tourism Director requesting the reappointment of Ms. Nancy Goldsmith to serve on the Tourism Commission. Ms. Goldsmith was appointed to fill the remainder of Greg Cain's term, which will expire on June 19, 2015.

Therefore, upon a motion made by Commissioner Simpkins and seconded by Commissioner Boston, it carried unanimously to reappoint Ms. Nancy Goldsmith to the Tourism Commission.

A letter was received from Mr. Danny Thompson, EDC Executive Director, with regard to two 'slates' of appointments requiring the Boards approval regarding the Economic

Development Commission, approved by the EDC Executive Board and Board of Directors during their June 11, 2015 meeting. The letter advised that the following nominations were made to reappoint the following EDC Board Members to a three year term, expiring June 30, 2018; Mr. James East, Mr. Dickie Ward Mr. Jeffrey Eichelberger/David Jayne, Ms. Charlotte Sharf,

The nomination to appoint Ms. Carol Walston to serve a three year term (expiring June 30, 2018) was also made.

Secondly, the recommended appointments of the following EDC Board Members for a three year term whose terms will expire June 30, 2017 was also requested. It was noted that their terms expired on June 30, 2014. Those member recommendations were; Mr. Alex Karavasilis, Mr. Bob Murphey, Mr. Rob Maddox, Mr. Ben Alder.

The nomination to appoint Mr. Phil Riggin to serve a three year term, expiring June 30, 2017 was also made.

A motion was made by Commissioner Simpkins and seconded by Commissioner Boston to approve both slates of nominations with regard to appointments on the Economic Development Commission as presented. Commissioner Mathies opposed the motion; therefore the motion carried 4-1.

A discussion was held regarding the Bylaws currently in place for the Somerset County Economic Development Commission. The Board had made a previous recommendation to EDC to appoint a minority to serve on the Commission, which has not been done. Mr. Taylor advised that in order to change the process of appointments to the Economic Development Commission, amendments to the current Bylaws will need to be made, and a Resolution approved. The Board requested the matter be addressed during the next scheduled Work Session meeting.

Mr. Taylor reviewed the notice of applications for Somerset County, received for state permits from the Maryland Department of the Environment. He advised that the permit regarding obstruction removal for tree clearing relating to the airport was submitted as the “worst case scenario”, as a formal decision from the Board regarding which alternative will be chosen with regard to the environmental assessment has not yet been made.

The Somerset County Extension Office has requested the Boards consideration to sponsor campers to attend the Somerset County 4-H camp. The cost for a camper to attend is \$250.00.

A motion was made by Commissioner Simpkins, seconded by Commissioner Mathies and carried unanimously to approve a \$250.00 sponsorship, in support of the Somerset County 4-H camp.

The Board was invited to participate in the Healthy Waters Round Table of colleagues from around the Eastern Shore. The round table was organized to allow Eastern Shore counties to seek new tools and techniques to improve local water quality. Meetings will be held quarterly, beginning in August. Mr. Taylor was asked to contact Mr. Pusey to inquire if he would have a recommendation.

Correspondence was received from Ms. Cindy Stone, Maryland Department of Housing and Community Development with regard to an amendment made to the Maryland Community Development Block Grant (CDBG). The State was able to extend the grant agreement deadline for an additional four months to complete activities under Phase #1. Mr. Taylor requested the Boards approval to authorize President Laird to sign the amendment to the agreement as presented.

A motion was made by Commissioner Mathies, seconded by Commissioner Fisher, and carried unanimously authorizing the President's signature on the CDBG agreement as amended.

Mr. Taylor requested the Boards formal approval, authorizing a letter of support requested by Ms. Joy Strand, CEO, McCready Foundation, Inc. The letter would be in support of a renovation project to rehabilitate unused treatment space for outpatient and inpatient behavioral health services. A phone poll for approval had been obtained at the time the letter was written.

Upon a motion was made by Commissioner Simpkins, seconded by Commissioner Fisher, it carried unanimously to approve the letter of support as written for the McCready Foundation, Inc.

Mr. Taylor presented the Inter-Governmental Agreement between the Maryland State Department of Human Resources/Somerset County Department of Social Services and Somerset

County Government (STRIDES) program, requesting the Board authorize his signature on the document. Under this public transportation program, the state will provide \$200,000 to the County to provide public transportation.

A motion was made by Commissioner Simpkins, seconded by Commissioner Fisher, and carried unanimously authorizing Mr. Taylor's signature on the Inter-Governmental Agreement as presented.

A Memorandum of Understanding (MOU) between the Somerset County Health Department and Somerset County Department of Recreation and Parks was presented for the Boards consideration. Mr. Taylor explained that Mr. Clint Sterling received a grant in the amount of \$8,000 for signs and brochures relating to the Trail Mix program, which he introduced to the Board several months ago. The MOU outlines the use of the funds awarded. Mr. Taylor requested the Boards approval authorizing his signature on the document, which was signed on June 5, 2015.

On a motion made by Commissioner Fisher and seconded by Commissioner Boston, it carried unanimously to authorize Mr. Taylor's signature on the MOU as presented.

Mr. Taylor advised the Board of a request for a Resolution received from the Friends of Teackle Mansion. The Resolution states that the Board of Commissioners for Somerset County approves the project to enhance educational programs at Teackle Mansion and to continue the restoration of the building, as well as for the allocation of tax credits. It is a requirement for the nonprofit organization to obtain the Resolution in order to apply to the Department of Housing and Community Development for their approval of the project. Mr. Taylor presented Resolution No. 1093 as presented for the Boards approval.

A motion was made by Commissioner Simpkins, and seconded by Commissioner Boston, and carried unanimously to approve Resolution No. 1093 as presented.

A proclamation request was received from Somerset County Department of Social Services in recognition of Ms. Jenny Roser's retirement.

Upon a motion made by Commissioner Simpkins and seconded by Commissioner Boston, it carried unanimously to approve the Proclamation in honor of Ms. Roser's retirement as presented.

Mr. Taylor reminded the Board of Board vacancies that exist regarding the Workforce Investment Board, Social Services Board, Adult Guardianship Review Board and the Property Tax Assessment Appeal Board.

With no further business, at 3:12 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; and Section 10-508 (a) (7) consult with counsel to obtain legal advice.

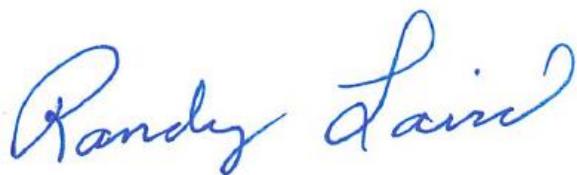
Upon motion made by Commissioner Simpkins, seconded by Commissioner Mathies, it carried unanimously to adjourn the Open and Closed Sessions at 4:08 p.m.

Respectfully Submitted:



Lory E. Ebron
Administrative Aide

Approved By:



Board of County Commissioners
For Somerset County