

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY, JUNE 2, 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 Craig Mathies, Sr., and Commissioner Rex Simpkins.

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 Fisher, it carried unanimously to approve the Minutes from the Open and Closed Session Meetings, and the Public Hearing held Tuesday, May 19, 2015.

Mr. Gene Adkins, Finance Director, appeared before the Board to present the final County Budget for Fiscal Year 2016 for adoption. Mr. Adkins began with a brief review of the budget process including the public hearing that was held on Tuesday, May 19, 2015. During the hearing, comments were received from eight county citizens, seven who were opposed, and one who reluctantly accepted the tax increase, stating his support of the Tourism Department. Since the public hearing, 110 letters were received from local realtors stating their opposition to the tax increase. Additionally letters were received from Mark and Robin Simmons, Nelson's Real Estate, Inc., and Bonita Porter. Mr. Adkins reported the following changes to the FY16 Budget:

- The property tax rate was reduced to \$1.00 per \$100.00 of the full assessed value of real property and \$2.50 per \$100.00 of full assessed value of personal and public utility property in Somerset County.
- A letter was received from the Governor's Office of Crime Control and Prevention of Maryland (GOCCP) advising the grant reduction from \$120,000.00 to \$96,803.00.
- The Tourism Department received an additional \$15,000.
- An increase to Princess Anne Ambulance and Lower Somerset Ambulance was approved to \$180,000 for each ambulance company.
- An additional \$40,000.00 was added to health care for part-time employees relating to the Affordable Health Care Act.

Mr. Adkins concluded by reviewing the total budgeted amounts for the County

Commissioners and County Roads Board as follows:

\$35,364,998.00	County Commissioners
\$ 3,247,577.62	County Roads Board

At this time, the following motions were made to adopt the Fiscal Year 2016 Budget and set the official tax levy for the new fiscal year:

On a motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-1 that it be adopted and resolved, that for the Fiscal Year ending June 30, 2016, the property tax rate be \$1.00 per \$100.00 of the full assessed value of real property and \$2.50 per \$100.00 of full assessed value of personal and public utility property in Somerset County, except such property as may, by provision of the laws, be exempt from this rate. Commissioner Simpkins opposed the motion.

On a motion made by Commissioner Boston, seconded by Commissioner Simpkins, it carried unanimously, that it be adopted and resolved that for the Fiscal Year ending June 30, 2016, the property tax rate of \$.28 per \$100.00 of the full assessed value of public utility property; and, \$.112 per \$100.00 of the full assessed value of all other real property in Somerset County, excepting such property as may, by provisions of the laws, be exempt from this rate, be levied and imposed for the State of Maryland.

On a motion made by Commissioner Simpkins, seconded by Commissioner Mathies, it carried unanimously, that it be adopted and resolved that for the Fiscal Year ending June 30, 2016, the local income tax rate for residents of the County be at the rate of 3.15% of Maryland's taxable income for Tax Year 2016.

On a motion made by Commissioner Mathies, seconded by Commissioner Fisher, it carried unanimously that it be adopted and resolved for the Fiscal Year ending June 30, 2016, that a service charge of 0.68% be applied to the second installment amount of semiannual tax payments.

On a motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried 4-1, that it be adopted and resolved that the proposed Levy, reflecting total revenues in the amount of \$35,264,998.00 and total appropriations in the amount of \$35,264,998.00, be adopted as the Official Levy of Fiscal Year 2015-2016. Commissioner Simpkins opposed the motion.

On a motion made by Commissioner Boston, seconded by Commissioner Simpkins, it carried unanimously that it be adopted and resolved that the proposed Somerset County Roads Budget, reflecting total revenues in the amount of \$3,247,577.62 and total appropriations in the amount of \$3,247,577.62 be adopted for Fiscal Year 2015-2016.

Mr. Adkins then requested the Commissioner's signature on the cover page for the adoption of the FY16 Budget.

Therefore, a motion was made by Commissioner Fisher, and seconded by Commissioner Boston to authorize the Commissioners signature on the cover page, adopting the FY2016 Budget. The motion was unanimous.

In conclusion, the County Administrator thanked Mr. Adkins, Ms. Muir and staff, as well as the Board of County Commissioners for their hard work, and due diligence during this year's

budget deliberation process. President Laird also thanked the Board of Commissioners for listening to public comment received, to reduce the property tax rate. The President also expressed his hope for a project that would come to the county that would eliminate the need to raise taxes in the future.

Mr. Taylor asked Mr. Tony Stockus and Ms. Starr Mister from the Somerset County Sanitary District to come forward. Mr. Gene Adkins also remained present. Mr. Stockus explained that they are requesting a \$100,000.00 line of credit (LOC) to assist with upcoming debt service at the end of June 2015 relating to a front foot assessment loan. There is a possibility that the front foot assessment loan may come due before the receipt of promised funds from the Shelter Group is received. Mr. Adkins then presented Resolution #1090, which he read into record that would endorse and guarantee the LOC with Hebron Savings Bank. The guarantee would be in the amount of \$100,000.00, at an interest rate of 3.25%, with principal and interest due on demand. The Board requested that language be added to the drafted Resolution presented to require that “upon successful completion of the closing of the Reserve at Somerset and receipt of the promised funds from the Shelter Group, the LOC will no longer be necessary, and will be closed.”

Therefore, a motion was made by Commissioner Simpkins, and seconded by Commissioner Mathies, to unanimously approve the Loan Guarantee for short-term interim financing with Hebron Savings Bank and Resolution #1090 for the Somerset County Sanitary District as discussed. The motion was unanimous.

With Mr. Stockus and Ms. Mister still present, Mr. Taylor presented Ordinance #1088 for the Boards approval. This Ordinance would impose a \$35.00 reconnection charge on properties where water service was disconnected due to delinquency. Mr. Taylor advised that during the Public Hearing held on May 19, 2015, there were no proponents or opponents comments presented. Also, no written comment was received during the 10 day period.

On a motion made by Commissioner Fisher and seconded by Commissioner Boston, it carried unanimously to approve Ordinance #1088 as presented.

Mr. Gary Pusey, Director and Mr. Mark Konapelsky from the Department of Technical and Community Service were now present to provide their recommendations regarding the

replacement housing bids received during the May 19, 2015 meeting for four houses damaged during Hurricane Sandy. Recommendations made were as follows:

- 4678 Crisfield Highway to be awarded to RAD Construction for the amount of \$130,900.00.
- 35 Wynfall Avenue to be awarded to Ken Build for the amount of \$131,450.00.
- 8480 River Road to be awarded to Ken Build for the amount of \$134,450.00

Mr. Konapelsky said that there was a postponement to award the final bid for 11181 Messick Road, advising that the low bidder is a related to the homeowner. Therefore, they are seeking guidance from the State as to whether it is permissible to award the bid to a family member.

Commissioner Boston questioned the same builder (Ken Build) having the lowest bid for two projects, and asked if there are any time constraints assigned to the projects. Mr. Konapelsky advised that most houses are taking 6-8 months, however Ken Build has been quite efficient, constructing previous houses in approximately 3 months. He did not have a concern with Ken Build being awarded the two projects as recommended.

Therefore, a motion was made by Commissioner Boston, seconded by Commissioner Mathies to award the bid for 4678 Crisfield Highway RAD Construction in the amount of \$130,900.00. The motion was unanimous.

On a motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried unanimously to award the bid for 35 Wynfall Avenue to Ken Build in the amount of \$131,450.00.

On a motion made by Commissioner Simpkins, seconded by Commissioner Mathies, it carried unanimously to award the bid for 8480 River Road to Ken Build in the amount of \$134,450.00.

Mr. Pusey remained present to present the recommendation with regard to the Engineering Services Contract for the Crisfield Street Resurfacing Project, asking Mayor Kim Lawson and City Manager Rick Pollitt to come forward.

Mr. Lawson asked to address the Board, and introduced Mr. Rick Pollitt, the newly hired City Manager for Crisfield. Mr. Lawson explained Mr. Pollitt's previous experience and

qualifications, noting that the City is very pleased to have him on board. The Commissioners congratulated Mr. Pollitt on his appointment as City Manager.

Mr. Pusey began by explaining that the Crisfield Street Resurfacing Project is one of 16 projects being funded through the Hurricane Sandy Disaster Recover Grant. Request For Proposals (RFP) were received from three contractors. Mr. Pusey reviewed the streets to be repaired, as well as the process of advertisement and receipt of the RFP's. It was noted that there were concerns expressed by the Review Committee that the low bidder, Rauch, Inc., did not attend the original site visit, and attempts to re-schedule a site visit for them were unsuccessful. It was also felt that the proposal submitted by Rauch, Inc., was incomplete. Therefore, the recommendation was made to award the contract to Davis, Bowen & Friedel, Inc., in the amount of \$54,000.00.

On a motion made by Commissioner Boston, seconded by Commissioner Fisher, it carried unanimously to award the Crisfield Street Resurfacing Project to Davis, Bowen & Friedel, Inc. for \$54,000.00 as recommended.

Before leaving the meeting, Mr. Lawson again addressed the Board, advising that he had not been made aware of the increase approved for the ambulance squads, as mentioned earlier in the meeting. He thanked the Board for the increase stating that the funding is used directly for payroll, and not misappropriated. He said they have addressed raises for the municipality, and advised he appreciates the advocacy for the Tourism Board. In closing, he thanked the Board for their support of the Crisfield Library Project and all of the things they consider and do for the County. President Laird thanked Mr. Lawson for his kind words, and he and Mr. Pollitt were excused from the meeting at this time.

Mr. Pusey next presented the Hurricane Sandy Disaster Grant- Phase 3 Budget. He began with review of the original grant funding, awarded in 2013 in the amount of \$8,640,000 (minus \$400,000.00 for administrative costs) to address housing and economic development activities impacted by Hurricane Sandy. Phase 1 totaled \$4,200,000.00, and must be spent by December 2015. Phase 2, approved in October 2014 totaled \$1,100,000.00 will be used to repair units at the Crisfield Housing Authority and other miscellaneous improvements (\$1 million) and \$100,000.00 for a Housing Study. Funds must be utilized for Phase 2 by December 31, 2016.

After deducting the funds from these two phases from the original grant amount, \$2,940,000 is left to be spent in Phase 3. Mr. Pusey provided the proposed activities for Phase 3 as follows:

Job Training	\$ 100,000.00
Housing - Rehabilitation Loans	\$ 50,000.00
Replacement House Loans	\$2,362,000.00
Project Administration	\$ 5,000.00
Project Administration-Salary	\$ 250,000.00
Project Administration	
Advertising	\$ 5,000.00
Supplies	\$ 7,000.00
Equipment	\$ 1,000.00
Economic Development	
Business Loans	\$ 120,000.00
Project Administration	\$ 20,000.00
Project Administration	\$ 20,000.00

Mr. Pusey requested the Boards approval, stating the proposed activities and budget for Phase 3 if approved, will require DHCD to prepare an amendment to the Action Plan, which will have a 30 public comment period. Then, if the amendment is approved by HUD, a new grant agreement for Phase 3 will be prepared for signature. It is anticipated that these funds will be available in approximately 45 days, and will need to be used by September 2017.

A motion was made by Commissioner Fisher and seconded by Commissioner Boston to accept the Phase 3 budget as presented for Sandy Disaster Funding. The motion was unanimous, and Mr. Pusey was excused from the meeting at this time.

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

A request was received from the Girl Scouts of the Chesapeake Bay, regarding the Leadership Experience Program. A Resolution is required from the various participating counties in order for the organization to apply for Maryland Tax Credits. This is a request that is received every year. Mr. Taylor presented Resolution #1089 that expressed the approval of this project by the Board.

A motion was made by Commissioner Simpkins, and seconded by Commissioner Fisher to approve Resolution #1089 as presented in support of the Girl Scouts of the Chesapeake Bay, Leadership Experience Program. The motion was unanimous.

Mr. Taylor asked Ms. Rota Knott, Director of the Local Management Board (LMB) to come forward. Mr. Taylor explained that there a several action items needed today. First Resolution #1091 that would recognize LMB as a non-profit, 501 (c) (3) status. Secondly, the

consideration to adopt revised ByLaws to include ex-officio members being revised to become new board members. Thirdly, would be the re-appointment of the ex-officio members as new board members. Ms. Knott then reviewed and explained the revisions made to the ByLaws to the Board.

A motion was made by Commissioner Simpkins, and seconded by Commissioner Fisher to adopt Resolution #1091 as presented. Commissioner Mathies abstained; therefore the motion carried 4-0-1.

A motion was made by Commissioner Fisher and seconded by Commissioner Simpkins authorizing the President's signature to adopt the Somerset County Local Management Board of Directors ByLaws as presented. Commissioner Mathies abstained; therefore the motion carried 4-0-1.

A motion was made by Commissioner Simpkins, and seconded by Commissioner Boston to remove the following individuals as ex-officio members and re-appoint them as regular member status on the Board of Directors for the Local Management Board: Dr. John Gaddis, Ms. Patricia Mannion, Mr. Craig Mathies, Mr. Craig Stofko and Ms. Sheila Warner. Commissioner Mathies abstained; therefore the motion carried 4-0-1.

Mr. Taylor requested an amendment be made to the Open Meetings Policy, Resolution #1087, approved during the May 19, 2015 meeting. The sentence "The recording device must remain on or with the person at all times" was added to Section III. (a). He then asked for the Boards approval to amend the resolution as revised.

Commissioner Fisher made the motion to rescind the motion relating to rules for Open Meetings adopted at the May 19, 2015 meeting, and adopt a resolution with the following addition: Section III (a) sentence "The recording device must remain on or with the person at all times". The motion was seconded by Commissioner Simpkins, and carried unanimously.

A proclamation request was received to honor Master Trooper Dwayne M. Wigglesworth who retired after twenty-four years of service, and Sergeant Dale W. Murphey who retired after twenty-six years of service.

Therefore, a motion was made by Commissioner Simpkins, and seconded by Commissioner Fisher to unanimously approve the proclamation request for Master Trooper Wigglesworth upon the occasion of his retirement.

A motion was made by Commissioner Boston, and seconded by Commissioner Fisher to unanimously approve the proclamation request for Sergeant Murphey upon the occasion of his retirement.

Mr. Taylor presented a request from the Maryland Department of Agriculture requesting the President's signature on the Cooperative Agreement between the Maryland Department of Agriculture and Somerset County that provides for cooperation in the control and eradication of noxious and certain invasive weeds for the period of July 1, 2015 through June 30, 2016.

A motion was made by Commissioner Simpkins, and seconded by Commissioner Fisher authorizing the President's signature to execute the agreement as described above. The motion was unanimous.

A pauper burial request was received from the family of Martha Ann Harbold. Due to financial hardship, the family has requested assistance with burial costs.

A motion was made by Commissioner Boston, and seconded by Commissioner Fisher to approve burial assistance in the amount of \$250.00 to be sent to Bradshaw and Sons Funeral Home to assist the family of Ms. Harbold. The motion was unanimous.

With no further business, at 3:08 p.m. a motion was made by Commissioner Simpkins, 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 unanimously.

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

Approved By:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Lory E. Ebron
Administrative Aide