



**AGENDA
OCTOBER 4, 2016
BOARD OF COUNTY
COMMISSIONERS
FOR SOMERSET COUNTY**

Correspondence

Received

- Maryland Department of the Environment re: Watershed Implementation Plans/Phase III
- Department of the Army re: Rhodes Point Project Funding
- Secretary Pete K. Rahn, MD Department of Transportation re: Appreciation Letter
- Maryland Department of Commerce re: Availability of MD State Ceiling/Private Activity Bond
- UM Institute for Governmental Service and Research re: Opinion Poll
- Maryland Environmental Trust re: Donation of Perpetual Conservation Easement/Barr
- Maryland Environmental Trust re: Donation of Perpetual Conservation Easement/Stadler
- * Mr. Darryl Webster re: Requests for Inmate Labor (Skipjack Heritage)

Sent

- Mr. Mike Pennington, Tri-County Council for the Lower Eastern Shore re: Letter of Appreciation
- Mr. Dan Powell, 350th Celebration Committee re: Letter of Appreciation
- Ms. Ruby Ring re: Request for Waiver of Landfill Fees
- Ms. Elizabeth Wallace re: Request for Waiver of Landfill Fees

Appointments:

- 2:00 p.m. - Bid Opening- 30513 Prince William Street (Former Treasurer's Office)
- * 2:05 p.m. - Mr. Gene Adkins
 - Interim Loan Financing for JM Tawes Project
 - Permanent Loan Financing for Crisfield Library & Greenwood Elementary
- * 2:15 p.m. - Mr. Mark Konapelsky – Bid award recommendations- Hurricane Sandy/Disaster Recovery Replacement Housing
 - 336 Pine Street
 - 319 Locust Street
- * 2:20 p.m. - Mr. Gary Pusey – Award of Contract – Rhodes Pt. Shoreline Stabilization – Construction Management

Discussion:

- * 1. Sub-lease request
 - Mr. Emory Ford Slip #27 Webster's Cove
 - Mr. Kirk Simpkins Slip #3 Webster's Cove
- * 2. Humane Society – Messick Farm
- * 3. Clean Chesapeake Coalition

3:00 p.m. - Closed Session – Ralph D. Taylor, Kirk Simpkins

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; and Section 10-508 (a) (3) consider the acquisition of real property for a public purpose and matters directly related thereto.

- * Denotes Action Item

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY OCTOBER 4, 2016

At 2:00 p.m., the Board of County Commissioners for Somerset County opened in Regular Session. Present for the meeting were Commissioner President Randy Laird, Commissioner Vice President Charles F. Fisher, Commissioner Jerry S. Boston, Commissioner Craig N. Mathies, Sr., and Commissioner Rex Simpkins.

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

President Laird called the meeting to order, and asked Commissioner Mathies to lead those attending the meeting in repeating the Lord's Prayer and the Pledge of Allegiance.

Meeting minutes were presented for the Boards approval. Upon a motion made by Commissioner Boston and seconded by Commissioner Fisher, it carried 5-0 to approve the Commissioner and Closed Session meeting minutes from September 20, 2016 as presented.

The meeting began with the opening of sealed bids received regarding notice of the sale of surplus land and improvements for 30513 Prince William Street, Princess Anne, Maryland (the former Treasurer's Office). President Laird proceeded to open the sealed bids received as follows:

<u>Bidder:</u>	<u>Amount:</u>
Robert W. Murphey	\$37,500.00

Included with the sealed bid submission was the required 10% deposit, in the amount of \$3,750.00. The Board deferred their decision until the next meeting scheduled for October 18, 2016.

Mr. Gene Adkins, Finance Director was now before the Board to present loan financing recommendations for various projects. First, Mr. Adkins presented proposals received with regard to Interim Loan Financing for the J.M. Tawes project in the amount of \$4 Million. Although six proposal requests were sent out, only two were received back. Mr. Adkins advised that two proposals were received as follows:

- Hebron Savings Bank - .99 % fixed for 24 months
- M & T Bank – variable rate (M & T 30 day Libor) plus 175 basis points

Following review of both proposals received, Mr. Adkins made the recommendation to award the proposal to Hebron Savings Bank, noting that the .99% fixed rate is a very good rate.

Commissioner Fisher made a motion to award the \$4 Million interim loan financing proposal for the J.M. Tawes project to Hebron Savings Bank as presented. Commissioner Simpkins seconded the motion. Commissioner Boston abstained; therefore the motion carried 4-0-1.

Next Mr. Adkins presented the proposals received with regard to permanent loan financing totaling \$3 Million. He explained that \$1 Million will be for the permanent financing as our share of the Crisfield Library, and improvements to the new Tax Office. The remaining \$2 Million was for Board of Education school improvements, primarily Greenwood Elementary. Mr. Adkins advised that proposal requests were again sent to the same six banks, and only one proposal was received back from Hebron Savings Bank. This proposal offered the following two options:

- 1.75% fixed rate for 10 years
- 2.125% fixed rate for 15 years

Mr. Adkins stated that either option is a good rate, and would be the lowest rate the county has on the books. Mr. Adkins did however make the recommendation to go with the 10 year term, at a fixed rate of 1.75%.

Commissioner Fisher made a motion to approve the permanent loan term for 10 years at 1.75% for \$3 Million with Hebron Savings Bank as presented. The motion was seconded by Commissioner Simpkins. Commissioner Boston abstained; therefore the motion carried 4-0-1.

Mr. Adkins thanked the Board, advising that he expects loan closing to occur the first week of November.

Mr. Mark Konapelsky was now before the Board to present his recommendation with regard to sealed bids received for Hurricane Sandy Disaster Recovery replacement housing for the following projects: 336 Pine Street, Crisfield, MD and 319 Locust Street, Crisfield, MD.

Following review of the bids submitted two weeks ago, Mr. Konapelsky made the recommendation to award the bid for 336 Pine Street to Eastern Shore Construction, the low bidder, in the amount of \$169,000.00.

Upon a motion made by Commissioner Boston, seconded by Commissioner Simpkins, it carried 5-0 to award the bid for 336 Pine Street to the low bidder, Eastern Shore Construction for \$169,000.00.

Next, Mr. Konapelsky advised that the low bidder for 319 Locust Street was also Eastern Shore Construction (\$164,900.00), who requested to be removed. Therefore, he made the recommendation that the project be awarded to the second lowest bidder, Farina Construction in the amount of \$189,900.00. The Board questioned if Eastern Shore Construction submitted their request to be removed from the bid solicitation in writing. Mr. Konapelsky stated they did not. The Board felt that the request should be submitted in writing, and requested Mr. Konapelsky obtain the letter from Eastern Shore Construction formally withdrawing their bid.

A motion was made by Commissioner Fisher and seconded by Commissioner Boston to award the bid for 319 Locust Street to Farina Construction in the amount of \$189,900.00 pending receipt of a letter from Eastern Shore Construction requesting their bid proposal be removed from this project. The motion carried 5-0. Mr. Konapelsky left the meeting at this time.

Mr. Gary Pusey and Ms. Donna Laird, Department of Technical and Community Services were now before the Board to present their contract recommendation with regard to the Rhodes Point Shoreline Stabilization-Construction Management project. Mr. Pusey began, noting that the project is actually underway and is one of the projects being funded through the Hurricane Sandy Disaster Recovery Grant, funded in the amount of \$3,117,000.00. He advised that the state permitted the county to "sole source" for this phase of the project due to the specialized skills needed to design, manage and construct. Mr. Pusey recommended that Delmarva RC & D be awarded the contract, given their experience with managing similar projects of this type. The proposed amount of \$181,257.50 would manage the construction of the project through completion this year, and into next year if necessary, and allows for three visits per week to the job site.

A motion was made by Commissioner Boston, and seconded by Commissioner Simpkins to award the Construction Management Contract for the Rhodes Point Shoreline Stabilization Project to Delmarva RC & D as recommended. The motion carried 5-0. Mr. Pusey and Ms. Laird left the meeting at this time.

Mr. Taylor next reviewed correspondence and discussion items with the Board.

Correspondence was received from Mr. Ben Grumbles, Maryland Department of the Environment (MDE), requesting the initiation of discussion between the state and county with regard to the Chesapeake Bay restoration initiative. Mr. Taylor advised the Board that Mr. Gary Pusey will be attending a meeting scheduled for October 19, 2016, and will report the results of the meeting back to the Board.

A letter was received from the Department of the Army in response to the county's letter requesting funding for the Rhodes Point Jetty project.

Two letters were received from the Maryland Environmental Trust, advising that landowners Kevin Barr (10373 Locust Point Road) and Randolph and Barbara Stadler (27949 and 27947 Fairmount Road) propose to donate perpetual conservation easements on their properties to the Maryland Environmental Trust and the Lower Shore Land Trust, Inc. Mr. Taylor advised the Board that the county is notified, as the property owners may be eligible for tax credits if the easements are approved. The Board questioned the amount of taxes paid on the properties. Mr. Taylor advised he would look into the question and report his findings back to the Board.

Two letters were received from Skipjack Heritage Inc., requesting the use of ECI inmate labor to rehabilitate the Skipjack Museum and Heritage Center, as well as help to restore the G.W. Collier Skipjack. Mr. Taylor advised that Mr. Daryl Webster, ECI, has provided his approval of the requests.

Therefore, upon a motion made by Commissioner Simpkins, and seconded by Commissioner Fisher, it carried 5-0 to approve the request for inmate labor for the rehabilitation of the Skipjack Museum and Heritage Center as requested by Skipjack Heritage Inc.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Fisher, it carried 5-0 to approve the request for inmate labor as requested for the restoration of the G.W. Collier Skipjack.

Next, Mr. Taylor presented two requests for the Boards consideration from slip holders to sublease their slips. The first was Mr. Emory Ford, who leases Slip # 27 at Webster's Cove. He has requested the Boards approval to lease the slip to Caleb Nock.

A motion was made by Commissioner Simpkins, and seconded by Commissioner Mathies to approve the sublease request from Emory Ford as presented. Commissioner Fisher opposed; therefore the motion carried 4-1-0.

Next, a request to sublease was presented by Mr. Kirk Simpkins to sublease Slip # 3 at Webster's Cove to Mr. Doug Taylor for a period of 1 ½ months.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Mathies, the sublease request from Mr. Simpkins was approved as presented. Commissioner Fisher opposed; therefore the motion carried 4-1-0.

Mr. Taylor presented for the Boards consideration, the matter discussed last week to lease a portion of the existing home site on the northeast corner of the Messick Farm parcel to the Humane Society to use as a location to spay and neuter cats. Mr. Taylor noted that the Humane Society will be responsible for the placement of their temporary buildings to the site. Additionally, the Health Department has advised that bathrooms will not be required being that the site will not be staffed. Costs to be incurred by the county were discussed, which included an estimate to install a new well in the amount of \$4,500.00 and the cost to have electric service moved, estimated to cost approximately \$1,500.00.

Following a short discussion, a motion was made by Commissioner Fisher, and seconded by Commissioner Boston to move forward with building the road, moving the electric service and installing a new well on the site to be leased by the Humane Society on the Messick Farm. The total cost is not to exceed \$8,000.00. Commissioner Simpkins and Commissioner Mathies abstained; therefore the motion carried 3-0-2.

Lastly, Mr. Taylor reviewed with the Board, the Work Session appointment held last week with representatives from Clean Chesapeake Coalition, who have requested Somerset County consider joining their Coalition. The main objective of the Coalition is to raise awareness and pursue improvement to the water quality of the Chesapeake Bay. The annual fee to join is \$25,000.00, which has remained the same since inception. The Board discussed the importance of the work that has been performed by the Coalition, however it was agreed that due to current budgetary constraints, joining the Coalition this fiscal year is not feasible. The Board

was in consensus to include discussion of joining the Coalition during the upcoming FY17 budget deliberation meetings which will be occurring early next year.

With no further business, the Board was advised of the need to enter into Closed Session. Therefore, at 2:38 p.m. upon a motion made by Commissioner Simpkins and seconded by Commissioner Mathies, it carried 5-0 to enter 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; and Section 10-508 (a) (3) consider the acquisition of real property for a public purpose and matters directly related thereto.

Upon a motion made by Commissioner Boston and seconded by Commissioner Mathies, it carried unanimously to adjourn the Open and Closed Session Meetings at 4:05 p.m.

Respectfully Submitted:



Lory E. Ebron
Executive Aide



Approved by:
Board of County Commissioners
For Somerset County