



**AGENDA**  
**May 30, 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. - Public Hearing- Mr. Gary Pusey and Mr. Tom Lawton/ DTCS/Growth Tiers Map
  - Approval for FY18 Critical Area Grant Agreement
- \* 2:15 p.m. - Bid Opening – Replacement Housing/Disaster Recovery- Mr. Mark Konapelsky  
31105 Turkey Branch Road
- \* 2:20 p.m. - Dr. John Gaddis and Ms. Linda R. Johnson, Somerset County Public Schools
  - FY2017 Inter-Category Transfers
- 2:30 p.m. - Proclamation Presentation- Holly Grove Archery Team
- \* 2:50 p.m. - Ms. Erica Ruiz- Somerset County Handbook Updates/Revisions

**Correspondence:**

**Received**

- \* Maryland Department of Planning Clearinghouse Review
  - re: Real Property Transfer/Crisfield Freight Rail Line
- Maryland Department of Planning re: LUCA/Building Blocks for Census Success

**Sent**

- Somerset County Tourism Commission re: Burgess Project
- Somerset County Liquor Control Board re: Use of County Vehicle
- The Oriole Historical Society, Inc. re: LOS FY18 African American Heritage Preservation Grant
- Somerset Committee for the Homeless, Inc. re: Letter of Support/Grant Funding

**Discussion:**

- \* 1. LOS Requests:
  - City of Crisfield/ RMC and CDBG - Pumping Station
  - City of Crisfield/ Long Term Recovery Community Legacy Program-New Home
  - Sanitary District/ RMC -Smith Island Wastewater Project
  - Friends of Teackle Mansion/National Trust for Historic Preservation-First Floor Renovations
  - Town of Princess Anne/Community Legacy-Parking Lot

**3:30 p.m. - Closed Session – Ralph D. Taylor, Kirk Simpkins**

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 (a) (3) consider the acquisition of real property for a public purpose and matters directly related thereto; and (a) (7) Consult with counsel to obtain legal advice.

- \* Denotes Action Item

BOARD OF COUNTY COMMISSIONERS  
FOR SOMERSET COUNTY  
TUESDAY MAY 30, 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 Craig N. 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.

Meeting minutes were approved later in the meeting.

At 2:00 p.m., President Laird called the Public Hearing open with regard to an amendment to the Somerset County Comprehensive Plan. Mr. Gary Pusey, Director of Technical and Community Services, and Mr. Tom Lawton, came forward. Mr. Taylor proceeded to read into record the following notice of Public Hearing:

"NOTICE OF PUBLIC HEARING BOARD OF COUNTY COMMISSIONERS  
FOR SOMERSET COUNTY AMENDMENT TO THE SOMERSET COUNTY  
COMPREHENSIVE PLAN

Tuesday, May 30, 2017 at 2 P.M.  
County Commissioners' Meeting Room, Room 111, 11916 Somerset Avenue  
Princess Anne, Maryland

In accordance with Section 3-203(b) of the Land Use Article of the Maryland Annotated Code, notice is hereby given that the Board of County Commissioners for Somerset County will hold a Public Hearing regarding an amendment to the County's Comprehensive Plan. The County Commissioners will hold a Public Hearing to solicit input from the public prior to making a decision. The Planning Commission has forwarded a favorable recommendation to the County Commissioners on the proposed amendment.

Fair Summary

The proposed amendment will incorporate the County's "Growth Tiers Map" and accompanying text into the County's Comprehensive Plan, fully implementing the requirements of the Sustainable Growth and Agricultural Preservation Act of 2012. The Growth Tiers Map to be incorporated into the County Comprehensive Plan was adopted by the County Commissioners on Dec. 18, 2012.

For further information please contact the Somerset County Department of Technical and Community Services at 410-651-1424. Board of County Commissioners for Somerset County Ralph D. Taylor, County Administrator."

Mr. Lawton explained that in response to State legislation passed 2012, the Board of Commissioners for Somerset County adopted a "Growth Tiers" map that regulated where

residential development on septic systems could occur based on the mapping of four “tiers”. Mr. Lawton next summarized the tier breakdowns as follows:

Tier 1- areas currently served by public sewer

Tier 2- areas planned to be served by public sewer

Tier 3 - areas defined as ‘Rural Village’, planned for large lot development or mapped  
‘Locally Designated Growth Areas’

Tier 4 - areas planned for preservation

He advised that the Planning Commission held its Public Hearing on March 2, 2017, and voted favorably to recommend the amendment to the Comprehensive Plan include the Growth Tiers Map and accompanying text to the Board of County Commissioners.

President Laird asked if there were any opponents or proponents present wishing to speak. There were none. Public comment will be taken for ten days, until June 9, 2017. The Public Hearing was declared closed at 2:04 p.m.

Next, Mr. Pusey presented for the Boards approval the Fiscal Year 2018 Critical Area Grant Agreement in the amount of \$15,000. Mr. Pusey explained that this grant agreement will be used towards administrative costs related to the Critical Area Program.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Fisher, it carried 5-0 to approve the President’s signature on the FY18 Critical Area Grant Agreement as presented.

Mr. Lawton left the meeting at this time.

Lastly, Mr. Pusey asked Ms. Annette Cottman, Housing Rehab Specialist, to come forward. He complimented Ms. Cottman on the fantastic job she has done, and continues to do for this program. He then presented for the Boards consideration, a grant mortgage release request in the amount of \$24,160.00 for Mr. Carroll Sterling of 26651 Walter Jones Road, Crisfield Maryland. He explained that Mr. Sterling has applied to refinance his balloon note mortgage, and unless the county releases this 15 year grant mortgage, originated on July 11, 2013, his loan refinance will not be approved, and he will most likely lose his home. It was noted that an expired grant mortgage lien as well as a subordination request presented from the lender, Hebron Savings Bank, was approved during the May 2, 2017 meeting. Mr. Pusey also advised that Ms. Cottman has spoken to Ms. Anne Stringer with the Maryland Department of Housing and Community Development who said the decision to release this mortgage is up to the Board of County Commissioners, adding that the state has no problem if the release is

granted. President Laird added that he has spoken to Mr. Sterling, and was told that the refinance is intended to pay off the balloon note balance, and there will be no cash out, and he appreciated the Boards consideration to release the lien as requested.

Upon a motion made by Commissioner Mathies and seconded by Commissioner Simpkins, it carried 5-0 to approve the President’s signature on the grant mortgage and release for Mr. Carroll Sterling in the amount of \$24,160.00.

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

Mr. Mark Konapelsky now came forward to accept sealed bids received with regard to Disaster Recovery Replacement Housing for 31105 Turkey Branch Road, Westover, MD. President Laird proceeded to open and read aloud the following bids received:

<u>Bidder:</u>	<u>Amount:</u>	<u>Bid Bond:</u>
Farina Construction	\$129,900.00	Y
Ken Build, Inc.	\$127,650.00	Y

Following the bid opening, Mr. Konapelsky requested the opportunity to review the bids submitted, and return with a recommendation.

At this time, the meeting was moved outside to the front lawn in order to present a Proclamation to the Holly Grove Archery Team to congratulate them for their accomplishments achieved while competing in the 2017 State and National competitions.

Upon returning to the board room, Dr. Gaddis and Ms. Linda R. Johnson, Somerset County Public Schools came before the Board to present another Inter-category Budgetary Transfer and Budget Amendment for FY17 request, within the approved FY17 Operating Budget as shown below:

<u>Category:</u>	<u>Amount of Transfer:</u>
Administration	\$ 5,000
Mid-Level Administration	30,000
Special Education	60,000
Student Personnel Serv	2,000
Health Services	2,000
Student Transportation	20,000
Fixed Charges	<u>(119,000)</u>
	\$0.00

On a motion made by Commissioner Simpkins, and seconded by Commissioner Boston, Inter-category Budgetary Transfer and Budget Amendment for FY17 request was approved as presented. Commissioner Fisher abstained; therefore the motion carried 4-0-1.

President Laird then advised Dr. Gaddis of two complaints he received relating to the school grass cutting bids, and asked about the process to which the bids were advertised. Dr. Gaddis explained that the project was broken down to the individual school district areas. Eight

bid spec packages were sent out to contractors within the county who carried insurance, and were either incorporated or Subchapter S corporations. He advised of the eight packages sent out, only one was received back, and therefore awarded. Dr. Gaddis advised that the grass cutting bid requests will be placed out for bid yearly, and any qualified contractors will be welcomed to submit a bid. Dr. Gaddis and Ms. Johnson left the meeting at this time.

Ms. Erica Ruiz, HR Director, came before the Board to present needed revisions to the Somerset County Employee Handbook of Governing Rules and Regulations. The three proposed changes were noted as follows:

- (1) Page 53, F.3. – Raters- Replace the final sentence with: “An employee may elect to appeal his/her rating to the Endorser, the Human Resources Director and the County Administrator, in that order.”
- (2) Page 41, I. – Workers’ Compensation – Add g. “While out on accident leave with full pay, the employee will be paid for holidays as they occur and this time will not count against FMLA leave.”
- (3) Page 48, 7. – Death in Employee’s Immediate Family – “Employee is entitled to up to three (3) consecutive days of bereavement leave upon notification of a death in the Employee’s immediate family.” Add - “The type of family member must be identified at the time of notification.”

Following the review of recommended changes, the Board was in consensus to have the revisions made to the Employee Handbook as presented. A resolution will be presented for formal approval at the next scheduled Commissioner’s meeting. Ms. Ruiz left the meeting at this time.

Meeting minutes as noted below, presented for the Boards approval, were approved upon a motion made by Commissioner Boston and seconded by Commissioner Simpkins. The motion carried 5-0:

Commissioner Meeting held May 16, 2017

Public Hearing Meeting held May 16, 2017

Closed Session Meetings held May 16 and May 23, 2017

Special Session Meeting held May 23, 2017

Mr. Taylor continued with correspondence and discussion items.

A State Clearinghouse Review project was received for comment, which was submitted by the Maryland Department of Transportation. The project is for an Interagency Transfer from MTA to the State Highway Administration relating to the Crisfield Freight Rail Line Property and the proposed creation of the Rails to Trails project from Crisfield to Westover. A C-5 designation was recommended for this project.

Therefore, upon a motion made by Commissioner Boston, and seconded by Commissioner Fisher, it carried 5-0 to submit a C-5 designation for the project as recommended.

Correspondence was received from the Maryland Department of Planning advising of preparations for the 2020 U.S. Census effort. Local jurisdictions are eligible and encouraged to participate. Mr. Taylor advised the Board that Mr. Tom Lawton will be attending the meeting on behalf of Somerset County.

Commissioner Fisher left the meeting for a brief moment and returned.

Mr. Taylor then presented the following letters of support for the Board's approval regarding various grant submissions as follows:

The City of Crisfield's application for a Community Development Block Grant (CDBG) and Rural Maryland Council Prosperity Investment Fund Grant (RMPIF) to assist with the cost of funding a new wastewater pumping station at Rubberset.

On a motion made by Commissioner Simpkins, seconded by Commissioner Boston, it carried 5-0 to authorize President Laird to sign the two letters of support regarding grants submitted to the CDBG and RMPIF regarding the new wastewater pumping station at Rubberset.

The City of Crisfield's application for a Community Legacy grant to build a new home in Crisfield.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Boston, it carried 5-0 to authorize Mr. Taylor to sign the letter of support for a Community Legacy grant as presented.

A letter of support request received from the Somerset County Sanitary District to the Rural Maryland Prosperity Investment Fund (RMPIF) for funding to support design and construction needs associated with the Smith Island Clean Water Project (SICWP).

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Boston, it carried 5-0 to authorize President Laird to sign the letter of support presented by the Somerset County Sanitary District as presented.

A letter of support requested by the Friends of Teackle Mansion for their application of a grant application from the Bartus Trew Providence Preservation Fund for further restoration work at the Teackle Mansion.

Upon a motion made by Commissioner Boston, seconded by Commissioner Fisher, it carried 5-0 to approve the President to sign the letter of support requested by the Friends of Teackle Mansion as presented.

A letter of support request presented by the Town of Princess Anne for Community Legacy funds to acquire the abandoned lumber yard located at 11778 Church Street, which will be redeveloped as a municipal parking lot.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Fisher, it carried 5-0 to authorize President Laird's signature on the letter of support for the Town of Princess Anne as presented.

With no further business, at 2:40 p.m., 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 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 (a) (7) consult with counsel to obtain legal advice.

Upon a motion made by Commissioner Boston and seconded by Commissioner Simpkins, it carried 5-0 to adjourn the Open and Closed Session Meetings at 3:44 p.m.

Respectfully Submitted:



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Lory E. Ebron

Executive Aide



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Approved by:  
Board of County Commissioners  
For Somerset County