

BOARD OF COUNTY COMMISSIONERS

FOR SOMERSET COUNTY

TUESDAY, JUNE 28, 2016

At 2:00 p.m., the Board of County Commissioners for Somerset County met in regular session with Commissioner President Randy Laird, Commissioner Vice President Charles F. Fisher, Commissioner Jerry S. Boston, Commissioner Rex Simpkins, and Commissioner Craig N. Mathies Sr.

Also in attendance were County Administrator-Clerk Ralph D. Taylor and Executive Secretary Kimberly Lopez.

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

The minutes from the Public Hearing held June 14, 2016 were approved upon a motion made by Commissioner Boston and seconded by Commissioner Fisher. This motion carried unanimously.

Mr. Taylor began the meeting with a Proclamation presentation to Mr. John Somers (who will be retiring as Chief Judge of the Orphan's Court for Somerset County after 22 years of service on July 1, 2016) for his countless contributions and exemplary service to the community throughout the years. Mr. Somers graciously accepted the Proclamation, stating he was very honored.

President Laird then called the public hearing to order at 2:07 p.m. to consider the public input on the Agricultural Preservation Easements. Mr. Taylor then proceeded to read the following notice for the hearing into the record as follows:

"Notice is hereby given in accordance with Article 66B, Section 2-501 through Section 2-151 of the Annotated Code of Maryland and Somerset County Ordinance No. 257, that a Public Hearing will be held by the County Commissioners for Somerset County in the office of the Board, 11916 Somerset Avenue, Room 111, Princess Anne, MD to hear opponents and proponents on:

June 28, 2016 at 2:00 P.M.

That, also pursuant to the recommendations of the Somerset County Planning and Zoning Commission and the Somerset County Agricultural Preservation Advisory Board, the Board of County Commissioners for Somerset County will consider recommending eight (8) Agricultural Preservation Easement sale candidates to the Maryland Agricultural Land Preservation Foundation.

- (1) The creation of an Agricultural Preservation Easement on 84.15 acres of property owned by George C. Butler, Sr. & Joyce G. L/E & George C. Butler, Jr. & Etal. Rem. The property is located in the Dublin Election District and can be found on County

Tax Map 50, Grid 24, Parcel 29 and is located on the easterly side of Powell Wharf Road, approximately 900 feet south of MD Rt. 667.

- (2) The creation of an Agricultural Preservation Easement on 28.95 acres of property owned by Harry Joseph Dryden, Jr. & Joyce D. Johnson and Dorothy B. Dryden L/E,. The property is located in the Brinkleys Election District and can be found on County Tax Map 50, Grid 22, Parcel 23. The property is located on the southeasterly side of Rehobeth Road State Road 667 approximately 400 southwest of Gordy Road.
- (3) The creation of an Agricultural Preservation Easement on 68.29 acres of property owned by William Michael & Laura Dryden & William Jason Dryden. The property is located in the Dublin Election District and can be found on County Tax Map 50, Grid 18, Parcel 22 and is located on the southeasterly side of Rehobeth Road State Road 667 approximately 2,400 southwest of Peach Orchard Road.
- (4) The creation of an Agricultural Preservation Easement on 145.73 acres of property owned by Bradley and Verna L. Eby. The property is located in the Dublin Election District and can be found on County Tax Map 41, Grid 20, Parcel 18 and is located on the easterly side of Mennonite Church Road approximately 900 feet south of Turkey Branch Road.
- (5) The creation of an Agricultural Preservation Easement on 168.219 acres of property owned by Gladmar Land Company. The property is located in the Dublin Election District and can be found on County Tax Map 25, Grid 16, Parcels 32 & 33 and is located on the northeasterly side of Perryhawkin Road approximately 2,000 feet northwest of Dublin Road.
- (6) The creation of an Agricultural Preservation Easement on 58.01 acres of property owned by Thomas Edward, Jr. Latimer & Pamela G. Latimer. The property is located in the West Princess Anne Election District and can be found on County Tax Map 8, Grid 21, Parcels 358 & 359 and is located on the northwesterly side of Eby Road, approximately 4,000 feet north of Drawbridge Road.
- (7) The creation of an Agricultural Preservation Easement on 49 acres of property owned by James M. and Joy D. Long. The property is located in the Dublin Election District and can be found on County Tax Map 50, Grid 16, Parcel 20 and is located on the northeasterly corner of MD Rt. 667 and Gordy Road.
- (8) The creation of an Agricultural Preservation Easement on 43.5 acres of property owned by Crist B. and Jean Ann Yoder. The property is located in both the Brinkleys and Westover Election Districts and can be found on County Tax Map 50, Grid 8, Parcels 106 & 124 and is located on both sides of Boggs Schoolhouse Road approximately 2,800 southwest of Mennonite Church Road.

The applications and maps are available for inspection by any interested party during regular office hours (8:30 A.M. - 4:30 P.M.) at the Department of Technical and Community Services, 11916 Somerset Avenue, Room 211, Princess Anne, Maryland.

Board of County Commissioners for Somerset County, Ralph D. Taylor, County Administrator.”

Mr. Tom Lawton was now before the Board, and began by providing a list of the eight ranked applications for this funding cycle, which included:

1. George Butler, 84.15 acres
2. Dorothy Dryden, 28.95 acres*
3. William Michael Dryden, 68.29 acres
4. Bradley & Verna Eby, 145.73 acres
5. Gladmar Land Company, 168.219 acres
6. Thomas Latimer, 58.01 acres
7. James M. & Joy D. Long, 49.0 acres*
8. Crist B. & Jean Ann Yoder, 43.5*

(*Adjacent to Federal or State lands, existing easement, or proposed easement)

Mr. Lawton discussed the applicants, explaining that out of the fourteen that applied these eight made the final cut for FY2017 and, just like in previous years, they will combined these eight with 2017 and 2018 monies.

Commissioner Fisher inquired about what happens with the applicants from last year.

Mr. Lawson explained that they are grouped together with the new applicants and reviewed together, that way we are presented with the best parcels. He also mentioned that if the applicant were denied that they could reapply the following year.

Commissioner Fisher then inquired if the applicants turned down the offer would they be able to apply again, to which Mr. Lawson answered they could only reapply once.

With Mr. Lawson's presentation concluded, President Laird asked if there were any proponents present wishing to speak.

No proponents came forward, so at that time President Laird asked if there were any opponents wishing to speak. There were none. Therefore, at 2:13 p.m. the Public Hearing was declared closed. Public comment will be taken for the next 10 day, until July 8, 2016.

Next, the Honorable John Barr and Mr. Michael Sanderson came forward to present the 2016 MACo Legislation highlights for the Board. Mr. Barr began by thanking the Board for having them at today's meeting, and provided a short history on his term as MACo President for 2016. Mr. Barr went on to discuss the Highway User Revenues, with President Laird thanking Mr. Barr and MACo for their continued efforts to achieve this. This discussion continued for a brief time before Mr. Sanderson began his initial presentation. A packet was distributed that outlined the 2016 Legislative efforts which included highway user revenues, school construction, heroin overdose treatment, and justice reinvestment. Proposed legislation under consideration for the upcoming session was also presented.

Commissioner Fisher inquired about the school construction issue and if it would be resolved. Mr. Sanderson explained that he, unfortunately, did not have a guaranteed answer for that.

Commissioner Fisher then inquired about reducing mandates, to which Mr. Sanderson answered he did see an exception here and there.

Commissioner Simpkins then asked about the Teacher Retirement Special Grant. Mr. Sanderson explained that when the bill was passed the estimated numbers were put into law

instead of the formulas that were used to achieve those estimates. After the four year phase in, the cost of the pensions got higher than the estimates and the county distribution was then included in the MOE. This \$19M is what was calculated to help the schools absorb the extra cost of teacher pensions. Commissioner Simpkins then asked if there was a chance of adopting the formula. Mr. Sanderson answered that it would have to be discussed next year when legislation comes to town.

Commissioner Boston thanked the MACo representatives for providing the office lunch today and for everything they do for all of the counties.

President Laird then inquired about the MACo vote on the sprinkler bill. Mr. Sanderson explained that it was a close and pretentious vote on MACo's part, but in the end MACo took no position on this matter. A brief discussion on the sprinkler bill ensued after.

Commissioner Fisher thanked Mr. Barr and Mr. Sanderson for giving him a tour of their county during his visit, saying he truly enjoyed it. Mr. Barr and Mr. Sanderson, were thanked for attending today's meeting, and excused from the meeting at this time.

Mr. Gary Pusey and Ms. Donna Laird then came before the Board to present the bids for the Rhodes Point Shoreline Stabilization/Disaster Recovery Project. President Laird proceeded to open the one bid received from Coastal Design with the bid reading as follows:

- \$2,471,625.00
- \$1,164,433.00 Add Alternate 1: Add structures 1, 11, 12, 13, 14
- \$1,149,143.00 Add Alternate 2: Add structures 15, 16, 17, 18, 19

Mr. Pusey then advised the board he would review the bid package before he and Ms. Laird exited the meeting.

Next, Mr. Gene Adkins presented the increase in the local income tax rate, stating that the current local income tax rate is 3.15% and has been the same since 2002. The proposal would be to increase the local income tax rate to 3.2% which would raise about \$110,000 annually in revenue and may also help the county maximize its Disparity Grant. Mr. Adkins then advised the board that in order for the local income tax rate to be changed a letter would need to be sent to the Honorable Peter Franchot and a resolution would need to be adopted.

After a brief discussion, a motion was made by Commissioner Boson and seconded by Commissioner Fisher to raise the local income tax rate to 3.2%. This motion carried 4-0.

Mr. Taylor advised the Board of the Somerset County Planning Commission's Annual Report for their review, stating that no action was needed.

A letter was received from Ms. Cindy Stone, stating the DHCD will release \$3,092,000.00 for the Rhodes Point Shoreline Stabilization project.

A request for a letter of support was received from Ms. Shirley Gaskin to apply for a grant for the restoration of St. James Church in Oriole, Maryland.

Upon a motion made by Commissioner Fisher, seconded by Commissioner Simpkins, it carried 5-0 to approve the letter of support for the St. James Church in Oriole, Maryland.

A request for a letter of support was received from Ms. Chanelle White to apply for a grant for the restoration of the John Wesley Church in Deal Island, Maryland.

Upon a motion made by Commissioner Boston, seconded by Commissioner Simpkins, it carried 5-0 to approve the letter of support for the John Wesley Church in Deal Island, Maryland.

Next, Mr. Taylor advised the Board that a letter was sent to The Honorable Ray Mabus and Admiral John Richardson regarding the Triton project.

Mr. Taylor also informed the Board that a letter was sent to Mr. Anthony Stockus, Sanitary District, regarding the Sanitary Commission Salaries.

A letter was sent to Mr. Willis Dryden, Jr., Somerset County Tax Office, and Mr. James Ward, Department of Assessments and Taxation, regarding the Official Levy for FY17.

The Board was advised of a letter sent to ECI Warden Kathleen Green in regards to the appointment of Ronnie Dryden to serve as Commissioner Simpkins' designee on the Citizens Advisory Committee to ECI.

The last item presented to the Board in correspondence sent was a letter sent to Mr. Jerry Barbierrri regarding his appointment to the Lower Shore Workforce Alliance Board.

Moving on to discussion items, Mr. Taylor presented a letter from the Somerset County Humane Society requesting additional room at the dog control facility for temporary cat housing, as well as a letter from the Somerset County Animal Control on some issues they have had with the Humane Society. Mr. Donald Ford, Somerset County Animal Control Supervisor, was invited to come forward to discuss this matter.

Commissioner Laird asked Mr. Ford if the Humane Society had been contacted about cleanup of their area, to which Mr. Ford responded that they have been notified several times about the odor.

Commissioner Simpkins briefly stepped out of the meeting.

A discussion was held in regards to the cleanliness of the location due to the trash cans and if any additional buildings could be added to the property without disrupting current operations.

Following the discussion, it was suggested that Mr. Taylor, Mr. Ford, and Mr. Mills would investigate these issues further before a decision could be made by the Board.

Next, Mr. Taylor presented the FFY 2016 Grant Application for the Crisfield-Somerset Airport, stating that we are applying for Wetland Mitigation and Critical Area Mitigation in the amount of \$183,732.00 (the applicant portion would be \$9186.60 split, with \$4,593.30 being the cost to the County).

Upon a motion made by Commissioner Simpkins, seconded by Commissioner Boston, it carried 5-0 to authorize Mr. Taylor's signature on the FFY 2016 Grant Application for the Crisfield-Somerset Airport.

Mr. Taylor then presented a Memorandum of Understanding for the Smith Island Drainage Assessment. This is a grant that DNR put in to help do an assessment on the drainage at Smith Island (\$100K with no cost to the county, \$50K Federal/\$50K State).

Upon a motion made by Commissioner Simpkins, seconded by Commissioner Boston, it carried 5-0 to authorize President Laird's signature on the Memorandum of Understanding for the Smith Island Drainage Assessment.

Next, Mr. Taylor brought to the Board's attention a vacancy on the Somerset County Local Management Board, stating an appointment will need to be made once the Board has decided on an appointee.

Mr. Taylor then presented the Agricultural Reconciliation Board Appointment, stating that Mr. Charles Laird has been nominated to replace Mr. Steve Eccleston.

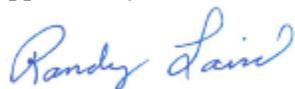
A motion was made by Commissioner Simpkins and seconded by Commissioner Boston to appoint Mr. Charles Laird to the Agricultural Reconciliation Board. This motion carried unanimously.

EDC Board Member Appointments were discussed next with Mr. Taylor stating that Mr. Harry Gemmell, Ms. Joy Strand, and Mr. Dennis Williams are all reappointments, while Ms. Laverne Johnson and Mr. Jerry Barbierri are new appointments.

Upon a motion made by Commissioner Simpkins and seconded by Commissioner Fisher, it carried 5-0 to approve the EDC Board Member Reappointments and new Appointments.

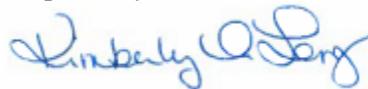
The Board was then advised of the need for a Closed Session. Therefore, at 3:25 p.m., upon a motion made by Commissioner Simpkins, seconded by Commissioner Boston, it carried unanimously to adjourn the regular session and move into Closed Session by Authority of State Government Article of the Annotated 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.

Approved by:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Kimberly Lopez
Executive Secretary