



AGENDA MAY 15, 2018
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. - Mr. Gary Pusey and Ms. Donna Laird, DTCS
 - Bid Opening/Crisfield Armory Feasibility Study
- 2:05 p.m. - Mr. Gary Pusey and Ms. Kristen Tremblay, DTCS
 - Public Hearing/Rezoning Request James P. Thomas III Map 32 Grid 23 Parcel 233
- 2:20 p.m. - Mr. Gary Pusey, DTCS
 - Public Hearing/FY19 Maryland Community Block Grant Application

Correspondence:

Received

- Maryland Department of the Environment re: Maryland Watershed Implementation Plan Ph. III
Department of Public Safety and Correctional Services re: Capital Improvement Request
- * Mr. Gary Pusey, DTCS re: Building and Plumbing Code Appeals Board Reappointments
 - * Mr. Timothy Schadt re: Request for Landfill Tipping Fee Waiver
- Comcast re: New Bill Design
Charter re: Upcoming Changes

Sent

- Mr. Pete K. Rahn, Secretary of Transportation re: Priority Letter for Recommended Transportation Improvements
Dr. John Gaddis, Superintendent SCPS re: FY 18 Inter-Category Budget Transfer Request
Mr. Anthony Stockus, Sanitary District re: Reappointment
Ms. Shannon Frey, Somerset County Health Department re: FY19 Homeless Solutions Program Application

Discussion:

- * 1. Surplus Property
- * 2. James Parkinson-Fee Waiver Request
- * 3. City of Crisfield Letter of Support Request/Community Legacy Application

2:45 p.m. - Closed Session- Ralph D. Taylor, Clint Sterling, Gary Pusey, Erica Yeager

Authority of the General Provisions Article of the Annotated Code of Maryland § 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)(8) consult with staff, consultants or other individuals about pending or potential litigation.

- * Denotes Action Item

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY MAY 15, 2018

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.

Closed Session Summary Report May 15, 2018

On May 15, 2018, at 2:36 p.m. until 3:10 p.m. at 11916 Somerset Avenue, Room 111, upon a motion made by Commissioner Simpkins and seconded by Commissioner Mathies, it carried 5-0 to enter into Closed Session by Authority of the General Provisions Article of the Annotated Code of Maryland §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)(8) consult with staff, consultants or other individuals about pending or potential litigation.

Present for the Closed Session Meeting were President Randy Laird, Commissioner Vice President Charles F. Fisher, Commissioner Jerry S. Boston, Commissioner Craig Mathies Sr., and Commissioner Rex Simpkins.

Also present were County Administrator Ralph D. Taylor, Executive Aide Lory Ebron, Ms. Erica Yeager, Mr. Gary Pusey and Mr. Clint Sterling.

Topics discussed were: (1) Hiring of Building Code Assistant/Field Inspector (2) Hiring of P/T Groundskeeper (3) Pending litigation. Actions taken during closed session: (1) Approval to hire Building Code Assistant/Field Inspector (2) Approval to hire P/T Seasonal Groundskeeper.

Meeting minutes were presented for approval regarding the Commissioner and Closed Session meetings held on May 1, 2018. Commissioner Boston made a motion to accept the minutes from May 1, 2018 as presented. Commissioner Fisher seconded the motion. The motion carried 5-0.

Mr. Gary Pusey and Ms. Donna Laird, Department of Technical and Community Services (DTCS) came forward at this time to accept sealed bids received regarding the Crisfield Armory Feasibility Study. Mr. Pusey explained that the bid request is regarding a feasibility study to be performed on the Crisfield Armory due to damage sustained during Hurricane Sandy. This bid will cover the cost for a study to be performed to determine what needs to be done to make the building feasible. It does not include any construction costs. President Laird proceeded to open the sealed bids received as follows:

<u>Bidder:</u>	<u>Amount:</u>
Davis Buckley Architects & Planners	\$59,945.00
Davis, Bowen and Friedel	\$57,000.00
George Miles & Buhr	\$60,432.00

Commissioner Mathies stepped out of the meeting briefly during the bid openings and returned. Mr. Pusey advised that the Review Committee will review the bids submitted, and he would like to return in two weeks, during the next scheduled Commissioner’s Meeting to provide a recommendation. Ms. Laird left the meeting at this time.

Next, with Mr. Pusey remaining present, Ms. Kristen Trembley, DTCS was asked to come forward. At 2:05 p.m., President Laird called the Public Hearing to order with regard to a rezoning request submitted by Mr. James P. Thomas III. Mr. Taylor read the notice of public hearing into record as follows:

“Pursuant to the Somerset County Zoning Ordinance, notice is hereby given that a public hearing will be held by the Board of County Commissioners on:

Tuesday, May 15, 2018 at 2:05 p.m. at the Somerset County Commissioners Meeting Room, Room 111, 11916 Somerset Avenue, Princess Anne, MD 21853 for the following request:

- A request by James P. Thomas III. to rezone (section 13.2 of the Somerset County Zoning Ordinance) Map 32, Grid 23, Parcel 233, from Residential (R-2) to Commercial (C-2). The parcel is approximately 3.2 acres and located in the general vicinity of Westover along the east side of Crisfield Highway (Route 413), between Wedda Scott Road and Old Westover Marion Road. The neighborhood is generally defined by: Back Creek, Sign Post Road and Charles Layfield Road to the north; Charles Layfield, Beauchamps Lane and Great Hope Golf Course to the west; Annemessex Creek to Sawmill Road/U.S. Route 13 to the south; and U.S. Route 13 to the east.

A public hearing was held by the Somerset County Planning and Zoning Commission on Thursday April 5, 2018 which resulted in a favorable recommendation to the Board of County Commissioners.

Materials related to the public hearing may be found at the Department of Technical and Community Services, 11916 Somerset Ave., Room 211, Princess Anne, MD 21853. For assistance, please call: (410) 651-1424.

Board of County Commissioners for Somerset County, Ralph D. Taylor, County Administrator – Clerk”

Ms. Tremblay explained that Mr. Thomas' rezoning request, relates to his property located off Route 413 in Westover (Map 32 Grid 23 Parcel 233), currently zoned Medium Density Residential (R-2). Mr. Thomas has requested the property be rezoned to General Commercial (C-2) in order to develop and operate a crab pot assembly business, along with lawn care. Ms. Tremblay advised that if approved to be rezoned to C-2, subsequent Site Plan approval will be required. The property consists of 3.2 acres, and on April 5, 2018 the Planning Commission conducted a public hearing and recommended unanimously to approve the request to rezone the property to C-2. There were no comments received by the public following the Planning Commission public hearing.

President Laird asked if there were any proponents present wishing to speak. There were none.

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

It was noted that written comments will be taken for ten (10) days. The public hearing was declared closed at 2:12 p.m. Ms. Tremblay left the meeting at this time.

Being the meeting was running ahead of schedule, Mr. Taylor continued with correspondence and discussion items.

A letter was received from the Maryland Department of the Environment (MDE) regarding the meetings scheduled in May and June with regard to the Phase III Watershed Implementation Plans (WIP's) to restore the Chesapeake Bay. Mr. Taylor advised that Mr. Pusey, Ms. Tremblay, Ms. Phillips and Ms. Kudla from the DTCS office will be attending.

A letter was received from the Department of Public Safety and Correctional Services requesting Somerset County's requests for Capital Improvement projects requiring State funding. No projects are planned at this time.

Correspondence was received from Mr. Gary Pusey, DTCS advising of three expiring terms on the Building and Plumbing Code Appeals Board. Mr. John Webster, Mr. Dick Ward and Mr. Bruce Wooster's terms expire in June. All three have indicated they would like to continue serving. If reappointment, their terms will expire in June 2021.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Boston, it carried 5-0 to reappoint Mr. Webster, Mr. Ward and Mr. Wooster to the Building and Plumbing Code Appeals Board for another three (3) year term, expiring in June 2021.

A request for the waiver of landfill tipping fees was received from Mr. Timothy Schadt. In his letter, Mr. Schadt explained that he and his wife purchased property at 7480 River Road, and plan to make Somerset County their permanent residence. The property however is littered with hundreds of tires placed along the shoreline and throughout the property. Mr. Schadt requests the Boards consideration to waive landfill tipping fees for disposal of the tires and other debris which was used to form a homemade bulkhead. He intends to clean up the waterway and marshlands and create a living shoreline. During the discussion, it was noted that the County actually pays a fee for the removal of car and truck tires from the landfill, a rather costly expense to the county. The Board questioned if Tire Amnesty Day is still held. No action was taken by the Board. Mr. Taylor advised that he will look into available options, including Tire Amnesty Day, and draft a letter.

The letter sent to Secretary Pete Rahn, Department of Transportation was reviewed. Commissioner Boston questioned if an additional request for enhancement can be made. He advised of his concerns regarding the lack of an acceleration lane for vehicles travelling east on MD 667 making a safe left turn onto MD US 13. It was noted that a deceleration lane exists at Sysco. Mr. Taylor advised that an amendment can be made to our letter, requesting the addition of this request.

A motion was made by Commissioner Boston to amend the Somerset County Priority Letter for Recommended Transportation Improvements to include the request for an acceleration lane on north US 13 at MD 667. Commissioner Fisher seconded the motion. The motion carried 5-0.

Mr. Gary Pusey, Ms. Ashley Bedsworth and Ms. Annette Cottman, DTCS came forward. At 2:20 p.m., President Laird called the Public Hearing open with regard to the FY19 Community Development Block Grant (CDBG) Application. Mr. Taylor read the notice of public hearing into record as follows:

“The Board of County Commissioners for Somerset County will conduct a Public Hearing to obtain the views of citizens on community, economic development and housing needs to be considered for submission of an application to the Maryland Community Development Block Grant Program (CDBG). Citizens will have the

opportunity to discuss proposed projects and to provide input on other needs to be considered. The hearing will be held at 2:20 p.m. in the County Commissioners Meeting Room (Room 111), 11916 Somerset Avenue in Princess Anne, on Tuesday, May 15, 2018.

Citizens will be furnished with information including but not limited to:

- The amount of CDBG funds available for State Fiscal Year 2019;
- The range of activities that may be undertaken with CDBG funds; and
- A proposed project for housing rehabilitation under consideration by Somerset County.

The Maryland CDBG Program is a federally funded program designed to assist governments with activities directed toward neighborhood and housing revitalization, economic development and improved community facilities and services. It is administered by the Department of Housing and Community Development (DHCD).

The Maryland CDBG Program reflects the State's economic and community development priorities and provides public funds for activities which meet one of the following national objectives, in accordance with the Housing Community Development Act of 1974, as amended:

1. Benefit low and moderate income persons and households;
2. Aid in the prevention or elimination of slums or blight;
3. Meet other community development needs of an urgent nature, or that are an immediate threat to community health and welfare.

Efforts will be made to accommodate the disabled and non-English speaking residents with five days advance notice to Gary Pusey at 410-651-1424. For further information, please contact the Department of Technical & Community Services at 410-651-1424. Board of County Commissioners for Somerset County Ralph D. Taylor, County Administrator.”

Mr. Pusey explained that the Maryland Department of Housing & Community Development (DHCD) is accepting applications for Community Development Block grants (CDBG) for FY19. Currently their office is in the final months of CDBG FY17 grant funding, received for \$335,000. This grant is helping approximately 25 eligible households who have utilized these 2-year grants. Mr. Pusey stated that the draft application will be available for the public to review on May 22, 2018, in the Department of Technical and Community Services. The county has used CDBG funding for Housing Rehabilitation for more than 20 years to assist low-to-moderate income persons who are in need of home repairs to bring them up to code. This has been a very successful program, and it was requested to keep the same funding as 2017 totaling \$335,000 that will be used as follows:

\$200,000 towards housing rehabilitation
\$100,000 towards emergency repairs
\$ 35,000 towards administrative/staff salaries
\$335,000 – Total

Commissioner Boston questioned how people know about the program, asking if it is advertised or posted anywhere. Ms. Cottman explained the process of how calls are handled and reviewed to see if they meet the requirements. Commissioner Boston asked if neglected

properties are looked at, and if the department makes attempts to contact those homeowners. Mr. Pusey advised that there has not been a need to advertise, as there has been a waiting list for projects just because of word of mouth. However he did acknowledge that the department is getting caught up on the backlist, and there may be a need to advertise this year for the first time. President Laird noted that there have been no complaints received, and he compliments Ms. Cottman for the fine job she is doing. Mr. Pusey requested the Boards approval regarding the submission of the grant funding application as presented.

Upon a motion made by Commissioner Boston and seconded by Commissioner Fisher, it carried 5-0 to approve the CDBG grant application for Housing Rehabilitation in the amount of \$335,000. The motion carried 5-0. As there were no proponents or opponents present, the public hearing was declared closed at 2:28 p.m.

Mr. Taylor presented a request from Mr. Giancarlo Orozco who has requested to withdraw his offer to purchase the following surplus properties:

Account 07-120354 N. First Street \$2,385.50 plus closing costs
Account 07-120850 First Street 0.177 Ac \$467.50 plus closing costs
Account 11-002161 10782 Riley Roberts Rd. \$614.00 plus closing costs
Account 12-000448 3491 Freedomtown Rd. \$802.00 plus closing costs
Account 12-005954 3501 Freedomtown Rd. \$2,005.50 plus closing costs
Account 12-009011 Byrdtown Rd. 0.689 Ac \$313.50 plus closing costs
Account 12-009151 3254 Sackertown Rd. \$1,120.50 plus closing costs

Mr. Taylor then requested the Boards consideration to accept Mr. Orozco's request to withdraw his offers.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Boston, it carried 5-0 to accept Mr. Orozco's request to withdraw his offers on the properties as presented.

Next, Mr. Taylor advised that two of the properties had second offers received. Ms. Angela Richardson has requested to purchase Account 12-009151 (3254 Sackertown Road) for \$1,300.00 plus closing costs.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Boston, it carried 5-0 to approve Ms. Richardson's request to purchase Account 12-009151 for the amount of \$1,300.00 plus closing costs.

Mr. Dennis Shipman had submitted an offer to purchase Account 12-000448 (3491 Freedomtown Road) in the amount of \$802.00 plus closing costs.

On a motion made by Commissioner Boston and seconded by Commissioner Fisher, it carried 5-0 to approve Mr. Shipman's request to purchase Account 12-000448 for the amount of \$802.00 plus closing costs.

Mr. Gary Pusey, DTCS, has advised that Mr. James Parkinson has submitted an application to replace a pool that was destroyed in a windstorm. He has presented a request for a fee waiver in the amount of \$155.00.

Upon a motion made by Commissioner Boston, and seconded by Commissioner Simpkins, it carried 5-0 to approve the fee waiver request from Mr. Parkinson for his application to replace the pool destroyed by a windstorm.

Lastly, Mr. Taylor presented a request for a letter of support from the City of Crisfield in support of their Community Legacy Grant application in the amount of \$50,000. This grant will be used for downtown business development and façade improvements.

Upon a motion made by Commissioner Simpkins and seconded by Commissioner Boston, the letter of support request presented by the City of Crisfield for their Community Legacy Grant application was approved. The motion carried 5-0.

With no further business, at 2:36 p.m., the Board was advised of the need of a Closed Session. Upon a motion made by Commissioner Simpkins and seconded by Commissioner Mathies it carried 5-0 to enter into Closed Session by Authority of the General Provisions 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)(8) consult with staff, consultants or other individuals about pending or potential litigation.

At 3:10 p.m. upon a motion made by Commissioner Simpkins, and seconded by Commissioner Fisher, the Open and Closed Session meetings were adjourned. The motion carried 5-0.

Approved by:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Lory E. Ebron
Executive Aide