



**AGENDA**  
**October 17, 2017**  
**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. Joseph Bishop Jr., 20 Year Service Award Recognition
- \* 2:05 p.m. - Mr. Charles Cavanaugh, Drainage Ditch Bids Received
  - Mt. Vernon Road
  - Carrolton Court/Westover
  - Cardinal Drive/Crisfield
  - Oriole Road
- \* 2:10 p.m. - Mr. Gary Pusey
  - Mt. Vernon Market Annexation
  - Maryland Department of Planning/Clearinghouse Review re: Asbury Neighborhood Historic District

**Correspondence:**

**Received**

Maryland Department of Commerce re: Request for Reallocation, Private Activity Bonds FY17  
Somerset County Public Schools re: JM Tawes Funding Request  
County Executive Steven R. Schuh, AA County re: Not My Child Initiative  
Somerset County Sanitary District, Inc., re: Waiver of Sanitary Charges/Stouty Sterling Road  
Comcast re: Upcoming Channel Changes

**Sent**

Reverend Phillip C. Huber re: Funding Assistance  
Somerset County Economic Development Commission re: Appointments

**Discussion:**

- \* 1. Tri County Council Executive Board Nominee's for 2018
- \* 2. Request to Rescind Property Purchase/Mason Webster Road 0007/0010/0232
- \* 3. Surplus Property Sale
- \* 4. Adult Guardianship Review Board Vacancy (2)
- \* 5. Agricultural Reconciliation Board Vacancy (1)

**2:45 p.m. - Closed Session- Mr. Ralph Taylor, Kirk Simpkins**

Authority of State Government Article of the Annotated Code of Maryland, Subtitle 3-305 (b) (1)(i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; and (b)(7) consult with counsel to obtain legal advice.

- \* Denotes Action Item

BOARD OF COUNTY COMMISSIONERS  
FOR SOMERSET COUNTY  
TUESDAY OCTOBER 17, 2017

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 Board's approval. Upon a motion made by Commissioner Boston, and seconded by Commissioner Mathies, minutes from the Special and Closed Session meetings held on October 10, 2017 as well as the Commissioner and Closed Session meetings held on October 3, 2017 were approved as presented. The motion carried 5-0.

Mr. Taylor first asked Mr. Joseph Bishop Jr., to come forward to accept the 20-Year Service Award Recognition. Mr. Bishop is a Motor Equipment Operator III at the county landfill. The Board thanked Mr. Bishop for his years of service to the county, and congratulated him for reaching this milestone.

Next, Mr. John Redden, Public Works Director, and Mr. Charles Cavanaugh, Director of Solid Waste and Maintenance came forward to accept sealed bids received for several ditching projects recently advertised. President Laird proceeded to open sealed bids received for the following projects:

<u>Contractor</u>	<u>Oriole Road</u>	<u>Carrolton Court</u>	<u>Cardinal Drive</u>	<u>Mt. Vernon Road</u>
Doug Vann	\$1,850.00	\$4,300.00	\$10,250.00	\$6,513.00
Mark Bozman	\$2,000.00	\$4,500.00	\$12,000.00	\$7,700.00
Lightning Ventures	\$38,300.00			

Lightning Ventures second bid illegible and therefore not accepted

Mr. Cavanaugh stated his recommendation would be to award the bids to the low bidder.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Simpkins the motion carried 5-0 to award the Oriole Road Ditching Project to Doug Vann for \$1,850.00.

Upon a motion made by Commissioner Boston and seconded by Commissioner Simpkins, the motion carried 5-0 to award the Carrolton Court Drainage Project to Doug Vann in the amount of \$4,300.00.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Boston, the motion carried 5-0 to award the Cardinal Drive Drainage Project to Doug Vann for \$10,250.00.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Mathies, the motion carried 5-0 to award the Mt. Vernon Road Ditching Project to Doug Vann in the amount of \$6,513.00.

Mr. Redden and Mr. Cavanaugh left the meeting at this time.

Mr. Gary Pusey, Director of Technical and Community Services was now before the Board.

Mr. Pusey began, explaining that the Town of Princess Anne has received an annexation request from Mt. Vernon Market, Inc., for two parcels totaling 1.53 acres located off Somerset Avenue, just north of Mt. Vernon Road. Currently the properties are zoned R-3 High Density Residential in the county. A C-2 designation is being requested upon annexation. Mr. Pusey explained that for this annexation request, the proposed zoning, when annexed, must be similar to county zoning regarding the type of development that would be allowed. If the requirement is not met, the proposed zoning can still occur if the local elected body, the Board of Commissioners, gives "express approval" of the proposed zoning. Mr. Pusey also advised that if the Board chooses to not give express approval the property is restricted to uses allowed under the county zoning for five years. The Planning Commission has reviewed the proposed zoning request during their October 5, 2017 meeting, and has forwarded their favorable recommendation for the proposed C-2 General Commercial zoning to the Board. Mr. Pusey stated that there were no opponents attending the Planning Commission meeting. Mr. Pusey then advised that the Town of Princess Anne will be holding a public hearing regarding the annexation request on November 6, 2017. If the Board chooses to approve the change of zoning, a letter will need to be provided that states the Commissioners for Somerset County give their express approval for the proposed C-2 General Commercial zoning request.

A motion was then made by Commissioner Fisher, and seconded by Commissioner Boston to provide a letter giving “express approval” for the proposed C-2 General Commercial zoning request being presented by Mt. Vernon Market Inc. The motion carried 5-0.

Mr. Pusey remained before the Board to present a Clearinghouse review request that had been received with regard to a “Historic Nomination” noted as the Asbury Neighborhood Historic District (Lawsonia), which is roughly bounded by Crisfield’s municipal limits on the west side, Main Street Extended on the north side, Lawsonia Road to the east, and Asbury Avenue to the south. Mr. Pusey explained that following Hurricane Sandy, the Maryland Historical Trust (MHT) received federal funding to provide grants to areas affected by the storm. A \$70,000 grant was given to the Somerset Historical Trust to hire a consultant to survey and document structures in Crisfield, surrounding county areas and Smith Island for possible inclusion as a National Register Historic District, which differs from a local Historic District in that National does not require building to be subject to strict architectural review. It was stated that if approved, a benefit to the county would be that the properties included in the survey will allow the MHT to more quickly respond to the County when requests are submitted. Mr. Pusey discussed the benefits provided to homeowners who choose to take advantage of tax benefits (with architectural restrictions), as well as noting that there would be no impact to homeowners who choose to not participate. President Laird questioned if an extension to respond can be requested to allow time to receive public input from the residents in the area. Mr. Pusey advised that the MHT will have to notify all property owners within the area, and if enough oppose the designation, he has been told that the project will not move forward. The benefits of listing in the National Register was reviewed in detail as well as what is not a part of the National Register Program.

President Laird expressed his concern that the resident’s in the area may not be informed, and questioned the deadline of the Clearinghouse Review being before time has been given to receive public input which is October 29, 2017. The Board discussed various options that are available which included the possibility of requesting an extension if possible.

Mr. Richard Crumbacker, a property owner within the mentioned area, expressed his concerns, which included the additional oversight that will be implemented. Mr. Pusey offered to provide additional information and clarification to Mr. Crumbacker after the meeting.

Commissioner Fisher made a motion to submit a “no comment, opposition or extension” response. As the discussion continued, Commissioner Fisher withdrew his motion.

Response coding was reviewed. Commissioner Boston then made a motion to code the Clearinghouse Review regarding the “Historic Nomination” noted as the Asbury Neighborhood Historic District (Lawsonia) presented as R-2 (CONTIGENT UPON CERTAIN ACTIONS: It is generally consistent with our plans, programs and objectives contingent upon certain actions being taken as noted in the attached comment(s)); with the following comment: “The Board of Commissioners for Somerset County unanimously request that a Public Hearing be held to receive citizen input/comment from the residents residing within the designated area regarding the project”. Commissioner Fisher seconded the motion. The motion carried 5-0.

Mr. Pusey left the meeting at this time.

Mr. Taylor continued the meeting with correspondence and discussion items.

A letter was received from the Maryland Department of Commerce, advising of the availability of the FY17 Private Activity Bond Allocation in the amount \$246,975,150 for reallocation. The Board had never requested a re-allocation in the past, and did not take any action at this time.

A letter was received from Dr. John Gaddis, Somerset County Public Schools, advising that the Board of Public Works has invited local superintendents, board members and representatives as well as legislators to appear at the October 18, 2017 hearing regarding the local FY19 CIP request. Five to eight minutes will be provided to each county to present information. Dr. Gaddis also included as an attachment, a copy his presentation.

A letter was received from County Executive Steven R. Schuh, explaining the Not My Child initiative which invited Somerset County to participate in the program. The letter explained that Not My Child focuses on providing awareness by providing the facts on the misuse of illegal and legally prescribed drugs and the escalation of heroin use in our communities. The success of the initiative was also mentioned. The Board requested that the information be shared with our various departments involved with this horrible epidemic.

A request was received from Mr. Mike Pennington, Executive Director, Tri-County Council for the Lower Eastern Shore of Maryland requesting Somerset County nominees for the Tri-County Council Executive Board Chair and 3<sup>rd</sup> Vice Chair positions.

A motion was made by Commissioner Boston, and seconded by Commissioner Simpkins to nominate President Randy Laird as Chair. The motion carried 5-0.

A motion was made by Commissioner Boston, and seconded by Commissioner Fisher to nominate Commissioner Rex Simpkins as 3<sup>rd</sup> Vice Chair. The motion carried 5-0.

Mr. Taylor next presented a request to rescind a property purchase received from Summertime Holdings, LLC for the Boards consideration. He began by explaining the timeline associated with the transaction that began with a letter received on August 3, 2017 from Attorney Philip C. Widdowson requesting, on behalf of an unnamed client, to purchase Tax Account No. 05-088216 in the amount of \$5,747.00. The offer was presented during the Commissioner's Special Session meeting held on August 15, 2017, and approved. During the August 29, 2017 Work Session, the process of mailing letters to adjacent property was approved by consensus, offering adjacent property holders the opportunity to purchase the property at 50% deed value. On September 22, 2017, a letter was sent to adjacent property owner Malcom and Audrey Rote, advising them as adjacent property owners the opportunity to purchase the property for \$508.50. Mr. Rote contacted Jody Rote regarding the letter. On October 9, 2017, Ms. Rote advised of the letter received by Mr. Rote. On October 10, 2017 a letter was received from Summertime Holdings, LLC requesting to rescind their offer to purchase. It was noted that Summertime Holdings, LLC is not an adjacent property owner.

Various options were considered. Following the discussion, it was the consensus of the Board to not accept the request to rescind, and authorize President Laird to sign the deed, accepting the offer made by Summertime Holdings, LLC to purchase the property for \$5,747.00.

Mr. Taylor distributed the spreadsheet for the Boards consideration and approval, containing the next group of offers received from adjacent property owners to purchase county owned properties obtained through tax sale foreclosure, advising them of the opportunity to purchase the properties for 50% of the recorded deed value plus closing costs.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Boston, it carried 5-0 to approve the sale of 1.309 Acres (15-015004) to Mr. Bernard A. Blair Jr., in the amount of \$241.00 plus closing costs.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Simpkins, it was approved to sell .50 acres on Ballard Road (14-004173) to Ike and Janice Humphrey in the amount of \$340.00 plus closing costs. The motion carried 5-0.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Boston, it was approved to sell a .10 Acre back lot, 104B Cove Street (07-124260) to James H. Ford in the amount of \$500.00 plus closing costs. The motion carried 5-0.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Simpkins, it was approved to sell a .26 Acre lot, 112 Cove Street (07-121407) to James H. Ford in the amount of \$281.00 plus closing costs. The motion carried 5-0.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Boston, it was approved to sell a 25 x 150 lot, 114 S. Fourth Street (07-118449) to the City of Crisfield in the amount of \$1,175.00 plus closing costs. The motion carried 5-0.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Fisher, it was approved to sell property on .974 acres, Crisfield Highway (03-048977) to Swift Farms, Inc. in the amount of \$224.00 plus closing costs. The motion carried 5-0.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Boston, it was approved to sell property .592 acres on Byrdtown Road (12-004435) to Mr. Rakesh Sharma in the amount of \$1,404.00 plus closing costs. The motion carried 5-0.

Upon a motion made by Commissioner Mathies, and seconded by Commissioner Simpkins, it was approved to .179 acres, 30805 Division Street (15-008091) to Andrew and Sandra Horsey in the amount of \$883.50 plus closing costs. The motion carried 5-0.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Simpkins, it was approved to sell .723 acres, Maryland Avenue (07-126247) to King and Tina Stade in the amount of \$555.00 plus closing costs. The motion carried 5-0.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Simpkins, it was approved to sell a 2 acre lot, Perryhawkin Road (15-016477) to Roger Richardson/RW Associates LP in the amount of \$563.50 plus closing costs. The motion carried 5-0.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Simpkins, it was approved to sell .50 acres on Riley Roberts Road (11-001173) to John and Beverly LeCates in the amount of \$158.50 plus closing costs. The motion carried 5-0.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Simpkins, it was approved to sell .25 acres, 26758 Walter Jones Road (12-007175) to John and Beverly LeCates in the amount of \$488.50 plus closing costs. The motion carried 5-0.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Simpkins, it was approved to sell a .25 Acre lot, 26758 Walter Jones Road (12-007175) to Natalie and Steven Brown in the amount of \$488.50 plus closing costs. The motion carried 5-0.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Boston, it was approved to sell 2 acres, Tulls Corner Road (03-047997) to Anthony Bivens for Dora Tilghman Shedreick in the amount of \$175.50 plus closing costs. The motion carried 5-0.

With no further business, at 3:02 p.m., the Board was advised of the need of a Closed Session. Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Fisher, it carried 5-0 to enter into Closed Session by Authority of State Government Article of the Annotated Code of Maryland Section §3-305 (b)(1)(i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; and (b)(7) consult with counsel to obtain legal advice.

At 4:03 p.m. the Open and Closed Session meetings were adjourned.

Approved by:



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Board of County Commissioners  
For Somerset County

Respectfully Submitted:



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Lory E. Ebron  
Executive Secretary