

BOARD OF COUNTY COMMISSIONERS  
FOR SOMERSET COUNTY  
TUESDAY JULY 12, 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 Craig Mathies, Sr., and Commissioner Rex Simpkins.

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.

At 2:00 p.m., President Laird declared the Public Hearing open with regard to the amendment to the Somerset County Water and Sewerage Plan. County Administrator Taylor read the notice of public hearing into the record as follows:

“In accordance with Title 9, Subtitle 5, of the Environmental Article of the Annotated Code of Maryland and the Maryland Department of the Environment (MDE) Regulation, COMAR 26.03.01, Somerset County is required to review and submit to MDE a Water and Sewerage Plan to provide for the development of adequate water supply systems and sewerage systems throughout the County in a manner consistent with the County Comprehensive Plan.

The Board of County Commissioners for Somerset County will hold a public hearing to present to the public an Amendment to the 2008 Somerset County Comprehensive Water and Sewerage Plan. The Somerset County Planning and Zoning Commission recommended the Amendment to the Board of County Commissioners after their May 5, 2016 public hearing. The proposed amendment is available for public review during regular office hours at the Department of Technical and Community Services at 11916 Somerset Avenue, Princess Anne, MD in Room 211.

FAIR SUMMARY

The current Plan was adopted in 2008. The purpose of this hearing is to present to the public an amendment to the 2008 Plan revising Chapter Three - Water Systems, Section I, Subsection 2. Princess Anne Water System and Subsection 4. Fairmount Water System. The amendment addresses upgrades to the Princess Anne Water System allowing the upgraded water system to tie into the Fairmount system and to serve both existing and proposed development in the Princess Anne Service Area.

Also included in the amendment are changes to Chapter Four- Sewerage Systems, Section I, Subsection 2. Princess Anne Sewerage System and Subsection 4. Fairmount Sewerage System. This amendment addresses potential plans to decommission the Fairmount Waste Water Treatment Plant in lieu of constructing a new plant and to eliminate the Fairmount WWTP discharge into Halls Creek, which feeds into the Chesapeake Bay by way of the Big Annemessex River. The sewage will be pumped to the Westover sewer system, which pumps to the Princess Anne WWTP. The proposed amendment also reflects an increase in capacity of the ECI waste water treatment plant, revises pages of the existing Plan and provides updated Princess Anne and Westover Water System and Sewer System Plan maps, which more clearly show the various phased planning areas in color on a parcel based map. Also included are amended tables and allocation maps. Board of County Commissioner, Ralph D. Taylor, County Administrator.”

Mr. Gary Pusey, Director of the Department of Technical and Community Services, Mr. Tom Lawton, Senior Planner and Mr. Anthony Stockus, General Manager, Sanitary District were now before the Board.

Mr. Lawton explained the purpose of the hearing, which is to present to the public proposed amendments to the 2008 Plan, originally drafted by a consultant. The actual changes being proposed today, as recommended by the Somerset County Planning and Zoning Commission were distributed to the Board. Mr. Lawton explained that what prompted the need of the amendment was the addition of new water systems and wells west of the prison. These amendments to the plan will reflect and allow water to be used by the system. He noted that they had met with MDE and State Planning over the past year. Discussions were also held regarding the decommissioning of the Fairmount Plant, which is old and in need of either repair or replacement. Long range plans have been included at the same time as well. Priority funding areas were also discussed as they were removed, and will be handled administratively. He also discussed that maps for the Princess Anne and Westover Water System and Sewer System Plan have been updated in this amended plan. Mr. Lawton closed his comments by noting that the plan is a guideline for future expansion to the water and sewer system in the county. Mr. Lawton then acknowledged that Tracy Gordy and Tony Stockus were available for any questions the Board may have.

Mr. Stockus next addressed the Board. He first stated that the plan was first presented about a year ago, and that none of the intended projects can be completed if they are not included within the plan. Mr. Stockus also discussed the drain on the aquifers as the situation currently exists. Commissioner Mathies questioned and expressed his concerns regarding these proposed upgrades, and the benefits it will provide to individual homeowners for their water and sewerage expenses. Mr. Stockus discussed the cost savings that will be obtained to the county with the pursuit of this project, noting that expenses to transfer leachate from the Fairmount Waste Water Treatment Plant will be eliminated. He discussed water quality, and then closed his comments in saying he didn't know what the actual numbers were going to be, and that the projected changes as presented, will be several years down the road, but everyone will benefit with the upgrades.

President Laird asked if there were any proponents present wishing to speak.

Reverend Charles Bagley, 30006 Fairmount Road came forward. Noting that he is a resident in Westover, he stated that he has been keeping up with the comprehensive plan. His concern as a resident

is that there has been a promise of something in the future that will occur, noting that he sees the future need for water and sewer with the new technical school that will be built in Westover. He was there when the sewer was put in in Westover, and felt that those residents should have been given the option to have both water and sewer provided at the same time, acknowledging that there were probably funding limitations to offer both at the time. He closed his comments by advising the Board he has just had a new \$6,000 well installed at his residence, which alleviated his water issue, and his concern is that residents be allowed to have the option to hook up or not hook up to water as was the case when sewer was installed.

President Laird asked if there were any opponents present wishing to testify. There were none.

President Laird stated that public comment would be taken for 10 days, until July 22, 2016. The public hearing was then declared closed at 2:22 p.m.

Mr. Lawton remained present to discuss the public hearing held on Tuesday June 28, 2016, relating to applications presented for the Agricultural Preservation Easements. Mr. Lawton advised that no comments had been received during the 10 day period. He then reviewed the eight applications, in order of ranking, for this funding cycle as presented during the public hearing as follows:

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 acres \*

\* Denotes properties adjacent to federal or state lands, existing easement or proposed easement

Commissioner Fisher questioned the parcels with acreage less than 50 acres. Mr. Lawton explained that in order to participate in the program, stand-alone parcels must be greater than 50 acres; however parcels that are adjacent to federal or state lands, existing easements or next to proposed easements can be less. He also explained how the "scoring" system works to apply for the easement.

Upon on a motion made by Commissioner Fisher and seconded by Commissioner Boston, it carried 5-0 to accept the properties as presented to submit as Agricultural Land Preservation Easement sale candidates to the Maryland Agricultural Land Preservation Foundation. Mr. Lawton left the meeting at this time.

Mr. Gary Pusey and Ms. Donna Laird, Department of Technical and Community Services came forward to present their bid award recommendation relating to the Hurricane Sandy Disaster Grant/Rhodes Point Shoreline Stabilization project. Mr. Pusey summarized that the bid opening for the project, held on June 28, 2016, resulted in one bid submission by Coastal Design and Construction, although it was noted that three firms attended the mandatory pre-bid meeting. He explained that the bid contained three scenarios (a “base bid” and two other alternates to be pursued if the Army Corps Jetty project falls through). The review committee consisting of Mr. Pusey, Ms. Laird, Scott Hardaway (Coastline Design, P.C.) and Dave Wilson (Delmarva RC & D, Inc.) determined Coastal Design & Construction, Inc., is well qualified, and their bid submitted in the amount of \$2,471,625 (base bid) falls below the budgeted amount of \$2.7 million. Therefore it was the recommendation of the committee to award the bid to Coastal Design & Construction, Inc. as noted. Mr. Pusey also advised that it is understood by the contractor that wording will be added to the contract, that should the Army Corps Jetty project not materialize, the Shoreline Stabilization project will be expanded to utilize the jetty funding.

Therefore, upon a motion made by Commissioner Fisher, and seconded by Commissioner Boston, the bid for the Hurricane Sandy Disaster Grant/Rhodes Point Shoreline Stabilization project was awarded to Coastal Design & Construction for their base bid in the amount of \$2,471,625, with the wording added to the contract that should the Army Corps Jetty project not materialize, the Shoreline Stabilization project will be expanded to utilize the jetty funding. The motion carried 5-0.

President Laird questioned the status of the other Corps projects. Mr. Pusey advised he will obtain the updated information on those projects and report his findings back to the Board. Mr. Pusey and Ms. Laird left the meeting at this time.

Mr. Taylor reviewed correspondence received and sent at this time.

A letter was received from former Secretary David R. Craig, Maryland Department of Planning (MDP), advising that he has left his position with MDP, to be Executive Director of the World War I Centennial Commission.

Two Clearinghouse Review Projects were received for Hazard Mitigation Grants (MD20160613-0517 & MD20160613-0519). Mr. Taylor advised the Board that Emergency Services Director Yvette Cross has reviewed both projects. The first project (0517) will update the county’s hazard mitigation

plan to become a part of our comprehensive Emergency Operations Plan, which FEMA requires to be updated every five years. The second project (0519) is a project submitted by MEMA, for an expansion to the State hazard mitigation plan. MEMA is requesting \$400,000 for a mitigation study to help coastal communities, such as those in Somerset County, to better prepare for flooding events. The recommendation was then made to designate a C-5 (It is consistent with our plans, programs and objectives) recommendation for both projects.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Boston, it was approved to submit a C-5 designation for Clearinghouse Project MD20160613-0517 (Hazard Mitigation Plan Update). The motion carried 5-0.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Fisher, it was approved to submit a C-5 designation for Clearinghouse Project MD20160613-0519 (MEMA Expanding the State Hazard Mitigation Plan). The motion carried 5-0

Mr. Taylor next presented Clearinghouse Review Project MD20160613-0518, City of Crisfield Wastewater Facilities Improvements: Cove Street Pump Station, Rubberset Pump Station and Gravity Sewer System Upgrade. Mr. Taylor explained that Mr. Gary Pusey reviewed the project. Davis, Bowen & Friedel (engineers for the City), on behalf of the City of Crisfield, are applying to the USDA for almost \$2.8 million to do upgrades to the pump station on Cove Street and to install a new pump station at the Rubberset plant. Improvements to the sewer pipe will also be made. These proposed improvements were shared with Mr. Tony Stockus, Sanitary District, and he had no objections. The recommendation was then made to offer a C-5 designation for this project.

Upon a motion made by Commissioner Boston, seconded by Commissioner Fisher, it carried 5-0 to offer a C-5 designation for Clearinghouse Review Project MD20160613-0518(City of Crisfield Wastewater Facilities Improvements: Cove Street Pump Station, Rubberset Pump Station and Gravity Sewer System Upgrade) as presented.

Lastly, Clearinghouse Review Project MD20160614-0523- MEMA application to elevate eight homes in the Crisfield area in cooperation with the Long-Term Recovery Committee (LTRC) was received. On behalf of LTRC, MEMA is applying to FEMA for Hazard Mitigation funding to elevate the eight houses to be two feet above the 100 year base flood elevation. Funding in the amount of \$781,474 is being applied for, with 90% of the costs being funded by this grant. The eight houses

involved with this grant were also identified. It was noted that Mr. Pusey also reviewed this project, and a recommendation was made to designate a C-5 response for this project as well.

Upon a motion made by Commissioner Boston, seconded by Commissioner Fisher it carried 5-0 to designate a C-5 recommendation for Clearinghouse Review Project MD20160614-0523(MEMA application to elevate eight homes in the Crisfield area in cooperation with the Long-Term Recovery Committee).

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

A letter was received by Mr. Charles Phillips to sublease slip #18 at Wenona Harbor. Consideration was given to the request, and after discussion, the request was declined as presented.

Therefore, upon a motion made by Commissioner Fisher, and seconded by Commissioner Boston, the request to sublease slip #18 at Wenona Harbor was declined. The motion carried 4-0-1 as Commissioner Mathies abstained.

A request was received to reappoint Mr. Thomas Pinto to the Agricultural Reconciliation Board. Mr. Pinto has expressed his desire to continue serving on this board.

A motion was made by Commissioner Simpkins, and seconded by Commissioner Boston to reappoint Mr. Thomas Pinto to the Agricultural Reconciliation Board. The motion carried 5-0.

Mr. Taylor reminded the board of current appointment (1) and vacancies (2) regarding the Justice Reinvestment Oversight Board and the Somerset County Local Management Board, respectfully.

A request was received from Ms. Retta Jones, Chairperson Mt. Zion Historical Society, for a letter to support regarding their application for an African American Heritage Preservation Grant for the preservation and restoration of Mt. Zion Church on Polks Road, built in 1887.

Upon a motion made by Commissioner Simpkins, seconded by Commissioner Mathies, it carried 5-0 to approve the letter of support request received from Mt. Zion Historical Society.

Meeting minutes were presented for the Boards approval. Commissioner Boston noted a correction needed to the motion made regarding the Social Services Board reappointments within the Special Session minutes dated July 5, 2016.

Upon a motion made by Commissioner Boston and seconded by Commissioner Fisher, it carried 5-0 to approve the following meeting minutes as presented:

- Special Session dated June 21, 2016
- Commissioner Meeting dated June 28, 2016
- Closed Session dated June 28, 2016

Commissioner Simpkins abstained from the motion to approve the Special Session and Work Session Meetings held on July 5, 2016, with the correction as noted by Commissioner Boston to the Special Session minutes, dated July 5, 2016. Therefore the motion to approve the July 5, 2016 Special and Work Session minutes carried 4-0-1.

With no further business, the Board was advised of the need to enter into Closed Session. Therefore, at 2:50 p.m. upon a motion made by Commissioner Boston and seconded by Commissioner Fisher, it carried unanimously 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 and seconded by Commissioner Boston, it carried unanimously to adjourn the Open and Closed Session Meetings at 3:44 p.m.

Respectfully Submitted:



Lory E. Ebron  
Executive Aide

Approved by:



Board of County Commissioners  
For Somerset County