

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY, JULY 14, 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. Commissioner Mathies lead those attending the meeting in the Lord's Prayer and the Pledge of Allegiance.

Mr. Taylor invited Mr. David Craig, Secretary Department of Planning, to come forward and address the Board.

Mr. Craig stated he was pleased to be present at the meeting today, noting his day began with a tour of the Princess Anne area that will continue after today's meeting in Crisfield. He stated the importance of visiting every county to look at each one first hand, building good relationships with counties as well as municipalities. He discussed letters that had been sent that requested specific input as to any problems experienced in the past with the Department of Planning. He advised his office is receiving responses back. He then asked the Board if they had any questions, relating to such matters as the Water & Sewerage Master Plan, the Comprehensive Plan, or Rural Legacy issues. It was noted that an Adhoc team is being assembled to look at Transfer & Development Rights; and his department is pushing forward to reinvest in Maryland to help our poorer counties and municipalities rebuild. In closing Mr. Craig noted that he serves on or for 46 different commissions, and therefore there is a variety of cabinets available that may help. His aim is not to be dominating, but to be advisory in what they do.

Mr. Craig was thanked for attending today's meeting.

Mr. Gary Pusey, Director of the Department of Technical and Community Services was now present before the Board.

Mr. Pusey first provided the Board with an update about proposed revisions that are under consideration by the Planning Commission regarding current zoning codes relating to poultry house requirements in Somerset County. During the Board of Commissioners meeting

held December 30, 2014, the Board approved the request for the Planning Commission to review current poultry house codes, and directed that information also be obtained from Delmarva Poultry Industry, Inc. (DPI). The Planning Commission was to then report back to the Board with a summary of their preliminary findings, which is the purpose of today's discussion. Mr. Pusey stated that there was a wide range of concerns, and provided the Board with some of the highlights of the proposed revisions which included increased side yard setbacks, setbacks to an existing nonparticipating dwelling, tunnel fan setbacks with regard to residences, "Special Exception" recommendations, vegetated buffer requirements and driveway locations to enter properties. It was stated that all of the findings presented today were strictly preliminary, and additional consideration will be given before a final recommendation is made. The next step in the process, following additional discussion and review of the findings by the Planning Commission, would be to schedule a public hearing to receive citizen comment. Any additional changes needed would be discussed, and the Planning Commission would then submit its final recommendation to the Board, who in turn would also hold a public hearing. Mr. Pusey closed in saying that he was asking the Board's permission to move forward with additional study and consideration by the Planning Commission of code revisions, followed by a Public Hearing. A short discussion was held regarding setback findings, and the information presented with regard the Health Ordinance, as well as the total number of chicken houses currently allowed by code.

On a motion made by Commissioner Simpkins, seconded by Commissioner Fisher, Mr. Pusey received approval to move forward with additional study and consideration of the Somerset County Zoning Code and Poultry House Requirements by the Planning Commission, to be followed by a Public Hearing, as requested. President Laird and Commissioner Mathies abstained; therefore the motion carried 3-0-2.

Mr. Pusey asked Ms. Kymberly Kudla, DTCS Planner to come forward to present text amendment revisions to the Forest Conservation Ordinance. Mr. Pusey explained that it has come to the Planning Department's attention that an amendment, adopted in July 2005, was overlooked when the 2011 revision was done. The 2005 amendment exempted Forest Conservation requirements when tree cutting or tree clearing occurred as a result of the Federal Aviation Administration's (FAA) determination that trees were a hazard to aviation. The proposed text amendment would correct this oversight. Mr. Pusey requested the Boards

approval to forward this proposed revision to the Planning Commission for an advertised Public Hearing.

On a motion was made by Commissioner Fisher and seconded by Commissioner Boston, it carried unanimously to forward the proposed revision to the Planning Commission for an advertised Public Hearing.

Ms. Kudla was excused from the meeting at this time.

Mr. Pusey next presented a request to establish a Steering Committee to advertise for a qualified consultant for the Crisfield Housing Authority Relocation Study project. It was explained that one of the sixteen projects included in the County's Hurricane Sandy Disaster Grant for Infrastructure is the "Housing Authority Relocation Planning". The project, funded for \$75,000 will be used to hire a consultant to assess and determine the feasibility of relocating the Housing Authority from its existing location in the floodplain to a safer location. The suggested composition of the Steering Committee was presented. It was noted that three members of the nine member board will be selected by the County Commissioners, with one directly involved with housing (such as from Shore-Up).

Upon a motion made by Commissioner Simpkins, seconded by Commissioner Boston it carried unanimously to approve the establishment of a Steering Committee in order to advertise for a qualified consultant as presented.

Mr. Taylor discussed the proposed drafting of an Airport Zoning Ordinance. He explained that in July 2013, our airport consultant (URS) was tasked to provide a model zoning ordinance to consider land use compatibility around the Crisfield-Somerset County Airport. The model is an overlay zone whereby a set of zoning requirements are superimposed upon a base zone(s) and development of land is subject to overlay zoning requirements. URS researched airport zoning ordinances on both a national and local level, and determined a recommendation of guidelines. In May of 2013, the model zoning ordinance was submitted by URS to the Federal Aviation Administration (FAA). In March of 2015, the FAA provided comments to URS and the document was finalized. Mr. Taylor requested the Boards approval to forward the drafted ordinance to the Planning Commission for their review and approval.

Upon a motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried unanimously to forward the proposed Airport Zoning Ordinance to the Planning Commission for their review and approval.

Lastly, Mr. Pusey began by explaining the Countywide Housing Study performed in 2005 that documented housing conditions in Somerset County. It was noted that the study was used to secure grant funding from the State to improve housing conditions. A new study is needed to compare current conditions with what existed in 2005. Mr. Pusey stated that the County has already received approval from Maryland Department of Housing & Community Development to use the same consultant who successfully conducted the 2005 study (Dr. Marvin Tossey from Salisbury University, operating in conjunction with Lower Shore Families First). He then presented the contract for the President's signature, noting that the contract had been reviewed by County Attorney Simpkins, and found to be legally sufficient.

On a motion made by Commissioner Boston, seconded by Commissioner Fisher; it carried unanimously to authorize the President's signature on the contract agreement with Lower Shore Families First to conduct a Housing Study in Somerset County.

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

He notified the Board that a list of persons willing to serve on county boards was provided by the Safe for Somerset group for the Boards consideration. It was noted that all persons on the list would be willing to complete a Financial Disclosure Form if required to do so. Mr. Taylor then reviewed the list of current board vacancies.

Commissioner Mathies made a motion to appoint Reverend Bagley to the Workforce Investment Board. Commissioner Simpkins seconded the motion. Commissioner Boston questioned if Reverend Bagley currently has hiring/firing authority, as he believes it is a requirement in order to serve on the Workforce Investment Board. Commissioner Mathies stated that he believes Reverend Bagley is retired, and was unclear as to if he had hiring or firing authority. As there was uncertainty regarding the nomination, Commissioner Mathies rescinded his motion to nominate Reverend Bagley to the Workforce Investment Board until it can be determined if Reverend Bagley has hiring/firing authority.

Ms. Darlene Taylor, of It Takes A Village was now asked to come forward before the Board.

Mr. Taylor explained that as directed by the Board of Commissioners, a meeting was held last week with Ms. Taylor and two Board Members serving on their Board and Mr. Gary Pusey to discuss the opportunity of adding two rooms to the proposed Head Start project, which would house It Takes A Village at Crisfield High School (CHS). During that meeting, it was explained

to Ms. Taylor that the addition would be totally separate from the Head Start space, and would be at a cost and time savings. It was felt that due to the strict timeline to utilize the limited funds, the CHS location would be the best solution. During that meeting, Ms. Taylor advised that the CHS location was not in the best interests for the clients her organization serves, and requested a meeting with the Board of Commissioners to discuss the issue further.

Ms. Taylor stated she appreciated the invitation to address the Board, noting that she has not yet had the opportunity to meet with her own board to obtain their comments on the matter. However, she wanted to express her concern that she feels her organization is being left out of the decision making processes, noting she had no idea of the change in the plan to move the project to CHS. She feels the CHS location will affect accessibility to her clients, many of whom walk to the current location at Whittington School. She feels location is their viability, and asked if there are any other viable locations to consider. She mentioned \$2 million in grant funding that may be lost, and noted that looking forward to the future she would like her facility to serve families, in addition to serving children. In closing, she asked that It Takes A Village be allowed to take part in the decision making process.

President Laird thanked Ms. Taylor, stating that her comments would be taken under advisement.

Mr. Norris Howard, Eden Maryland, representing the Pocomoke Indian Nation requested to address the Board.

Mr. Norris explained that the Pocomoke Indian Nation is a 501-3c organization that needs help to educate and outreach their efforts to the community; noting schools and tourism as examples. He provided an explanation regarding the Indian groups within the county, as well as groups that are currently supporting their efforts. President Laird asked Mr. Norris, specifically what type of support he was looking for. Mr. Norris stated he was asking for the County Commissioner's support to continue with their efforts. A discussion was held regarding the possibility of using DNA testing to prove an individuals heritage. Ms. Gail Sheldon, Library Director who was in attendance, offered to place information at library locations. Mr. Norris thanked Ms. Sheldon, and closed in saying that he will be presenting more specific requests in due time. Mr. Norris was excused from the meeting.

Mr. Taylor then requested the Boards approval of the minutes presented at today's meeting. Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried unanimously to approve the following meeting minutes as presented:

- Commissioner Meeting Minutes dated June 30, 2015
- Closed Session Meeting dated June 30, 2015
- Work Session Meeting dated July 7, 2015
- Special Session Meeting dated July 7, 2015
- Closed Session Meeting dated July 7, 2015

With no further business, at 3:03 p.m. on a motion was made by Commissioner Mathies, and seconded by Commissioner Fisher, 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 Simpkins, seconded by Commissioner Fisher, it carried unanimously to adjourn the Open and Closed Sessions at 3:23 p.m.

Respectfully Submitted:



Lory E. Ebron
Administrative Aide

Approved By:



Board of County Commissioners
For Somerset County