



AGENDA AUGUST 7, 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. - Bid Openings/Mr. Charles Cavanaugh, Director of Solid Waste/Maintenance
 - Sheriff's Office/Fence and Installation
 - Sheriff's Office/Generator Installation
 - Ditching Project/Phoenix Church Road
- 2:05 p.m. - Public Hearing- Mr. Gary Pusey, Ms. Donna Laird, Ms. Dee Savarese, DTCS
 - Hurricane Sandy Project Update
- *
 - Project Amendments
- * 2:20 p.m. - Ms. Sherree Marshall, Executive Director, Commission on Aging
 - FY19 Senior Care Grant Application
- 2:25 p.m. - Chesapeake Utilities- Mr. Dean Holden, Mr. Shane Breakie
 - Natural Gas
- * 2:45 p.m. - Mr. Woody Barnes, Roads Director
 - Webster's Cove Harbor
- * 2:55 p.m. - Mr. Clint Sterling, Recreation and Parks Director
 - Program Open Space

Correspondence:

Received

- * Ms. Cindy Stone, DHCD re: Grant Agreement MD-15-DR-1 Phase 3 Disaster Recovery
- Maryland Department of the Environment re: Notice of Applications Received/State Permits
- * Mr. Leon Bivens, Westover Congregation of Jehovah's Witness re: Tipping Fee Waiver Request
- * Ms. Julie Widdowson, Tourism re: Tourism Commission Re-appointment
- * Mr. Gary Pusey, DTCS re: Reappointment/Agricultural Reconciliation Board
- * Mr. Danny Thompson, Executive Director re: EDC Commission appointments FY2019
- Maryland Environmental Trust re: Keep Maryland Beautiful Grant Award
- Comcast re: Programming Changes

Sent

- Governor's Office of Crime Control & Prevention re: Letter of Support/Pre-Trial Release Program
- Mr. Adam Riffin, Chairman re: Somerset County Sanitary Commission Appointment
- Mr. Ed Goyda, Director re: Library Board of Trustees Appointment

Discussion:

- * 1. Deal Island Lion Club MOU-Skipjack Race 2018
- * 2. Surplus Property
- * 3. FY19 Integra Renewals – Retirees and Employees

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

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; (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 AUGUST 7, 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.

Closed Session Summary Report August 7, 2018

On August 7, 2018, at 3:27 p.m. until 3:42 p.m. at 11916 Somerset Avenue, Room 111, upon a motion made by Commissioner Simpkins and seconded by Commissioner Fisher, 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, and HR Director Ms. Erica Yeager.

Topics discussed were: (1) Applications received for Health Officer Vacancy (2) Potential Litigation. Actions taken during closed session: None.

Meeting minutes were presented for approval regarding the Commissioner and Closed Session meetings held on July 24, 2018; and the Special and Closed Session meetings held on July 31, 2018. Commissioner Boston made a motion to accept the minutes as presented. Commissioner Simpkins seconded the motion. The motion carried 5-0.

Mr. Charles Cavanaugh, Director of Solid Waste and Maintenance came forward at this time. President Laird proceeded to open the sealed bids for the following projects as follows:

Farm Market/Phoenix Church Road Drainage Project

<u>Bidder:</u>	<u>Bid Price:</u>
Doug Vann	\$13,150.00
Mark Bozman	\$14,800.00

Mr. Cavanaugh made the recommendation to award the bid to Doug Vann, the low bidder, for \$13,150.00. Therefore, upon a motion made by Commissioner Simpkins, and seconded by Commissioner Fisher, the Farm Market/Phoenix Church Road Drainage Project was awarded to Doug Vann for \$13,150.00. The motion carried 5-0.

Fence and Installation/Sheriff's Office (7920 Crisfield Hwy, Westover, MD 21871)

<u>Bidder:</u>	<u>Bid Price:</u>	<u>Liability Certificate</u>
Long Fence	\$31,085.00	Y
Fox Fence	\$60,200.00	Y
Anderson Fence	\$39,725.00	Y

Mr. Cavanaugh discussed the area on the property where the fence is to be installed, as well as a description of the fence (similar to what was in place at the former location). Due to the variance of the bids, Mr. Cavanaugh advised he would review the bids, and return with a recommendation.

Generator Installation/ Sheriff's Office (7920 Crisfield Hwy, Westover, MD 21871)

<u>Bidder:</u>	<u>Bid Price:</u>	<u>Liability Certificate</u>
Carter Electric	\$57,800.00	Y
Barnes Electric	\$20,650.00	Y

Mr. Cavanaugh discussed the recommendation of a 200 KW generator that has been made by various contractors regarding the generator to be purchased described as a 200 KW under state contract for \$42,350.00. It was noted that the bid opening for today was solely to install the generator when it comes in. Carter Electric has been used in the past, and that there was a 12-15 week lead time pending the arrival of the generator to be ordered. Mr. Cavanaugh first requested approval to purchase a 200 KW generator from Curtis Engine for \$42,350.00. It was noted that \$40,000 had been budgeted.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Boston, it carried 5-0 to approve the purchase of a 200 KW generator from Curtis Engine for \$42,350.00.

Mr. Cavanaugh then advised he would review the bids received today for installation, and return with a recommendation.

At 2:16 p.m., President Laird called a Public Hearing open to provide a status report of activities through four Hurricane Sandy Disaster Recovery Grants. Mr. Gary Pusey, Ms. Donna Laird and Ms. Dee Savarese, Department of Technical and Community Services, came forward at this time. Mr. Taylor read the notice of public hearing into record as follows:

“Somerset County will conduct a Public Hearing to provide citizens with a status report of activities undertaken by the County through its implementation of four Hurricane Sandy Disaster Recovery Grants at the above-referenced time and location.

The County Commissioners entered into grant agreements with the Maryland Department of Housing & Community Development (DHCD) to use Community Development Block Grant (CDBG) funds for Hurricane Sandy recovery efforts (1) in November 2015 for Housing and Economic Recovery; (2) in April 2016 for Infrastructure projects at Rhodes Point; (3) in March 2017 for funding for engineering phase to decommission the Fairmount WWTP project; and (4) in August 2017 for funding to decommission the Fairmount WWTP and prepare a structural feasibility study of the Crisfield Armory.

A summary of funding allocated and spent on each of these grants will be provided at the Public Hearing.

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.

Board of County Commissioners for Somerset County, Randy Laird, President”

Mr. Pusey explained that the Disaster Recovery Grant Agreement requires that a public hearing be held every six months to update the public as to how the funding is being spent. Mr. Pusey proceeded to provide a summary of the four phases as follows:

(1) Housing and Economic Recovery - \$2.94 Million (MD-14-DR Phase 3)

This grant is a continuation of the first Disaster Grant the County received, and continues with new home replacement of houses damaged during Hurricane Sandy and business loans. This grant also includes new activities of job training, the broadband extension for Crisfield, and the development of a Strategic Economic Opportunities Analysis for the County with a preliminary structural analysis of commercial building affected by flooding in Crisfield. The current expiration date for this grant is December 31, 2018; however it was noted that an extension request is underway that would extend the deadline to September 30, 2020. Mr. Pusey also advised that to date, approximately \$2.4 million has been spent, leaving a remaining \$500,000. It is felt that with the remaining replacement home, broadband, the economic analysis and miscellaneous administrative costs, the remaining funds in this grant phase will be utilized.

(2) Infrastructure - \$4.872 Million (MD-15-DR-1 Phase 3)

Mr. Pusey explained that this phase of the grant covers additional funding for the Homeless Shelter near Princess Anne (\$150,000), funding to be provided to the Army Corps of Engineers for the Rhodes Point Jetty (\$250,000) and funding for the Rhodes Point Shoreline Stabilization project (\$4,472,000). The Homeless Shelter has been completed and all funding for the Homeless Shelter has been spent. The Rhodes Point Jetty Project is being implemented by the US Army Corps of Engineers, and all approved CDBG funding for this project has been

expended. The two jetties and stone sill was completed as of June 1, 2018, and the dredging and realigning of a portion of the federal navigation channel in Sheep Pen Gut will begin after October 15, 2018, with an expected completion date of December 2018, weather permitting. Native vegetation will then be planted to restore wetlands in the spring 2019. Additionally, the Rhodes Point Shoreline Stabilization Project has been completed regarding the construction of all breakwaters and the allotted amount of funding for this part of the phase has been spent. The remaining funding of \$120,000 that is allotted for required monitoring of the project is expected to be extended with the end date of this phase of September 30, 2022.

(3) Infrastructure - \$545,000 (MD-15-DR-1 Phase 4)

This phase of the grant covers additional funding for the Homeless Shelter Project (\$120,000), funding for the Fairmount Wastewater Plant (WWTP) Decommission Engineering Study (\$225,000), and funding for project administration for \$200,000. The planned extended end date of this grant phase is September 30, 2022. The Homeless Shelter Project's additional funding in this phase has been spent and the Homeless Shelter is completed. The Fairmount WWTP Decommission Engineering Study has not yet been completed and a portion of the grant's funding has been spent from Project Administration for the procurement of professional services and salaries for the Fairmount WWTP Decommissioning Engineering Study. It is anticipated that all funding in this phase will be spent by the September 30, 2022 end date.

(4) Infrastructure- \$4,155,000 (MD-15-DR-1 Phase 5)

This phase of the grant covers additional funding for the Fairmount Wastewater Decommissioning Project/Construction (\$3,905,000), funding for the Crisfield Armory Feasibility Study (\$57,000) and funding for Project Administration (\$193,000). The end date for this phase is scheduled for September 30, 2020; however it is anticipated that this end date will also be extended to September 30, 2022. The construction phase for the Fairmount Wastewater Decommissioning Project will begin as soon as the engineering study is completed. Mr. Pusey advised that the bid regarding the Crisfield Feasibility Study was awarded to Davis, Bowen & Friedel, Inc., for \$57,000, noting that \$7,000 will be used from unused Project Administration funding.

In summary, Mr. Pusey advised that during the most recent six month reporting period, the County has been administering four (4) grants utilizing Hurricane Sandy Disaster Recovery funds totaling \$12.512 Million. Each grant phase is on schedule to be completed before their end date and all funds will be spent in accordance with the requirements for each grant. It was noted that there will be no problem utilizing all of the \$25 Million provided in this grant funding. Mr. Pusey then thanked Ms. Laird, Ms. Savarese, Mr. Taylor and all of those involved with the projects, noting it has taken a lot of work to get to where they are today. He also expressed his gratitude to Ms. Cindy Stone at DHCD for all of her hard work and assistance. President Laird personally thanked Mr. Pusey and his staff for all they have done. The Public Hearing closed at 2:24 p.m.

Next, Mr. Pusey moved onto Action Plan Amendments with regard to Hurricane Sandy Disaster Recovery Grants. He explained that during a recent meeting with Ms. Stone, DHCD, they discussed possible changes to the Hurricane Sandy grants in order to fund specific projects. The following is a summary of the projects discussed that are under consideration for amendment:

- Sheep Pen Gut Dredging/Rhodes Point

Mr. Pusey advised that there are other sections of Sheep Pen Gut that require dredging in the area of the Rhodes Point Jetty projects as previously noted in Infrastructure (2), and the Army Corps of Engineers does not have the funding to complete the additional dredging. Upon contacting Maryland Department of Natural Resources (DNR) for assistance, DNR has agreed to share the dredging costs and coordinate the required permitting. The county hopes to take advantage of the presence of the dredging company which is currently on site to lessen the cost of mobilization. DHCD has determined that Disaster Funding can be used to fund the county's portion of the additional dredging, which will occur this fall coming from monies the county paid earlier for cancelled projects.

Mr. Pusey advised that they are requesting approval to use approximately \$200,000 towards this project. If approved, DHCD will pursue an Action Plan Amendment, required to be approved by HUD. Additionally, a public hearing on the amendment will need to also be held locally by DHCD.

- Broadband

The county is currently approved for \$100,000 to complete the extension of broadband in the City of Crisfield from the Crisfield Library to the Marina to provide residents emergency notification in the event of future disasters. However, service is now available at the Marina, therefore reprogramming of the funds is necessary. In a meeting with DHCD, the recommendation was made that an overall study was needed. The estimated cost of the study is \$30-50,000. The remaining funds will be used to provide fiber to the Crisfield Water Tower where antennae could be used to provide service to the City and perhaps areas beyond the City.

- Sale or Donation of Three (3) County-Owned Homes

Using Disaster Grant funding, the County purchased three (3) homes at a cost of \$372,000 in 2014 that were used as temporary housing whose storm-damaged homes were being replaced with new homes. With the last remaining replacement home under construction, there is no need for the County to retain these homes. One home will remain occupied until January 2019 however. Options available include selling the homes to income-qualified persons (low-moderate) or donating the homes to a non-profit for use as transitional housing. Mr. Pusey advised that proceeds from the sales could be used by the County for additional Hurricane Sandy activities. Depending on the option chosen, DHCD will pursue an Action Plan Amendment that will need to be approved by HUD. Additionally, a public hearing for the amendment will need to be held locally.

- Maryland Avenue Well Generator (Crisfield)/Deal Island VFD Generator

A Hurricane Sandy project regarding a generator purchased for the Maryland Avenue water well in Crisfield was found to not be adequately sized for the intended purpose. A suggested solution made, following discussions with DHCD was to relocate this generator and purchase a larger generator for the Maryland Avenue well location. The Deal Island/Chance VFD could utilize a larger generator at their location. The estimated cost to complete this project would be \$100,000; and if approved by the Board of Commissioners, DHCD will pursue an Action Plan Amendment request to present to HUD for approval. A local public hearing would also be held.

Mr. Pusey then summarized the approvals as presented for Action Plan Amendments and requested to move forward with obtaining HUD approval and the scheduling of a public hearing.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Boston, it was approved to move forward with obtaining HUD approval and the scheduling of a public hearing regarding the Action Plan Amendments as presented. The motion carried 5-0.

Next, Ms. Sherree Marshall came forward to present the FY19 Senior Care Program Grant Application and Senior Care Plan for \$115,000 (\$100,000 for services and an additional \$15,000 provided for the new Health Promotion and Waiting List Initiatives). Ms. Marshall noted that the additional \$15,000 would be used to assist seniors with remaining in their own homes and out of nursing homes.

Upon a motion made by Commissioner Mathies and seconded by Commissioner Fisher, it carried 5-0 to approve the FY19 Senior Care Program Grant Application and Senior Care Plan for \$115,000.

Coming forward at this time were Mr. Dean Holden and Mr. Shane Breakie, Chesapeake Utilities to provide a PowerPoint presentation of their company, locally headquartered on the Delmarva Peninsula, engaged in natural gas distribution and other services. During the presentation Mr. Holden and Mr. Breakie discussed Chesapeake Utilities commitment to safety and reliability including their public awareness programs, their company history going back to 1859, their divisions on the Delmarva Peninsula which include the Delaware, Maryland and Sandpiper Energy Divisions, their customer base, and similar recent projects and their interest to expand natural gas from Pennsylvania to Somerset County. Also noted were key business's currently within the county (UMES, ECI, Agri-Business). A proposed franchise agreement was discussed, as well as time line estimates. It was noted that a letter of interest has been obtained from ECI and the company is currently working on obtaining letters of commitment from both ECI and UMES regarding the project. President Laird thanked Mr. Holden and Mr. Breakie for the presentation provided today, and advised that the proposed franchise agreement would be taken under consideration.

Mr. Woody Barnes, Roads Director, came forward at this time to present his recommendation regarding bids received for the Webster's Cove Marina Project during the July 17, 2018 meeting. He advised there were several concerns regarding the bids submitted from Murtech (\$365,840) and McLean Contracting (\$559,377). The low bid received, for \$365,840 (Murtech), was 85% higher than Engineer George Young's estimate. Additionally, he advised that the increase cost for square footage, at \$858.00 per foot had no explanation; and an increase of 50%, for electrical as compared to work performed for the Deal Island project also raised concerns. After conferring with DNR, Mr. Barnes advised that the recommendation was made to

re-advertise the bid solicitation. It was noted that the third bid that was received late from Stevens Marine was returned unopened.

A motion was made by Commissioner Simpkins to re-bid the project. Commissioner Boston seconded the motion. The motion carried 5-0.

Mr. Clint Sterling, Director Recreation and Parks came forward at this time to present for approval the Fiscal Year 2019 Program Open Space Annual Program recommendation. He explained that there are four Development Projects he is recommending:

- Clarence Laird Softball Field Enhancement
- Mt. Vernon Park Enhancement
- Long Centralized Athletic Facility Enhancement
- Raccoon Point Park Improvements

Mr. Sterling advised that the current Program Open Space (POS) balance is \$354,305.63. Commissioner Mathies requested that proposed improvements to Raccoon Point Park include additional port-a-pots and suggestions for pet restrictions and/or accommodations to remove pet waste from the area. Commissioner Boston inquired about adding additional parking to the Ruritan Ballfield enhancement request due to the increased use.

A motion was made by Commissioner Fisher to accept the proposed Program Open Space Acquisition and Development Projects for FY19 as presented. Commissioner Boston seconded the motion. The motion carried 5-0.

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

A letter was received from Ms. Cindy Stone, DHCD regarding Disaster Recovery Grant Agreement MD-15-DR-1 Phase 3 regarding changes that were approved by the State and the U.S. Department of Housing and Urban Development to the budget and extension of the project end date. Mr. Taylor requested approval for the President's signature on the agreement as presented.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Boston, it was approved to have President Laird sign Disaster Recovery Grant Agreement MD-15-DR -1 Phase 3 as presented. The motion carried 5-0.

Notice of Application was received from the Maryland Department of the Environment Water and Science Administration with regard to the Somerset County Recreation and Parks submission of the Hiker/Biker Trail Project.

A request was received from the Westover Congregation of Jehovah's Witness to waive all tipping fees relating to the demolition and construction of the new Kingdom Hall in Westover.

A motion was made by Commissioner Fisher and seconded by Commissioner Boston to waive tipping fee's regarding the demolition and construction of the new Kingdom Hall in Westover. The motion carried 5-0.

A request was received from Ms. Julie Widdowson, Tourism Director, on behalf of the Somerset County Tourism Commission requesting the re-appointment of Ms. Nancy Goldsmith, whose term has expired. Ms. Goldsmith is interested in continuing to serve.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Boston, it carried 5-0 to re-appoint Ms. Nancy Goldsmith to serve as a member of the Somerset County Tourism Commission. Ms. Goldsmith's term will expire June 19, 2021.

Mr. Gary Pusey, Director of Technical and Community Services has advised that Mr. Doug Green, member of the Agricultural Reconciliation Board, term has expired. Mr. Green has indicated that he would like to continue to serve.

On a motion made by Commissioner Boston, seconded by Commissioner Fisher, it carried 5-0 to re-appoint Mr. Doug Green to serve on the Agricultural Reconciliation Board. Mr. Green's term will expire May 26, 2022.

A letter was received from Mr. Danny Thompson, EDC Executive Director, advising of the nominations made by the Somerset County EDC Executive Board regarding expiring terms.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Boston, it carried 5-0 to approve the following appointments for fiscal year 2019 to the Somerset County Economic Development Commission. Terms will expire June 30, 2021:

Mr. James East
Ms. Tammy Zink/Ms. Beth Clough (Hebron Savings Bank)
Mr. Dickie Ward
Ms. Debbie Maddox/Todd Fox (Rubberset)
Ms. Charlotte Sharf

A letter was received from the Maryland Environmental Trust advising that Mr. Mark A. Simmons, with Safe for Somerset/Somerset County was the recipient of a Clean Up & Green Up Maryland Grant, one of the eighty-two Keep Maryland Beautiful grants awarded in the spring.

A letter from Comcast advising of programming changes was presented. Additionally, Mr. Taylor advised that work has been completed in Deal Island and Wenona, and residents can now subscribe for service.

A Memorandum of Understanding (MOU) between the County Commissioners and Deal Island/Chance Lions Club regarding use of the Deal Island Maryland Harbor for the Skipjack Race and Festival being held September 1-3, 2018 was presented for approval. Commissioner Fisher requested pictures of the harbor be taken the day before and the day after the event.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Boston, use of the Deal Island Maryland Harbor for the Skipjack Race and Festival being held September 1-3, 2018 was approved. Pictures are to be taken the day before and the day after the event. The motion carried 5-0.

Mr. Taylor presented the Fiscal Year 2019 Integra Plan Renewals for Retirees and Employees for approval.

A motion was made by Commissioner Simpkins and seconded by Commissioner Fisher to authorize President Laird to sign the FY19 Integra Plan Renewals for Retirees and Employees as presented. The motion carried 5-0.

Lastly, Commissioner Fisher presented a tipping fee waiver request from the Skipjack Museum & Heritage Center regarding the removal of the current center.

On a motion made by Commissioner Fisher and seconded by Commissioner Boston, it carried 5-0 to approve the tipping fee waiver request for removal of the Skipjack Museum & Heritage Center.

With no further business, at 3:27 p.m., the Board was advised of the need of a Closed Session. Upon a motion made by Commissioner Boston and seconded by Commissioner Fisher 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 3:42 p.m. upon a motion made by Commissioner Simpkins, and seconded by Commissioner Fisher, the Commissioner 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