



AGENDA
December 12, 2017
BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
11916 Somerset Avenue
Room 111/Meeting Room
Princess Anne, MD 21853
2:00 p.m.

Appointments:

- 2:00 p.m. - Proclamation Presentation- Crisfield Crabbers Field Hockey Team
- * 2:05 p.m. - Mr. Mark Konapelsky, Ms. Dee Savarese DTCS/Request for Proposals-Hurricane Sandy
 - 7490 Lower Hill Road, Westover MD
 - 10450 Champ Road, Princess Anne, MD
- * 2:10 p.m. - Dr. John Gaddis, Ms. Linda R. Johnson, Somerset County Public Schools
 - FY18 Budgetary Transfers
- * 2:20 p.m. - Mr. Clint Sterling, Director, Recreation and Parks
 - Bike Trail
 - Trail Mix Grant Agreement
 - Lights/Recreation and Parks Fields
- 2:30 p.m. - Mr. Eddie Somers, President, Smith Island United/Presentation

Correspondence:

Received

- Mr. Craig Stofko, Somerset County Health Department re: Unspent County Funds
- * Ms. Wendy R. Clough, Treasurer/Church of God re: Waiver of Tipping Fee Request
- Ms. Cindy Stone, DHCD re: Application Approval Seton Center/Committee for Homeless

Sent

- Mr. Constantine Liza re: Property Donation
- Mr. Ed Goyda, Director re: Somerset County Board of Trustees Appointment
- Mr. Julian Vismale re: Property Purchase
- Mr. Philip Myers re: Property Purchase

Discussion:

- * 1. Surplus Property Sale
- * 2. Proclamation Approvals
- * 3. Somerset Committee For the Homeless-payment/mortgage release
- * 4. Adult Guardianship Review Board Vacancy (2)
- * 5. Agricultural Reconciliation Board Vacancy (1)
- * 6. Sanitary District Vacancy (1)

3:00 p.m. - Closed Session- Mr. Ralph Taylor, Erica Yeager, Julie Widdowson, Gene Adkins, Willis Dryden, 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 DECEMBER 12, 2017

At 2:00 p.m., the Board of County Commissioners for Somerset County opened in Regular Session upon a motion made by Commissioner Fisher and seconded by Commissioner Boston. The motion carried 5-0.

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.

Closed Session Summary Report December 12, 2017

On December 12, 2017, at 2:58 p.m. until 4:02 p.m., at 11916 Somerset Avenue, Room 111, upon a motion made by Commissioner Simpkins and seconded by Commissioner Boston, it carried 5-0 to enter into Closed Session by Authority of State Government Article of the Annotated Code of Maryland §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 §3-305 (b)(7) consult with counsel to obtain legal advice.

Present for the Closed Session Meeting were President Randy Laird, Vice President Charles F. Fisher, Commissioner Jerry S. Boston, Commissioner Rex Simpkins and Commissioner Craig Mathies Sr. Also present were County Administrator Ralph D. Taylor, Executive Aide Lory Ebron, Attorney Kirk Simpkins, HR Director Erica Yeager, Tourism Director Julie Widdowson, Finance Director Gene Adkins and Tax Supervisor Willis Dryden.

Topics discussed were: (1) Notification of employee retirement (2) hiring (3) promotion request (4) pending litigation. Actions taken during closed session: (1) Hiring of a Part-Time Tourism Office Assistant I (2) Approval for reclassification/Court House employee (3) Approval to proceed.

President Laird called the meeting to order. Meeting minutes were presented for approval.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Fisher, it carried 5-0 to approve the Commissioner and Closed Session meeting minutes as presented from November 28, 2017 and the Work Session meeting held on December 5, 2017.

First, President Laird asked Coach Jenni McDorman, accompanied by Mr. Charles McDorman, to come forward to accept a proclamation recognizing the Crisfield High School Girls Field Hockey Team for their outstanding 2017 season. After reading the proclamation into record, President Laird asked the Lady Crabbers to come forward, and the Board congratulated the entire team present today for their accomplishment.

Mr. Mark Konapelsky came forward to accept sealed bids received with regard to Requests for Proposals (RFP) for the replacement of two houses due to Hurricane Sandy damage. President Laird proceeded to open the following sealed bids received as follows:

7490 Lower Hill Road, Westover, MD

<u>Bidder</u>	<u>Bid Amount</u>	<u>Bond Bond</u>
Farina Construction	\$132,900.00	Y
Ken Build, Inc.	\$127,500.00	Y
Myers Group, LLC	\$152,900.00	Y

10450 Champ Road, Princess Anne, MD

Farina Construction	\$131,600.00	Y
Ken Build, Inc.	\$127,500.00	Y
Myers Group, LLC	\$157,900.00	Y

Following the opening of the bids, Mr. Konapelsky was asked if would like to make a recommendation, or be allowed time to review the RFP's presented. Mr. Konapelsky stated he would like to get these projects moving before bad weather sets in, and requested both bids be awarded to the low bidder, Ken Build, Inc., in the amount \$127,500.00 for 7490 Lower Hill Road, Westover, MD and \$127,500 for 10450 Champ Road, Princess Anne, MD. The Board agreed to the request; however they asked Mr. Konapelsky to provide a letter of review.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Boston, it carried 5-0 to award both housing projects (7490 Lower Hill Road, Westover, MD for \$127,500 and 10450 Champ Road, Princess Anne, MD. For \$127,500), to Ken Build, Inc. with the understanding Mr. Konapelsky will provide his statement of review. Mr. Konapelsky left the meeting at this time.

Ms. Linda R. Johnson, Somerset County Public Schools came forward to present the FY18 Inter-Category Budget Transfers and Budget Amendment request for consideration. She

apologized that Dr. Gaddis was unable to come to our meeting today as he had an important engagement to attend. The request being presented today was noted as being the first transfer request for the FY18 season and was requested as follows:

<u>Category:</u>	<u>Amount of Transfer:</u>
Instructional Salaries	\$ 31,000
Special Education	(25,000)
Student Personnel Services	28,000
Health Services	31,000
Operation of Plant	(46,000)
Fixed Charges	(19,000)
	<hr/>
	\$0.00

Following review of the transfer request, a motion was made by Commissioner Boston and seconded by Commissioner Simpkins to accept the budgetary transfers as presented. The motion carried 5-0. Ms. Johnson left the meeting at this time.

Mr. Clint Sterling, Director of Recreation and Parks now came forward. First, he discussed a problem that exists with the field lights at the Centralized Athletic Facility in Westover. The original electrical service at the facility is not providing enough amperage and through the course of time, and after speaking with developers and other contractors, a plan has been obtained. Mr. Sterling presented a proposal from Robert J. Purnell, Jr., submitted in the amount of \$7,000 for estimated labor costs to install adequate electrical services. Additionally, a masonry wall has been recommended to be built where a current wooden wall is housing the electrical boxes by Mr. Purnell. Mr. Sterling noted that the masonry wall will be built by county employees. Mr. Taylor clarified that although the cost estimate, in the amount of \$7,000 falls below Mr. Sterling's approval threshold, he is requesting an overage to his budget in the amount of \$10,000 to complete the project. Mr. Sterling added that the additional \$3,000 is being requested as a "Contingency Balance" for the project. Commissioner Mathies asked if the project is urgent or if can wait and be requested within next year's budgetary request. Mr. Sterling replied he would like to be up and running by the spring season. Commissioner Boston questioned if other bids received were higher. Mr. Sterling replied yes, noting that the proposal presented today is the best avenue, and the vendor does good work.

A motion was made by Commissioner Simpkins to accept the proposal submitted by Mr. Purnell, and authorizing a budget overage up to \$10,000.00 for the project presented to correct

the amperage issue at the Westover fields. Commissioner Fisher seconded the motion. The motion carried 5-0.

Mr. Sterling next presented a Memorandum of Understanding (MOU) between the Somerset County Health Department and the Somerset County Department of Recreation and Parks. Noting this is the fourth and final year for funding, the MOU outlines services to be provided for the Healthiest Maryland-State and Local Public Health Actions. The agreement, in the amount of \$11,000 will be effective today through June 30, 2018.

A motion was made by Commissioner Fisher and seconded by Commissioner Boston to authorize Ralph D. Taylor, County Administrator, to sign the MOU as presented. The motion carried 5-0.

Next, Mr. Sterling proudly advised the Board that funding for Phase I of the Route 413 Hiker-Biker Trail from Crisfield to Marion Station has been awarded to Somerset County Recreation and Parks in the form of two Maryland Department of Transportation grants. The combined grant awards totaling \$4,950,099.00 appears to be the largest grant award in the State for these very competitive programs. Mr. Sterling advised that his department in conjunction with the Public Works Department will move forward in adherence of the timeline with planning continuation and permitting with the Boards acceptance.

Mr. Sterling then requested the Boards approval to authorize President Laird to sign a letter drafted from Mr. Sterling/Department of Recreation and Parks which describes the use of the grant, and concurrence that construction of the proposed Crisfield Bike Path project is solely for the purpose of preserving or enhancing on activity, feature, or attribute that qualifies the property for Section 4(f) protection and that the proposed project would meet the requirements of a Section 4 (f) exception under 23 CFR 774.131 (g).

Upon a motion made by Commissioner Boston, and seconded by Commissioner Fisher, it carried 5-0 to authorize President Laird to sign the letter as presented. Mr. Sterling left the meeting at this time.

Mr. Eddie Somers, President, Smith Island United came forward. Mr. Somers expressed his gratitude to the Board of Commissioners for their support and the investment, effort and time

that has been put into Smith Island. Mr. Somers stated that just three years ago, the island was just trying to survive; and now there's potential.

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

A letter was received from Health Officer Mr. Craig Stofko advising that the Somerset County Health Department will be returning \$532,917.73 in unspent county funds back to the county. Mr. Taylor advised that Finance Director Gene Adkins has told him all the funds have been received.

A letter was received from The Church of God, Crisfield, Maryland who have determined the need to demolish a house beside their church. They have requested the Boards consideration to waive the landfill tipping fee regarding the debris that will be hauled away.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Mathies, it carried 5-0 to approve the waiver request of landfill tipping fees as requested.

A letter was received from Ms. Cindy Stone, DHCD, advising that the applications on behalf of Catholic Charities, Inc., and the Somerset Committee for the Homeless, Inc., have been tentatively approved. The county will be required to publish a notice in the local newspaper which identifies a location and dates where the public may review and provide comment regarding the submitted applications before final approval is given.

Next, Mr. Taylor presented offers received since the last meeting to purchase county owned properties obtained through tax sale foreclosure, which advised of the opportunity to purchase the properties for 50% of the recorded deed value plus closing costs.

Mr. Taylor advised that during the October 31, 2017 meeting, the Board approved the sale of 3239 Lawsonia Road (Map 0072 Grid 0017 Parcel 0531) in the amount of \$1,959.00 plus closing costs to Mr. Wesley Townsend, Jr. Mr. Townsend has advised that in his letter, he offered \$1,500.00 plus closing costs to purchase the property.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Fisher, it carried 5-0 to approve the sale of 3239 Lawsonia Road (Map 0072 Grid 0017 Parcel 0531) in the amount of \$1,500.00 plus closing costs as offered by Mr. Wesley Townsend Jr.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Simpkins, it carried 5-0 to approve the sale of 23309 Custom House Road (Map 0028 Grid 0018 Parcel 0377) to Ms. Amy Brownawell and Mr. Ronald Howard Jr., for \$368.00 plus closing costs.

Two proclamations were presented for approval. The first was to Ms. Denise E. MacLeish in recognition of her retirement from Government Service.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Fisher, it carried 5-0 to approve the proclamation for Ms. Denise E. MacLeish.

The second proclamation will proclaim Monday January 15, 2018 to be observed as Reverend Dr. Martin Luther King, Jr. Day to honor Dr. King's life and spirit through remembrance and celebration.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Simpkins, it carried 5-0 to approve the proclamation to proclaim Monday January 15, 2018 to be observed as Reverend Dr. Martin Luther King, Jr. Day.

Mr. Taylor advised of a loan made from Ms. Bonita Porter to the Somerset Committee for the Homeless, Inc., on April 18, 2012. A request has been received to disburse payment in the amount of \$33,200.00 to Ms. Porter from the allocation budgeted for the Somerset Committee for the Homeless, Inc., for repayment of the loan. It was noted that \$50,000 was allocated for this fiscal year; with \$15,000 used.

On a motion made by Commissioner Simpkins, and seconded by Commissioner Mathies, it carried 5-0 to approve the allocation request for \$33,200.00 to Ms. Bonita Porter for repayment of the loan as described. It was noted that the lien release was dated December 1, 2017.

Mr. Ron DeClement, Princess Anne Maryland requested to address the Board. Mr. DeClement expressed his concerns regarding the involved solar companies being LLC's stating that if they walk out, the county will be stuck. He questioned if some sort of bond could be required as protection to protect from decommissioning. He stated that if the Power Purchase Agreement is pulled, we are also stuck. He noted the risk of having no way to get rid of the solar panels installed. He asked the Board to take a strong look at these issues and it could end up being a big problem for the county. He discussed the requirement of buffering and showed

examples of the plants that have been planted which he feels will not adequately provide the buffering. He stated that out of the list of fourteen plants they could choose from, they chose the four cheapest on the list. He requested the Board speak to the company and request they plant cedars or pines. The plants chosen will not provide buffering for at least 10 years in his opinion. Mr. DeClement asked for comment regarding his decommissioning concerns. President Laird advised that due to pending litigation the board was not able to provide any comment at this time.

Mr. John Schermerhorn, Princess Anne Maryland also requested to address the Board. He stated he agreed with Mr. DeClement, and asked that when making decisions for the future, and that consideration be given to the effects the projects will have on the environment and tourism. He expressed his concern about contamination from the solar panels and the creation of a brownfield, mentioning the Carvel Hall situation. He stated no one is to blame, but it is up to the board to find a solution that is environmentally correct. He mentioned income received from campers at Janes Island State Park, and the impact Carvel Hall may have. President Laird clarified that the county has nothing to do with Carvel Hall. Mr. Schermerhorn stated that since Crisfield is within the county, he was hoping that it would be a leg of the county, and responsibility would fall on all hands. He addressed the decommissioning plan, and asked that long term insight be kept in mind. He noted the age of the Kings Creek Bridge (S-0023) over Old Princess Anne Road, and expressed his concern of the adequacy and size of the bridge to handle additional truck traffic. He named other area residents who share his concerns and in closing briefly discussed the meeting held at Carvel Hall, and asked the board to consider the amount of traffic projects will generate and the safety of the bridges.

With no further business, at 2:58 p.m., the Board was advised of the need of a Closed Session. Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Boston, 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 4:02 p.m. the Open and Closed Session meetings were adjourned.

Approved by:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Lory E. Ebron
Executive Aide