



AGENDA
November 29, 2016
BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
11916 Somerset Avenue
Room 111/ Meeting Room
Princess Anne, MD 21853
2:00 p.m.

Appointments:

- 2:00 p.m. - Public Hearing/Amendment to the Solid Waste Plan- Mr. Charles Cavanaugh
- * - Bid Opening-Drainage Ditch/Carter Road
- 2:15 p.m. - Employee Recognition/ Ms. Kayla Corbin – Ms. Yvette Cross, Mr. Bryan Ebling, Emergency Number Systems Board
- * 2:20 p.m. - Bid Award Recommendation/Whittington School Demo –Mr. Gary Pusey, Ms. Donna Laird
- * 2:25 p.m. - SHA/TAC Signage Program – Ms. Julie Widdowson
- * 2:40 p.m. - Core Services Agreement- Mr. Craig Stofko

Correspondence

Received

- The Honorable Peter Franchot, Comptroller re: Local Income Tax Distributions (2010-2014)
- * Mr. Frankie A. Pruitt, Crisfield Fire Department re: Request for Financial Assistance

Sent

Mr. Mark Thomas, Somerset County Library re: Board of Trustee Appointment
Mr. Paul Emely, Asbury United Methodist Church re: Request for Inmate Labor
Ms. Joan Schaefer, Public School Construction Program re: Support of FY18 CIP Project Requests

Discussion:

- * 1. Cable Franchise Agreement with Comcast of Delmarva, LLC & Ordinance
- * 2. MACo Legislative Committee-FY17 Nominees
- * 3. Somers Cove Marina Commission Vacancy (1)
- * 4. Tourism Commission Vacancy (1)

3:00 p.m. - Closed Session – Ralph D. Taylor, Woody Barnes, Charles Cavanaugh, Ronnie Howard, 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 NOVEMBER 29, 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 Rex Simpkins and Commissioner Craig N. Mathies, Sr.

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 Simpkins, it carried 5-0 to approve the Commissioner and Closed Session meeting minutes from November 15, 2016 as presented.

Mr. Charles Cavanaugh, Director of Solid Waste and Maintenance was now before the Board.

At 2:00 p.m., President Laird proceeded to open the Public Hearing with regard to Amendments to the Solid Waste Plan. County Administrator Ralph D. Taylor read the Notice of Public Hearing into record as follows:

“Somerset County Commissioners Notice of a Public Hearing, Amendment to the Solid Waste Plan. Pursuant to authority in the Environmental Article, Section 9-503 (d) of the Annotated Code of Maryland, the Board of County Commissioners for Somerset County will hold a public hearing on Tuesday, November 29, 2016, at 2:00 p.m. at the Somerset County Office Complex, Room 111, 11916 Somerset Avenue, Princess Anne, MD 21853 to hear opponents and proponents to an amendment of the 10 year Somerset County Solid Waste Plan. The revision will address the Apartment Buildings and Condominiums Recycling Program, the Special Events Recycling Plan, and the 20% recycling rate mandate. Copies of the Solid Waste Plan can be obtained at the Somerset County Commissioners Office, 11916 Somerset Avenue, Princess Anne, MD., between the hours of 8:30 a.m. and 4:30 p.m.

Questions may be addressed to the Department of Solid Waste during regular business hours (8:30 a.m. – 4:30 p.m.) Monday through Friday, except holidays. The Department is located at the Somerset County Office Complex, 11916 Somerset Avenue, Princess Anne, MD Room 201. Phone – 410-651-9641. Board of County Commissioners for Somerset County, Ralph D. Taylor, County Administrator.”

Mr. Cavanaugh proceeded to explain the amendments proposed which included the following:

- Special Event Recycling- whereby organizers are required to provide for recycling if the event meets specific criteria.
- Apartment Building and Condominium Recycling- whereby it is the County's responsibility to inform the apartment and condo officials of the law requiring the recycling of plastics, metal and aluminum cans, glass containers and paper.

- Recycling Rate Change- whereby with the enactment of HB929, the county is mandated to recycle 20% of the solid waste stream by weight or submit adequate justification including economic and other specific factors as to why the reduction cannot be met.

Mr. Cavanaugh explained the amendments in detail, noting that the Solid Waste Plan was last updated three years ago. President Laird asked if there were any opponents or proponents present wishing to speak. There were none. Written comment will be taken for 10 days, until December 9, 2016. The Public Hearing was declared closed at 2:08 p.m.

Mr. Cavanaugh remained present to accept sealed bids received with regard to the Carter Road Drainage Ditch Maintenance project. President Laird proceeded to open the following bid submitted:

<u>Bidder:</u>	<u>Amount:</u>
Doug Vann	\$9,375.00

As it was the only bid submitted, Mr. Cavanaugh was asked if the amount of the bid amount was considered reasonable. He stated that based on the hauling required, and tree's involved, the bid seemed acceptable to him, and he would make the recommendation to award the bid to Doug Vann as submitted.

Therefore, upon a motion made by Commissioner Fisher, and seconded by Commissioner Boston, it carried 5-0 to award the Carter Road Ditch Maintenance project to Doug Vann in the amount of \$9,375.00.

Ms. Yvette Cross, Emergency Services Director, and Mr. Bryan Ebling, Emergency Number Systems Board, were now before the Board to present Ms. Kayla Corbin the "Tele-Communicator of the Year" award. Mr. Ebling read the summary written that was submitted for Ms. Corbin which included her job professionalism and honorable display of public safety services. Mr. Ebling stated it was a pleasure to present the award to Ms. Corbin. Ms. Corbin was congratulated and thanked by the Board for her accomplishments.

Mr. Gary Pusey, Director and Ms. Donna Laird, Department of Technical and Community Services were now before the Board to present their recommendation regarding bids submitted on November 15, 2016 with regard to the Whittington Elementary School Demolition Project. Mr. Pusey stated that the bids submitted ranged from \$147,000.00 to \$423,000.00 and were reviewed by him, Ms. Laird and HE Consulting. All firms were found to be qualified, and based on discussions held, were fully aware of the scope of the work required, which involved two phases; the hazard mitigation and demolition phase. Mr. Pusey then made the recommendation to award the bid for the Whittington Elementary School Demolition to Reynolds Excavating, Inc. for \$147,000.00.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Fisher, the bid for the Whittington Elementary School Demolition project (Hurricane Sandy Disaster Grant) was awarded to Reynolds Excavating, Inc., in the amount of \$147,000.00. Commissioner Boston abstained; therefore the motion carried 4-0-1.

Ms. Julie Widdowson, Tourism Director, was joined by Mr. Stephen Hollie and Ms. Nataliya Schroeder of the State Highway Administration, to present the Maryland Department of Transportation State Highway Administration's (SHA) briefing on the Tourist Area and Corridor (TAC) Signing Program; and to request the Board's endorsement. Mr. Hollie provided a PowerPoint presentation. Key points of the proposed program were noted were as follows:

- 30 TAC applications were received, with 20 being approved
- A total of 44 TAC signs are being proposed, with approximately 8 being on local roadways (4 in Crisfield and 1 in Princess Anne). Maps displaying the proposed locations were also provided and discussed.

Mr. Hollie also reviewed the application process with the Board, and closed his comments by asking the Board's endorsement of the program to move forward with the design phase. Mr. Phil Riffin had come forward during the presentation and as a member of the Tourism Commission and expressed his gratitude for the program, and SHA's active involvement. He also voiced his concerns about the lack of signs in the county for attractions.

Following a brief discussion regarding placement of the signs, and the need for these signs to highlight tourist attractions within the county, the Board requested to review the Endorsement Letter presented, before a formal motion to approve is made. Mr. Taylor advised the letter would be placed on next week's Special Session Agenda for final approval.

Mr. Craig Stofko, Health Officer, and Ms. Rota Knott, Director of Local Addictions Authority/ Executive Director, Local Management Board were now before the Board. Mr. Stofko explained that ten years ago, the county was asked to move the Core Services Agency to Wicomico County, as at that time, Somerset County did not need the services. Since then, Mr. Stofko explained that changes have occurred in the Behavioral Health Department. Additionally, several new providers are coming to Somerset County. He advised the position to monitor the Core Services Agency in Wicomico has not been filled, and rather than fill that position, consideration was given to bring it back to Somerset

County. Mr. Stofko advised that if brought back to Somerset County, the agency would fall under Ms. Knott's department. He advised that Wicomico is acceptable to the idea of bringing the Core Service Agency back to Somerset County, noting that funding for the position/responsibility will also come to the Somerset County Health Department with the transfer.

A motion was made by Commissioner Fisher to approve the President's signature on the letter requesting the change of designation for all functions of the Somerset County Core Service Agency to be returned to the Somerset County Health Department, beginning in fiscal year 2018. Commissioner Boston seconded the motion. Commissioner Mathies abstained; therefore the motion carried 4-0-1.

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

A letter was received from Comptroller Peter Franchot advising that it has come to his attention that there were some issues concerning local income tax distributions for localities. Upon investigation, it appears that Somerset County was overpaid approximately \$62,253.00. The county has been allowed 10 years to repay the overpayment, with payments beginning in 2024.

A request for financial assistance was received from Fire Chief Frankie A. Pruitt of the Crisfield Fire Department for the support of medical equipment used when on the scene. The Board considered the request a budgetary item, and will present it for consideration during budget deliberations for the upcoming fiscal year; therefore no action was taken.

Next, Mr. Taylor discussed the Cable Franchise Agreement with Comcast of Delmarva, LLC., presented during the meeting held on November 29, 2016; and the adoption of Ordinance No. 1115 included with the agreement, for the Boards consideration. He noted that the 5 year franchise agreement included an automatic 5 year extension. Mr. Taylor also reviewed several of the highlights of the agreement which included:

- The decrease in the density requirement for expansion
- The Deal Island expansion, a \$1 million dollar investment, reaching approximately 286 potential customers
- Right-of-Way protections
- Strict customer service standards
- An included liquidated damages clause

In closing, Mr. Taylor noted that the consultant recommended their approval for the agreement as presented.

A motion was made by Commissioner Fisher and seconded by Commissioner Simpkins to approve the Cable Franchise Agreement with Comcast of Delmarva, LLC, and Ordinance No 1115, as presented. The motion carried 5-0.

Mr. Taylor discussed the request received from Maryland Association of Counties (MACo) for Somerset County's 2017 Legislative Committee nominations for Member and Alternate Member.

A motion was made by Commissioner Boston to appoint Commissioner Charles Fisher as Somerset County's proposed 2017 Member. Commissioner Simpkins seconded the motion which carried 4-0.

A motion was made by Commissioner Simpkins to appoint Commissioner Jerry Boston as the proposed Somerset County 2017 Alternate Member. Commissioner Fisher seconded the motion, which carried 4-0.

A request received from Somers Cove Marina for a replacement of Mr. Keith Ward, whose second term is expiring next month was discussed. During the last meeting, President Laird advised that in addition to recommendations offered by Mr. Schisler, Executive Director, Somers Cove Marina, Mr. John French has expressed his interest to serve as well.

A motion was made by Commissioner Boston to appoint Mr. John French as a member of the Somers Cove Marina Commission. Commissioner Simpkins seconded the motion; therefore the motion carried 5-0.

Mr. Eddie Somers, Smith Island, Maryland requested to address the Board. Mr. Somers expressed his gratitude for the Board's support of Smith Island, sharing the moment of appreciation with the presentation of a Smith Island Cake.

With no further business, the Board was advised of the need to enter into Closed Session. Therefore, at 3:00 p.m. upon a motion made by Commissioner Simpkins and seconded by Commissioner Fisher, 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 Fisher and seconded by Commissioner Boston, it carried 5-0 to adjourn the Open and Closed Session Meetings at 4:30 p.m.

Respectfully Submitted:



Lory E. Ebron
Executive Aide



Approved by:
Board of County Commissioners
For Somerset County