



AGENDA
March 6, 2018
BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
11916 Somerset Avenue
Room 111/Meeting Room
Princess Anne, MD 21853
1:00 p.m.

Appointments:

- * 1:00 p.m. - Mr. John Redden, Public Works, Mr. Gary Pusey, DTCS Director and Mr. Woody Barnes, Roads Director
 - Beneficial Use of Dredge Material
- * 1:15 p.m. - Mr. John Redden, Mr. Charles Cavanaugh Director of Solid Waste and Maintenance
 - Proposed Treasurer's Office Renovations
- * 1:25 p.m. - Ms. Erica Yeager, HR Director
 - Sick and Safe Leave Policy

Correspondence:

Received

Big Brothers/Big Sisters of the Eastern Shore re: Change a Story – Change a Life
Charter Communications re: Upcoming Changes /Travel Channel
Charter Communications re: Upcoming Changes/Telemundo Channel

Sent

- Judge Daniel W. Powell re: LOS/Somerset County Recovery Court
- * Senator James N. Mathias, Jr., re: SB714- Possession of Medical Cannabis in Correctional Facilities
 - Ms. Karen Brimer re: Letter of Appreciation/Not My Child Initiative
 - Mr. Willis Dryden, Supervisor re: PDA Tax Levy Rates FY18-19

Discussion:

- * 1. Surplus Property
- * 2. Crisfield A & E District/Resolution
- * 3. Charter Franchise Agreement/Ordinance
- * 4. Agricultural Reconciliation Board Vacancy (1)
- * 5. Lower Shore Workforce Alliance Vacancy (2)

1:45 p.m. - Closed Session- Ralph D. Taylor, Erica Yeager, Kirk Simpkins

Authority of State Government Article of the Annotated Code of Maryland, Subtitle 3-305 (b) (1) 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 MARCH 6, 2018

At 1:00 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.

Closed Session Summary Report March 6, 2018

On March 6, 2018, at 1:52 p.m. until 2:56 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, Subtitle 3-305 (b)(1) 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.

Present for the Closed Session Meeting were President Randy Laird, Commissioner 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, HR Director Erica Yeager and Attorney Kirk Simpkins. Topics discussed were: (1) requests for employee promotions (2) consult with counsel. Actions taken during closed session: (1) approval to grant employee promotions (2) approval for proposed legislation FY19 (3) approval to seek legal opinion.

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 February 27, 2018.

At this time, Mr. John Redden, Public Works Director, Mr. Gary Pusey, DTCS Director and Mr. Woody Barnes, Roads Director came forward to present a grant opportunity, and request a letter of support.

Mr. Redden explained that we have been advised of a grant opportunity that is available through Maryland Department of Natural Resources (DNR)/US Army Corps of Engineers (Corps) for a Beneficial Use of Dredge Material Grant application. The Corps is asking applicants to think “outside of the box” and find creative uses for the spoil. A conference call was held with DNR representatives to discuss allowable uses. It is being recommended that this grant be used to offer benefits to our Ewell, Rhodes Point and Tylerton communities to allow the use of dredge material for lot filling and harbor protection (mainly Smith Island) in these communities. It was noted that this is a pilot program, and will be at no cost to the county, with the grant application due by March 12, 2018. DNR will be the applicant, with the county being noted as the “local collaborator”. A letter of support has been requested to be submitted with the application. Mr. Barnes explained that we will be in competition with other areas throughout the country for the grant opportunity. Our biggest goal is to find uses for dredge spoil that is in our sites now, and how it can be utilized. Mr. Barnes commented on the struggles to find dredge spoil sites, and uses of that spoil. Current spoil sites were discussed, and it was noted that only one site is county owned. It was questioned if spoil will be from new or existing sites. Mr. Barnes advised both; current capacity will be relieved at our current sites and allow room for future use. President Laird questioned if the spoil could be used in Crisfield Tidal Dyke. Mr. Barnes advised that the spoil material would not be beneficial for that purpose.

Following the discussion, a motion was made by Commissioner Fisher and seconded by Commissioner Boston to authorize the letter of support regarding the Dredge Material Grant Application as presented. The motion carried 5-0. Mr. Pusey and Mr. Barnes left the meeting at this time.

With Mr. Redden remaining present, Mr. Charles Cavanaugh, Director of Solid Waste and Maintenance came forward to present a plan that has been drafted by Design Atlantic, in coordination with Judge Powell, regarding the former Treasurer’s Office building. Mr. Taylor explained the current condition of the Annex, and advised that figures for the renovation can be presented today, or during budget deliberations. It was noted that the distributed plan layout has been suggested and found to be acceptable to Judge Powell as the new location for a Masters Court. The plan as presented was reviewed and it was noted that Mr. Redden is looking into any

available grant opportunities. Estimated costs are approximately \$537,000 for the renovation and fees. This estimate did not include demolition of the current Annex building. Actual cost to the county will depend on the amount of grant funding we are able to receive. The Board was in consensus to discuss the proposal further during budget deliberations. Mr. Redden and Mr. Cavanaugh left the meeting at this time.

Ms. Erica Yeager, HR Director was now before the Board to present the Sick and Safe Leave Policy, drafted for the Boards consideration. She explained that effective February 11, 2018, as a requirement of the Maryland Healthy Working Families Act (the Act), employers with 15 or more employees are to provide paid sick and safe leave for part-time employees regularly working 12 or more hours per week. Ms. Yeager explained that the policy draft being presented today offers the minimum amount of paid sick and safe leave required by the Act. A summary of the recommended policy was as follows:

- Sick and safe leave begins to accrue February 11, 2108 at a rate of one hour for every 30 hours the employee works
- An employee may accrue up to 40 hours of sick and safe leave in a year
- An employee may not accrue more than a total of 64 hours of sick and safe leave at any time
- An employee is not able to use accrued sick and safe leave for their first 3 months of employment

Permissible uses of earned sick and safe leave were also included within the policy as well as verification of use and the policy for termination and rehire. Ms. Yeager explained that employers must provide the minimum benefits, however the policy can be amended at a later date. In closing, it was also noted that this policy will be included in our handbook update changes for the year.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Simpkins, it carried 5-0 to adopt the Sick and Safe Leave Policy as presented.

Mr. Taylor continued with correspondence and discussion items.

Correspondence was received from Big Brothers/Big Sisters regarding the Change a story-Change a life program for informational purposes.

Charter Communications has advised of upcoming changes to the Travel and Telemundo programming changes.

A letter addressed to Senator Jim Mathias with regard to SB714- Washington County- Possession of Medical Cannabis in Correctional Facilities was reviewed. Senator Mathias contacted our office to ask if Somerset County would like to be added to this bill. A phone poll

was conducted, and it was approved to draft a letter to Senator Mathias requested Somerset County be added. Mr. Taylor requested the Boards formal approval of the letter for the record.

Upon a motion made by Commissioner Mathies, and seconded by Commissioner Simpkins, it carried 5-0 to approve the letter requesting Somerset County's desire to be added to SB714.

The letter of appreciation sent to Ms. Karen Brimer, for efforts relating to the Not My Child Initiative was noted.

The letter sent to Mr. Willis Dryden, Tax Collection Supervisor advising of the Tax Levy Rates for 2018-2019 was also provided.

With regard to discussion items, Mr. Taylor first provided a sold surplus properties report status for the Boards consideration. Currently, 65 properties have been sold, with 17 that are past due for settlement. It was questioned how the Board wished to handle this issue. These buyers were given 120 to go to settlement. Options included offering an extension or perhaps offering the property to a secondary bidder if there was one.

Following the discussion, Commissioner Fisher made a motion to offer an extension of 30 days to go to settlement. Commissioner Mathies seconded the motion. A discussion was held, and it was felt 40 days would be more sufficient and the buyers should be questioned as to whether they intend to follow through. Therefore, Commissioner Fisher amended his motion to 40 days. Commissioner Mathies rescinded his second. Commissioner Boston seconded the motion to allow a 40 day extension. Commissioner Mathies opposed; therefore the motion carried 4-1-0.

Ms. Jennifer Merritt, Circuit Rider now came forward with regard to the resolution regarding the application to designate the geographic boundaries of the City of Crisfield Arts and Entertainment District (A & E). Mr. Taylor began by providing a summary of events for the A & E proposal as they have occurred to date. Being presented today is the drafted resolution which will support the application for the City of Crisfield Arts and Entertainment District and includes attachments that detail the properties within the designation by parcel and map drawing. Mr. Taylor stated that he requested Ms. Merritt's attendance today to explain a small change made to the map area. Ms. Merritt stated that previously, the parking area for the marina had not been included and they were recommending that the area be extended to cover the Tiki-Bar in the marina to allow the live music events at this location, thereby allowing these types of events to be included in the districts entertainment event reporting. A discussion was then held with

regard to the percentage of the property tax credit to be approved. It was noted that Crisfield will be offering a 100% credit (to abate on improvements to the properties within the district); however the amount of the credit varies and is at the discretion of the Board. President Laird stated that it would be advantageous to the Crisfield Area; and he asked if the Board would get behind it.

A motion was made by Commissioner Simpkins to approve Resolution No. 1130, authorizing an application to the Maryland Department of Commerce to designate the Geographic Boundaries of the City of Crisfield Arts and Entertainment District; and during the designation period approved, a real property tax credit of 100% on improvements to properties within the district. Commissioner Boston seconded the motion. The motion carried 5-0.

Next, Mr. Taylor presented for the Boards approval, Ordinance No. 1131, to authorize execution of the Cable Franchise Agreement between Somerset County and Charter Communication VI, LLC. A "Fair Summary" of the proposed agreement was posted in the local papers on February 28, 2018 and a public hearing had been held on September 22, 2015, to hear public comment. It is felt that what is being presented today is a good agreement, and Mr. Taylor requested the Boards approval of Ordinance No. 1131 as presented. Commissioner Mathies asked about the significant changes to this final agreement. Mr. Taylor summarized some of the changes which included upgrades to technical requirements, the addition of a PEG channel, cable system specifications, the addition of liquidated damages, and upgrades to system requirement specifications. It was noted that the only request they would not agree to was to maintain a local office; however they did make the statement that they have no intention of closing the office.

Upon a motion made by Commissioner Simpkins and seconded by Commissioner Fisher, it carried 5-0 to approve Ordinance No. 1131, to authorize execution of the Cable Franchise Agreement between Somerset County and Charter Communication VI, LLC.

Mr. Taylor was asked about the progress relating to the Comcast service. Mr. Taylor replied that he has been told that Comcast is expected to start work in March, with the Deal Island portion to be completed by the end of June, before the start of the next school year.

Mr. Taylor advised that Tri-County Council for the Lower Eastern Shore of Maryland has advised of two Somerset County vacancies regarding the Lower Shore Workforce Alliance. Members serving on this commission are required to be business representatives.

With no further business, at 1:52 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 Subtitle 3-305 (b) (1) 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 2:56 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