

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY MARCH 8, 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 Rex Simpkins, Commissioner Craig N. Mathies Sr. and Commissioner Jerry S. Boston. Commissioner Vice President Charles F. Fisher was not in attendance.

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 were approved later in the meeting.

President Laird called the Public Hearing to order at 2:00 p.m. regarding the request to rezone Map 15, Grid 23, Parcel 332 in the West Princess Anne Election District. Mr. Taylor proceeded to read into record the notice of public hearing as follows:

“Pursuant to the Somerset County Zoning Ordinance, notice is hereby given that a public hearing will be held by the Board of County Commissioners for Somerset County to hear opponents and proponents on Tuesday, March 8, 2016, 2:00 p.m., Somerset County Commissioners Meeting Room 111, 11916 Somerset Avenue, Princess Anne, Maryland 21853.

The purpose of the hearing is to consider a request to rezone Map 15, Grid 23, Parcel 332 in the West Princess Anne Election District. The lot area is .511 acres/22,302 sq. ft. based on assessment records. The applicant proposes to rezone the property from Medium Density Residential R-2 to General Commercial C-2, based on a mistake in the current zoning. The property is located on the northwesterly side of Stewart Neck Road approximately 150 feet northeast of U. S. Route 13.

A public hearing was held by the Somerset County Planning and Zoning Commission on Thursday January 7, 2016; which resulted in a favorable recommendation to the Board of County Commissioners for the rezoning.

All zoning maps, Zoning Ordinance, Comprehensive Plan and files may be inspected at the Department of Technical and Community Services, 11916 Somerset Avenue, Room 211, Princess Anne, MD during regular business hours, 8:30 A.M to 4:30 P.M. Monday thru Friday.

Board Of County Commissioners For Somerset County, Ralph D. Taylor, County Administrator-Clerk”.

Mr. Taylor invited Mr. Tom Lawton, Department of Technical and Community Service to come forward. Joining him was Mr. Edward Widdowson.

Mr. Lawton first reviewed the Case Report noting the owners name, address, and property location. Currently the property is zoned Medium Density Residential (R-2) and it is being proposed to be rezoned General Commercial (C-2). He explained the reason for the rezoning request, as there was a mistake in the existing classification of the property as the parcel

contained a commercial building and had been used commercially for many years. The Commission failed to consider this when area properties were rezoned in 2001. Mr. Widdowson also restated the reason for rezoning. In conclusion, it was noted that it was the recommendation of the Somerset County Planning and Zoning Commission to recommend approval of the requested rezoning from R-2 to C-2. President Laird asked if there were any proponents wishing to speak. There were none. President Laird asked if there were any opponents wishing to speak. There were none.

President Laird stated that public comment would be taken for ten days, until March 18, 2016. The Public Hearing was declared closed 2:14 p.m.

Next, Mr. Gary Pusey and Ms. Donna Laird were asked to come forward to present the bid award recommendations for the following projects presented during the Commissioner meeting held on February 23, 2016. Mr. Pusey noted that Davis, Bowen and Friedel (DBF) representatives were also present in the audience.

Crisfield Street Rehabilitation Project, Contract No. 044A020:

Mr. Pusey stated that following the review by DBF consultants and the Review Committee of the two bids received, it was the recommendation to award the bid to Chesapeake Paving in the amount of \$1,046,383.10. Mr. Pusey noted that this bid comes in approximately \$257,000.00 below the budgeted amount.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Mathies, it was approved to award the bid regarding the Crisfield Street Rehabilitation Project to Chesapeake Paving in the amount of \$1,046,383.10 as recommended. Commissioner Boston abstained; therefore the motion carried 3-0-1.

Crisfield City Dock Bulkhead Project, Contract No. 044A021.A01:

Mr. Pusey next presented the recommendation of both the Review Committee and DBF Consultants to award the bid to Murtech, Inc., in the amount of \$569,628.00. It was noted that the other bidder, Marine Technologies, did not provide the required bid bond. It was also stated that the bid came in over the budgeted amount of \$400,000.00, and the shortfall will be covered by funds available from the Crisfield Street project.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Simpkins, it carried 4-0 to award the Crisfield City Dock Bulkhead Project to Murtech Inc. in the amount of \$569,628.00 as recommended.

Homeless Shelter-Princess Anne, Contract MD-15-DR-1:

Mr. Pusey was now joined by Mr. Dick Scott, Building Committee Member/Homeless Coalition. Mr. Pusey also acknowledged the DBF representatives here today, and explained that the three original bids received for this project came in greatly over budget,

and after consultation with the Department of Housing and Community Development, the three initial bidders were allowed to submit revised proposals for a project reduced in scope, but which still met their needs. It was further explained that the architect for the project, Design Atlantic Ltd., reviewed the bids and determined that the low bidder met all requirements, and was therefore recommended to be awarded the bid. With the budgeted amount being \$640,000, it was noted that the remaining funding due will be provided through the Maryland Affordable Housing grant.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Mathies, it carried 4-0 to award the Homeless Shelter-Princess Anne Contract to RD Meredith Contractors LLC., in the amount of \$684,600.00 as recommended (\$640,000 Hurricane Sandy Funding/\$44,600 Maryland Affordable Housing).

Next, Mr. Pusey presented the possible grant application for the Smith Island Drainage Study for the Boards consideration. He explained that during the development of the Smith Island Vision Plan (The Plan), which will be presented to the Board soon, the issue of storm water management was mentioned a number of times, particularly the ability of the roadside and non-roadside drainage ditches to handle run-off and minimize local flooding. The Plan notes that ditches and roads could be improved, and recognizes limited county funding. Mr. Pusey continued, explaining that Maryland DNR has a “Community Resiliency” grant available that provides planning funding for this type of project. Grants through this program can only be awarded to local governments and will be requested in the amount of \$50,000, beginning in October to hire an engineer. Mr. Pusey then presented his request for the Boards approval to submit this grant request on behalf of Smith Island United.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Simpkins, it carried 4-0 to approve the submission of the grant application to DNR as presented in the amount of \$50,000.

Mr. Pusey and Ms. Laird left the meeting at this time.

Mr. Mark Konapelsky was now present before the Board to make his bid recommendation regarding the Disaster Recovery New Home Construction Project (30521 Price Road). Mr. Konapelsky advised that the bids received during the February 23, 2016 meeting were reviewed, and the recommendation was made to award the bid to the low bidder, Ken Build, in the amount of \$133,800.00.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Mathies, it carried 4-0 to award the bid to Ken Build for the amount of \$133,800 as recommended.

Mr. Charles Cavanaugh was now present before the Board to accept bids received regarding advertised ditching projects. President Laird then opened and read aloud the following sealed bids received as follows:

Champ Road – 270’

<u>Bidder</u>	<u>Amount</u>
Doug Vann	\$3,900
Mark Bozman	\$3,600
Gerard Dumsha	\$1,800

Upon a motion made by Commissioner Simpkins and seconded by Commissioner Boston, it carried 4-0 to award the bid for the Champ Road ditching project to the low bidder Gerard Dumsha for \$1,800.

Old State Road – 600’

<u>Bidder</u>	<u>Amount</u>
Doug Vann	\$2,700
Mark Bozman	\$3,400
Gerard Dumsha	\$2,450

Upon a motion made by Commissioner Boston and seconded by Commissioner Mathies, it carried 4-0 to award the bid for the Old State Road ditching project to the low bidder Gerard Dumsha for \$2,450.

Deal Island Road – 3,350’

<u>Bidder</u>	<u>Amount</u>
Doug Vann	\$8,990
Mark Bozman	\$9,200
Gerard Dumsha	\$10,500

Upon a motion made by Commissioner Simpkins and seconded by Commissioner Boston, it carried 4-0 to award the Deal Island Road ditching project to the low bidder Doug Vann for \$8,990.

Osburn Webster Road – 625’

<u>Bidder</u>	<u>Amount</u>
Doug Vann	\$4,350
Mark Bozman	\$4,800

Upon a motion made by Commissioner Boston and seconded by Commissioner Simpkins, it carried 4-0 to award the Osburn Webster Road ditching project to the low bidder Doug Vann for \$4,350.

India Lane – 435'

<u>Bidder</u>	<u>Amount</u>
Doug Vann	\$4,600
Mark Bozman	\$4,450
Gerard Dumsha	\$3,700

Upon a motion made by Commissioner Simpkins and seconded by Commissioner Boston, it carried 4-0 to award the India Lane ditching project to the low bidder Gerard Dumsha for \$3,700.

Mr. Taylor next requested the Boards approval for Resolution No. 1101 in honor of the founding of Somerset County and the declaration and celebration of our 350th Anniversary. Upon a motion made by Commissioner Boston, and seconded by Commissioner Simpkins, Resolution 1101 was approved as presented. The motion carried 4-0.

Mr. Taylor then asked Ms. Gale Yerges and Ms. Charlotte Sharf to come forward to accept Resolution No. 1101 in honor of the founding of Somerset County and read the Resolution into the record as follows:

“WHEREAS, Somerset County was created by Proclamation of Cecilius Calvert, Lord Baltimore, issued through The Honorable Charles Calvert, Governor of the Provinces, on the 22nd day of August, 1666. By the terms of the order, all that vast body of land, “bounded on the south with a line drawn from Watkins Point to the Ocean on the East, Nanticoke River on the North, and the Sound of Chesapeake Bay on the West”, was erected into a county by the name of “Somerset”, in honor of Lord Baltimore’s Sister, the Lady Mary Somerset; and

WHEREAS, The territory was comprised of all the lands within the limits of Somerset, Worcester and Wicomico Counties as presently constituted, and extended from Delaware on the North to Virginia on the South, and from the Chesapeake Bay to the Atlantic Ocean, covering an area of more than sixteen hundred square miles; and

WHEREAS, It is fitting and proper that the Three Hundred and Fiftieth Anniversary of the founding of Somerset County be commemorated with appropriate ceremonies; and

WHEREAS, Upon authority of the Somerset County Commissioners, a planning committee has been established by the Somerset County Historical Trust in preparation of events to be held later this year in celebration and recognition of three hundred and fifty years of history.

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOARD OF COUNTY COMMISSIONERS FOR SOMERSET COUNTY: That the Year 2016 be declared and celebrated as the 350th Anniversary of the founding of Somerset County. Resolved this 8th day of March 2016”.

Ms. Yerges and Ms. Sharf left the meeting at this time.

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

A letter was received from Charter informing that they are adding more than 200 high definition (HD) channels to their lineup.

A letter was received from Comcast advising of fee changes effective February 7, 2016.

A fee waiver request was received from Mr. Ben Botti, Site Coordinator, United Methodist Committee on Relief (UMCOR) to waive the permit fees, in the amount of \$100.00 to build a deck connecting existing brick steps to a currently inaccessible front door at 26670 Mariners Road, Crisfield, which is a Hurricane Sandy damaged home.

Upon a motion made by Commissioner Boston and seconded by Commissioner Simpkins, it carried 4-0 to approve the request to waive fees in the amount of \$100.00 as requested by UMCOR.

Letters sent in opposition and support to various legislative bills were reviewed. Additionally, letters of support sent to Mr. Richard Hughes regarding grant requests submitted by Friends of Teackle Mansion and Somerset Historic Trust were also mentioned.

A letter of support request was received from Mr. Thomas Dietz on behalf of a Maryland Heritage Area Program grant application being filed for the Skipjack Museum. The grant will be used to collect, preserve and display the artifacts and history of the Chesapeake Bay Skipjack and the working watermen's culture.

Upon a motion made by Commissioner Boston and seconded by Commissioner Simpkins, it carried 4-0 to authorize the President to sign the letter of support requested for the application of the grant from the Maryland Heritage Area Program for the Skipjack Museum as requested.

A pauper burial request was received from the family of Ms. Margaret "Linnel" Kersey, who passed away on February 18, 2016. Being a lifelong resident of Somerset County, Ms. Kersey died without any life insurance.

Upon a motion made by Commissioner Simpkins and seconded by Commissioner Boston, it carried 4-0 to authorize a \$250.00 payment to Anthony Ward Funeral Home to assist with burial expenses associated to Ms. Kersey as requested by her family.

A proclamation request was received from Ms. Jennifer Pastusak in recognition of Foster Care Month which falls in May 2016.

Upon a motion made by Commissioner Simpkins and seconded by Commissioner Boston, it carried 4-0 to authorize a proclamation in recognition of Foster Care Month in May 2016.

Lastly, Mr. Taylor presented a request from Delmarva Power to lease the storage area located at 30426 Sam Barnes Road, Westover, Maryland to be payable in monthly installments of \$750.00. He noted this is the third time the area has been leased by Delmarva Power who has requested a one year lease agreement. Mr. Taylor also advised that the Sheriff's Office is acceptable to the use of the space.

Upon a motion made by Commissioner Boston and seconded by Commissioner Mathies, it carried 4-0 to authorize the lease agreement with Delmarva Power as requested.

Meeting minutes for the Commissioner's Meeting held on February 23, 2016 were approved as presented upon a motion made by Commissioner Boston, and seconded by Commissioner Simpkins. The motion carried 4-0. Minutes from the Closed Session meeting held on February 23, 2016 were approved on a motion made by Commissioner Boston, and seconded by Commissioner Simpkins. President Laird abstained; therefore the motion carried 3-0-1.

The Board was advised of the need of a Closed Session. Therefore, at 2:59 p.m., upon a motion made by Commissioner Boston and seconded by Commissioner Mathies, it carried 3-0 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 Simpkins and seconded by Commissioner Boston, it carried unanimously to adjourn the Open and Closed Session Meetings at 4:47 p.m.

Respectfully Submitted:



Lory E. Ebron
Administrative Aide

Approved by:



Board of County Commissioners
For Somerset County