



**AGENDA**  
**December 27, 2016**  
**BOARD OF COUNTY COMMISSIONERS**  
**FOR SOMERSET COUNTY**  
**11916 Somerset Avenue**  
**Room 111/Meeting Room**  
**Princess Anne, MD 21853**  
**2:00 p.m.**

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**Appointments:**

- 2:00 p.m. - Mr. Ed Goyda- Introduction as Somerset County Library Director
- 2:05 p.m. - Bid Opening- 1021 W Main Street (Former Captain Galley's Restaurant)
- \* 2:10 p.m. - Mr. Gary Pusey – Approval for Rezoning Request/ Map 40, Grid 4, Parcels 70, 104,127
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  - Approval - DHCD Plans
    - CDBG Fair Housing & Equal Opportunity Plan
    - CDBG Minority Business Plan
    - CDBG Section 3 Plan
- \* 2:20 p.m. - Mr. Gene Adkins – Resolution Approvals
  - Loan refinance – construction of certain public school facilities and minor capital improvement projects
  - Finance construction costs of certain public school facilities within Somerset County

**Correspondence:**

Received

Maryland General Assembly/Joint Audit Committee re: Board of Education Audit Exemption  
Maryland Department of Commerce re: Crisfield Enterprise Zone  
Ms. Cindy Stone/DHCD re: Scheduled Monitoring Visit Grant No. MD-06-CD-26 Housing Rehab

Sent

Mr. Charles Cavanaugh re: Demolition of County Owned Property

**Discussion:**

- \* 1. Board/Commission Appointments:
  - Planning Commission- Appointment (1) Re-Appointment (1)
  - Seafood Reconciliation Board - Re-Appointment (2)
  - Agricultural Preservation Advisory Board – Re-Appointment (1)

**3:00 p.m. - Closed Session – Ralph D. Taylor, Secretary Moyer, Senator Mathias, Delegate Otto, Delegate Carozza, Ronnie Dryden, Lauren Taylor, Warner Sumpter, 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; and 10-508 (a) (10) discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security.

- \* Denotes Action Item

BOARD OF COUNTY COMMISSIONERS  
FOR SOMERSET COUNTY  
TUESDAY DECEMBER 27, 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 Mathies, it carried 5-0 to approve the Commissioner and Closed Session meeting minutes from December 13, 2016 as presented.

At this time, Mr. Taylor asked Mr. Ed Goyda, Somerset County Library Director, to come before the Board for a formal introduction. He noted Mr. Goyda, who was recently hired, replaces Ms. Gail Sheldon. Mr. Goyda thanked the Board, noting staff potential and the new Crisfield Library. He closed his comments by stating that he looked forward to being a part of Somerset County's Library System.

Mr. Taylor next presented sealed bids received with regard to the sale of surplus land and improvements known as the former Captains Galley Restaurant, 1021 W Main Street, Unit U100C, Crisfield, Maryland (Map 0102/Parcel 0184) as follows:

<u>Bidder:</u>	<u>Amount:</u>	<u>10% Deposit Received</u>
D n D Sales, Inc.	\$45, 105.00	No

Mr. Taylor also advised the Board that he received an emailed bid today in the amount of \$21,000 from Keith Coffin. As it was not a sealed bid, the President chose to not entertain the offer. The Boards decision regarding the sale of the property will be made during the next Commissioner meeting scheduled for January 10, 2017.

Mr. Gary Pusey came forward to request the Boards approval of the rezoning request presented during the public hearing held on December 13, 2016 to rezone Map 40/Grid 4/Parcels 70, 104 and 127. Mr. Pusey reviewed the request, which had been presented to the Planning Commission during their public hearing held on November 3, 2016. After receiving testimony and written evidence, the

Commission reported a favorable finding of facts to the Board, and recommended the approval of the rezoning request as presented. It was noted that no public comment had been received since the Commissioner's public hearing. Following a review of the 'Finding of Facts' which included population changes, availability of public facilities, future transportation patterns and compatibility, Mr. Pusey requested the Boards approval to rezone 3.202 acres designated as Parcels No. 70, 104 and 127 on Tax Map 40 to be reclassified from Medium Density Residential (R-2) to General Commercial (C-2) as presented.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Boston, it carried 5-0 to approve the rezoning request regarding 3.202 acres designated as Parcels No. 70, 104 and 127 on Tax Map 40 to be reclassified from Medium Density Residential (R-2) to General Commercial (C-2).

Mr. Pusey next presented for the Boards approval three previously adopted plans, required for federal grant eligibility. He explained that all three plans being presented today were adopted by the Board in November 2013, and were valid for three years. In order to receive future block grant funding, these plans will need to be re-adopted.

#### Fair Housing and Equal Opportunity Plan (FHEO)

The FHEO Plan states that the County will comply with all federal laws relating to civil rights, fair housing, non-discrimination and equal opportunity.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Fisher, it carried 5-0 to adopt the Fair Housing and Equal Opportunity Plan as presented.

#### Minority Business Plan

The Minority Business Plan states that the County will make good faith efforts to contract with minority and women business enterprises for goods and services.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Simpkins, it carried 5-0 to adopt the Minority Business Plan as presented.

#### Section 3 Plan

The Section 3 Plan states that the County will ensure, to the greatest extent possible, that if any new employees are needed to complete a project that received more than \$100,000 in federal funds, an effort must be made to hire low and very low income persons.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Fisher, it carried 5-0 to adopt the Section 3 Plan as presented.

Mr. Gene Adkins, Finance Director was now before the Board. He explained that during the December 13, 2016 meeting, the Board approved two loan resolutions: the first with regard to the \$4 million loan for Phase I construction costs relating to the JM Tawes project, and secondly, a \$3 million loan for permanent financing of the Crisfield Library and Tax Collection Office improvements. Both motions carried 3-0-2 as Commissioner's Boston and Mathies abstained. It was brought to the Boards attention that the vote regarding loan resolutions are required to be a 4/5 majority vote, as noted

in The Public Local Laws of Somerset County, Article 20 Section 2-313 (C) (3): Pass a borrowing resolution by not less than a four-fifths vote of the members of the Board (2004,ch.445). So therefore, the vote as approved during the meeting held on December 13, 2016 is not acceptable. Upon receiving this information, Commissioner Boston requested to change his vote to aye; approving both loan resolutions as presented. The Board was in unanimous consent; therefore Commissioner Boston's vote was acknowledged to be in favor of the loan resolutions as previously presented, and the motion now carried 4-0-1; with Commissioner Mathies abstaining. Mr. Adkins closed his comments by noting that the loan closing was rescheduled to occur next week.

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

A letter was received from the Maryland General Assembly, Joint Audit Committee, approving the Board of Education's request to exempt Somerset County from the upcoming local school system audit cycle. It was noted that the Somerset County local school system may not be exempt from two consecutive audit cycles.

The Maryland Department of Commerce has advised that the designation of the Somerset County/City of Crisfield Enterprise Zone as submitted was approved.

Next, Mr. Taylor presented various Commission and Board re-appointments for approval as follows:

#### Planning Commission

- The Board was advised that Ms. Pat Carson, Planning Commission Member, term has expired, and she is not able to serve another term.
- Mr. Bob Fitzgerald, Planning Commission Member Chair, term will expire on January 9, 2017. Mr. Fitzgerald is interested in continuing to serve.
  - o Therefore, upon a motion made by Commissioner Fisher, and seconded by Commissioner Boston, it carried 5-0 to re-appoint Mr. Bob Fitzgerald to the Planning Commission. His term will expire January 9, 2022.

#### Seafood Reconciliation Board

- Ms. Sue Heath and Mr. David Horseman's terms have expired, and both have indicated they would like to continue to serve.
  - o Therefore, upon a motion made by Commissioner Fisher and seconded by Commissioner Boston, Ms. Sue Heath and Mr. David Horseman were re-appointed to serve on the Seafood Reconciliation Board. Terms will expire in July 2020. The motion carried 5-0.

Agricultural Preservation Advisory Board

- Mr. Eddie Johnson's term on this board has expired. Mr. Johnson is eligible to serve another 5 year term, and expressed his interest to continue serving.
  - o Upon a motion made by Commissioner Boston, seconded by Commissioner Simpkins, it carried 5-0 to re-appointment Mr. Eddie Johnson to the Agricultural Preservation Advisory Board. His term will expire in August 2021.

Lastly, the Board was reminded that there continues to be a vacancy on the Tourism Board which needs to be filled in addition to the City's nomination.

With no further business, the Board was advised of the need to enter into Closed Session. Therefore, at 2:23 p.m. upon a motion made by Commissioner Mathies and seconded by Commissioner Simpkins, 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) (10) discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Simpkins, it carried 5-0 to adjourn the Open and Closed Session Meetings at 4:45 p.m.

Respectfully Submitted:



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Lory E. Ebron  
Executive Aide



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Approved by:  
Board of County Commissioners  
For Somerset County