



**AGENDA**  
**SEPTEMBER 18, 2018**  
**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. - 35 Year Service Award Recognition- Ms. Audrey Cornelius
- 2:05 p.m. - Mr. Gary Pusey, Ms. Kristen Tremblay, DTCS
  - Critical Area Ordinance Text Amendment
- 2:10 p.m. - Mr. John Redden
  - Spraying Proposal

**Correspondence:**

**Sent**

- Dr. John B. Gaddis, Superintendent, SCPS re: Inter-category Budget Transfers and Budget Amendments FY18
- Mr. Michael Pennington, Executive Director, Tri-County Council Lower Eastern Shore  
Re: Workforce Development Board/Reappointment
- Mr. Mike King re: Agricultural Preservation Advisory Board Appointment
- Ms. Angela B. Assadi, LLC re: Request for Personal Property Tax Exemption/Princess Anne Enterprises, LLC

**Discussion:**

- \* 1. Surplus Property (1)
- \* 2. MOU- FY19 Somerset County Health Department
- \* 3. Lease- Howard Anderson Agriculture Building
- \* 4. Planning Commission Vacancy (1)
- \* 5. Seafood Reconciliation Board Reappointments (2)

**2:30 p.m. - Closed Session- Ralph D. Taylor**

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 (3) consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

- \* Denotes Action Item

BOARD OF COUNTY COMMISSIONERS  
FOR SOMERSET COUNTY  
TUESDAY SEPTEMBER 18, 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 September 18, 2018**

On September 18, 2018, at 2:22 p.m. until 2:52 p.m. at 11916 Somerset Avenue, Room 111, upon a motion made by Commissioner Fisher and seconded by Commissioner Boston, 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 (3) consider the acquisition of real property for a public purpose and matters directly related thereto.

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, and Executive Aide Lory Ebron.

Topics discussed were: (1) Two probationary to permanent employee status request (2) office relocation request (3) Access and Removal Agreement. Actions taken during closed session: (1) Approval move probationary employees to permanent employee status.

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Meeting minutes were presented for approval regarding the Commissioner and Closed Session meetings held on September 4, 2018. Commissioner Boston made a motion to accept the minutes as presented. Commissioner Fisher seconded the motion. The motion carried 5-0.

Ms. Audrey Cornelius, Department of Technical and Community Services, came forward at this time, joined by the entire Department of Technical and Community Services staff. Mr.

Taylor read into the record, the Years of Service Award being presented today to Ms. Cornelius in appreciation of her 35 years of dedicated service to the county. The Board congratulated Ms. Cornelius for this amazing achievement and personally thanked her for her many years of service.

Mr. Gary Pusey, Director and Ms. Kristen Tremblay, Assistant Director, Department of Planning and Technical Services came forward at this time to discuss possible text amendments to the Critical Area Ordinance. Mr. Pusey explained that there have been inquiries received recently from persons interested in conducting weddings, as a business venture, at their waterfront properties, located within the Critical Area's most restrictive designation. Mr. Pusey explained that the Zoning Ordinance has a procedure to allow the Board of Zoning Appeals to consider such a use, however the Critical Area Ordinance does not have a procedure for the Resource Conservation Area. Discussions have been held with Critical Area Staff, who have stated they are willing to work with the County to develop language that would allow wedding venue use in Somerset County. Mr. Pusey advised that any change to the Critical Area Ordinance would require review by the Planning Commission, Public Hearings and approval/disapproval by the Board of County Commissioners. Before proceeding, Mr. Pusey asked the Board for their direction, and questioned if his department should begin the process of investigating whether the Critical Area Ordinance should be amended to allow Wedding Venues and Special Events.

Commissioner Mathies stated that he personally feels a property owner should be able to do reasonable things on their own property, and therefore made a motion to approve the investigation to amend language in the Critical Area Ordinance to allow Wedding Venues and Special Events for properties located in designated Resource Conservation Areas. Commissioner Fisher seconded the motion. The motion carried 5-0.

Mr. John Redden, Public Works Director, came forward at this time to discuss the need for the spraying of wild grape vines overtaking the trees on county property located off Maryland Route 13 (formally known as the Liza property). A bid proposal to spray the vines was provided by Delmarva Custom Spraying in the amount of \$6,200 for the first year of spraying. Depending on the number of surviving vines, it is anticipated a second spray the following year will be required, that should be less in cost. Mr. Redden advises that Department of Natural Resources (DNR) has approved the use of grant funding to spray the vines, which can be applied for. It was also noted that the spray will not harm the trees.

Upon a motion made by Commissioner Simpkins and seconded by Commissioner Fisher, it carried 5-0 to approve the spraying of wild grape vines on the county property (formally known as the Liza property) for \$6,200.00 to be reimbursed by DNR grant funding.

Following his review of correspondence sent, Mr. Taylor continued the meeting with discussion items.

A request was received from Ms. Jennifer McShane to purchase surplus property known as 10782 Riley Roberts Road, District 11 Account 002161 in the amount of \$614.00 plus closing costs.

A motion was made Commissioner Fisher and seconded by Commissioner Boston to approve the sale of 10782 Riley Roberts Road for \$614.00 plus closing costs. The motion carried 5-0.

A Memorandum of Understanding (MOU) for FY19 was presented between the Somerset County Health Department and Somerset County Recreation and Parks in the amount of \$8,000.00 to go towards promotion of the Trail Mix initiative. Mr. Taylor requested the Boards approval of his signature on the MOU presented.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Boston, it carried 5-0 to authorize Mr. Taylor to sign the MOU.

Next, Mr. Taylor presented a "Standstill Agreement" between the Board of Commissioners and the US Department of Agriculture with regard to the lease agreement held for the Howard H. Anderson Agricultural Building. The lease is due to expire on September 30, 2018, and the Department of Agriculture has requested this Standstill Agreement for a term of one year to allow for lease negotiations. Attorney Simpkins has reviewed the agreement and found it legally sufficient. It was also noted that under current terms, the property is leased for \$11.00 per square foot.

A motion was made by Commissioner Boston, and seconded by Commissioner Fisher for the approval of President Laird to sign the Standstill Agreement for the Howard H. Anderson Agricultural Building for a period of one year. The motion carried 5-0.

Mr. Taylor advised the Board of the current vacancy on the Planning Commission with the resignation of Mr. Kevin Anderson. Commissioner Simpkins then advised the Board that Ms. Janet McIntyre has agreed to serve.

Upon a motion made by Commissioner Simpkins and seconded by Commissioner Fisher, it carried 5-0 to appoint Ms. McIntyre to serve on the Planning Commission, to fill Mr. Anderson's remaining term, expiring in May 2020.

A request was received from Mr. Gary Pusey, Planning Director advising that Seafood Reconciliation Board members Mr. John Barnette and Mr. Marion Mister terms expired in August. Both Mr. Barnette and Mr. Mister would like to continue serving. If approved, their terms will expire on August 3, 2022.

Upon a motion made by Commissioner Fisher and seconded by Commissioner Simpkins, it carried 5-0 to approve the reappointments of Mr. Barnette and Mr. Mister to the Seafood Reconciliation Board for a four-year term expiring on August 3, 2022.

With no further business, at 2:22 p.m., the Board was advised of the need of a Closed Session.

Upon a motion made by Commissioner Mathies and seconded by Commissioner Boston, 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 (3) consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

With no further business, at 2:52 p.m. upon a motion made by Commissioner Mathies, and seconded by Commissioner Simpkins, the Commissioner Open and Closed Session meetings were adjourned. The motion carried 5-0.

Approved by:



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Board of County Commissioners  
For Somerset County

Respectfully Submitted:



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Lory E. Ebron  
Executive Aide