

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY JANUARY 26, 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 and Commissioner, Craig N. Mathies Sr. Commissioner Jerry S. Boston was absent from today's meeting. Commissioner Simpkins was absent from the meeting at this time.

County Administrator-Clerk Ralph D. Taylor and Administrative 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 for the Special Session Meeting held on January 5, 2016, the Commissioner and Closed Session meetings held on January 12, 2016 and the Work Session Meeting held on January 19, 2016 were approved as presented upon a motion made by Commissioner Mathies, and seconded by Commissioner Fisher. The motion carried 3-0.

Mr. Taylor began, stating that today was an "historic day" for Somerset County with the development, establishment and enacting of the Somerset County Maryland Volunteer Service Award Program. The County Commissioners considered adoption of the plan in 2013, and on April 14, 2014 the bill was approved and signed by the Governor, and became law on July 1, 2015. Mr. Taylor closed in saying that being formally presented today are the first semi-annual benefit payment disbursements to qualified participants. Ms. Cross, VSAP Chairman asked the VSAP Committee Members, as well as the representatives here today, to come forward to receive the first semi-annual benefit payment. Following the formal presentation, President Laird thanked the Committee for all of the hard work they have done, and also thanked not only the representatives present here today, but all volunteers; noting that emergency services would not be available without them. President Laird also commended the VSAP program, noting that hopefully the program will serve as a recognition and retention tool for the emergency services departments.

Ms. Cross remained present before the Board to discuss the Mt. Vernon Communications Tower project. The project, originally presented by Mr. Steve Marshall about a year ago, was

requested to address “dead spots” in emergency service communication within the Mt. Vernon area. Ms. Cross explained that a line of sight problem has arisen; and this is the reason that she is before the Board today. Stating that the project is currently \$11,000 over budget, various options were presented for consideration to address the issue to allow the project to move forward as follows:

1. Adding extensions to the existing pole to increase the height. This would be the least expensive option, but considered very unstable.
2. Acquiring a tower from Maryland Tower with the county installing the concrete platform (\$16,000).
3. Having Maryland Tower install the tower and platform (\$34,325).

Commissioner Fisher questioned if the DNR tower could be used at the Deal Island location, however it was noted that obtaining use of the DNR tower could be very lengthy, with no guarantees. Commissioner Mathies questioned if there was time to explore other possible options.

Following the discussion, upon a motion made by Commissioner Fisher, and seconded by Commissioner Mathies, it was approved to proceed with having Maryland Tower install the tower and platform for the amount of \$34,325.00 as an unbudgeted expense. The motion carried 3-0.

Mr. Gary Pusey, Director of Technical and Community Services, was now before the Board. Mr. Pusey presented a request for approval for a resolution to support the Sustainable Community Action Plan (drafted by staff from DHCD) that would designate the Ewell, Rhodes Point and Tylerton communities as “Sustainable Communities”. Mr. Pusey pointed out that designating the communities as “Sustainable Community’s” allows as an additional funding source.

Commissioner Simpkins arrived to the meeting at this time.

Mr. Pusey stated that the application includes the action plan, maps and the resolution, and if approved the by State, will provide opportunities for grant funding to Smith Island that can implement recommendations made in the Smith Island Vision Plan.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Mathies, the Resolution (#1100) supporting the application for the grant was approved as presented. Commissioner Simpkins abstained; therefore the motion carried 3-0-1.

Next, Mr. Pusey presented the Zoning Code Text Amendments relating to poultry house requirements that have been recommended by the Planning Commission. The process began in late 2014 following a request by citizens from the Backbone Road area, calling for a review of the zoning code and how poultry houses are regulated. Preliminary recommendations were made by the Planning Commission to the Board in July 2015. A number of work sessions were held by the Commission, followed by a Public Hearing on November 5, 2015, resulting in what was presented to the Board today. Mr. Pusey noted that before any revision to the zoning code can occur, the County Commissioners will also be required to hold a public hearing on any proposed changes. Mr. Pusey provided the recommendations in a handout, and explained that due to the amount of information contained within the report, it was suggested that a Work Session meeting be scheduled with the Board so that the proposed changes can be reviewed in more detail. Mr. Pusey also noted that he would have additional personnel available to address questions the Board may have. Therefore, the Board agreed to schedule a Work Session meeting on February 16, 2016.

Mr. Tom Lawton was now before the Board to request the Board's approval with regard to the FY17 application for the Dividing Creek Rural Legacy Program. Noting that the county has been receiving this funding since 2008, Mr. Lawton provided a summary of last year's funding for Somerset County, noting that the process is somewhat of a two-step process, with approval of the application today, and approval for the grant itself occurring in the fall.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Simpkins, it carried 4-0 to approve the submission of the FY17 Dividing Creek Rural Legacy Program application as requested.

Ms. Gail Sheldon was now present before the Board to request the President's signature on a USDA Grant Agreement in the amount of \$50,000 to re-classify funding. Ms. Sheldon explained that this funding had been designated to the Princess Anne Library regarding the furnace/gutter project; however after partial completion of some of the work (gutters), this remaining balance was not enough to complete the work on the furnace. Ms. Sheldon recommended these funds be reallocated to the Crisfield Library to be used for furnishings. After the Board questioned the incompleteness of the Princess Anne Library project, Ms. Sheldon

stated that she would look into other grant funding avenues to complete the Princess Anne Library project.

Therefore, at the conclusion of the discussion, upon a motion made by Commissioner Simpkins, and seconded by Commissioner Fisher, it carried 4-0 to authorize President's signature on the grant reclassification as requested.

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

A letter was received from the Office of the Governor, approving the appointment of Ms. Johnson-Knopp as a member of the Somerset County Liquor Control Board.

A letter received from the Maryland Department of Housing and Community Development advised of the release of funds regarding the Housing Authority Relocation Planning CDBG grant in the amount of \$75,000.

The President's signature was requested on the amendment to the CDBG Grant Agreement to reflect changes approved for the Tidal Dike Feasibility Study and the Head Start Youth Center-Phase I (MD-15-DR-1 Disaster Recovery) Action Plan Amendment.

Upon a motion made by Commissioner Mathies, and seconded by Commissioner Fisher, it carried 4-0 to authorize the President's signature as requested.

A request for the President's signature was also requested with regard to the CDBG Grant Agreement (MD-15-DR-1 Phase #2 Disaster Recovery) relating to the Head Start Project. Mr. Taylor noted that ShoreUp! is the subrecipient.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Simpkins, President Laird was authorized to sign the Agreement as requested. Commissioner Mathies abstained, therefore the motion carried 3-0-1.

A letter copied to the county received from Commander Jo-Ann F. Burdian, US Coast Guard, in response to our letter dated November 5, 2015 was reviewed. The letter was in response to concerns regarding the decision made to convert Webster Cove Light #3 to a day beacon. The letter stated that the Coast Guard does not intend to restore the light due to the condition of the structure and the inability to rebuild it because of environmental constraints. Commissioner Simpkins questioned the reasoning of "environmental constraints" and suggested

a follow up letter be drafted to request an explanation. No action was taken regarding Commissioner Simpkins' suggestion.

A letter was received from the Maryland Department of Transportation's State Report on Transportation Funding for FY16. Copies of the documents can now be found online.

Mr. Taylor requested the Board's approval for the proclamation presented in honor of Martin Luther King Day.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Mathies, it carried 4-0 to approve the proclamation as requested.

A Subordination Request has been received from Surety Lender Services for homeowners Mitchell Ann Hill and Norman Smith. A grant obtained through the CDBG program for house repairs in the amount of \$22,670.00, currently in 2nd lien position, would remain as so following an FHA Streamline to refinance their mortgage loan.

Commissioner Simpkins left the meeting at this time.

Upon a motion made by Commissioner Fisher, seconded by Commissioner Mathies, it carried 3-0 to approve the Subordination Request as presented.

A request to release a grant mortgage in the amount of \$4,910.00, made on May 11, 2010, on the property of M.H. and Patty Adkins was received. The request is allowable as it has been five years.

On a motion made by Commissioner Fisher, and seconded by Commissioner Mathies, it carried 3-0 to approve the release as presented.

Mr. Taylor advised the Board of a call received from the Federal Aviation Administration (FAA) regarding the Crisfield-Somerset Airport. The call advised that following an Asset Study Survey performed on local aviation airports, it has been found that the Crisfield-Somerset Airport does not have enough active planes based there, and it will therefore be downgraded from a "Basic General Aviation" Airport to an "Unclassified Airport".

Commissioner Simpkins returned to the meeting at this time.

Mr. Taylor noted that the obstruction removal project will not be impacted with this change. A meeting has been scheduled for Monday February 1, 2016 with the FAA, MAA, AECOM and the City of Crisfield to discuss the Airport Capital Improvement Plan.

Mr. Taylor also reminded the Board that we are approaching the 6 month extension deadline, requested by the City of Crisfield, to consider concurrence with the Board regarding the obstruction removal project (Alternative 4). Mr. Taylor requested the Board's permission to send a follow up letter advising of the need of an answer. The Board was in consensus, and approved Mr. Taylor's request to send the letter to the City Manager.

Regarding current Board and Committee vacancy's, an email was received from Tourism Director Julie Widdowson advising that the Town of Princess Anne has recommended the following persons to serve on the Tourism Committee; Mr. Warren Sumpter, Ms. Drenda Hall and Ms. Gail Yerges. It was noted that Mr. Sumpter already serves on the Committee.

Following discussion, a motion was made by Commissioner Fisher to appoint Ms. Drenda Hall to the Tourism Commission. Commissioner Simpkins seconded the motion, which carried 4-0.

Lastly, an Agreement made between the Department of Human Resources' Child Support Enforcement Administration (CSEA) and the Sheriff of Somerset County was presented for the President's signature. The agreement, in the amount of \$15,400 less \$582.00 local cost, effective October 1, 2015 through September 30, 2016 was never executed for this year. The grant provides security services at the courthouse, local child support for office employees during funds transfer, and the transportation of prisoners to and from local correctional facilities.

A motion was made by Commissioner Fisher and seconded by Commissioner Simpkins authorizing President Laird to sign the agreement as requested. The motion carried 4-0.

The Board was advised of the need of a Closed Session. Therefore, at 2:56 p.m., upon a motion made by Commissioner Simpkins and seconded by Commissioner Mathies, it carried 4-0 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.

Upon a motion made by Commissioner Fisher, seconded by Commissioner Simpkins, it carried unanimously to adjourn the Open and Closed Session Meetings at 3:33 p.m.

Respectfully Submitted:

A handwritten signature in blue ink, appearing to read "Lory E. Ebron".

Lory E. Ebron
Administrative Aide

Approved by:

A handwritten signature in blue ink, appearing to read "Randy Laine".

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For Somerset County