



AGENDA
December 11, 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, Department of Technical and Community Services
 - Request for Release of Lien/Housing Rehabilitation Grant
- 2:15 p.m. - Mr. John Redden, Public Works Director and Mr. Gary Pusey
 - Rhodes Point Dredging
- 2:25 p.m. - Mr. Robert Murphey, Mr. Vann Muir, Mr. Frank Lusk, Somerset County Liquor License Board
 - 2019 Proposed Legislation
- * 2:35 p.m. - Mr. Gene Adkins, Finance Director
 - Emergency Services Radio Equipment Services Upgrade Request for Proposal
- * 2:40 p.m. - Ms. Sherree Marshall, Commission on Aging
 - SDAT Capital Grant Agreement

Correspondence:

Received

- * Somerset County Ethics Commission re: Reappointments/Resignation
- * Rosalyn D. Leatherbury re: Request for Assistance

Sent

Tri-County Council for the Lower Eastern Shore re: Executive Board Appointments
Somerset County Recreation and Parks re: Recreation and Parks Commission Appointments
Somerset County Commission on Aging Board re: County Representative

Discussion:

- * 1. Letter of Support Request/Crisfield Tide Gates
- * 2. Proclamation Approvals (2)

3:00 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.

- * Denotes Action Item

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
December 11, 2018
SPECIAL SESSION

At 2:00 p.m., the Board of County Commissioners for Somerset County opened in Regular Session. Present for the meeting were Commissioner President Craig N. Mathies, Sr., Commissioner Vice President Charles Laird, Commissioner Rex Simpkins, Commissioner Randy Laird and Commissioner Eldon Willing.

County Administrator-Clerk Ralph D. Taylor and Executive Aide Lory E. Ebron were also present.

President Mathies asked Commissioner Willing to lead those present in repeating the Lord's Prayer and the Pledge of Allegiance. Commission Willing first read a passage from the Bible, after which the Lord's Prayer and Pledge of Allegiance was recited.

Closed Session Summary Report December 11, 2018

On December 11, 2018, at 2:47 p.m. until 3:12 p.m., at 11916 Somerset Avenue, Room 111, upon a motion made by Commissioner Simpkins and seconded by Commissioner Randy Laird, 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 (8) consult with staff, consultants, or other individuals about pending or potential litigation.

Present for the Closed Session Meeting were President Craig N. Mathies Sr., Vice President Charles Laird, Commissioner Rex Simpkins, Commissioner Randy Laird, and Commissioner Eldon Willing.

Also present were County Administrator Ralph D. Taylor, Executive Aide Lory Ebron, and Somerset County Acting Health Officer Ms. Lori Brewster. Topics discussed were: (1) Health Officer/Deputy Vacancy (2) Public Information Officer/Emergency Operations Center (EOC) (3) Notice of Resignation. Actions taken during closed session: (1) Hiring of Health Officer (2) Consensus to appoint Public Information Officer for the EOC.

Meeting minutes were presented for approval regarding the Commissioner Regular Session meeting held on December 4, 2018. Vice President Charles Laird made a motion to approve the minutes as presented. Commissioner Simpkins seconded the motion. The motion carried unanimously.

Mr. Gary Pusey, Director and Ms. Ashley Bedsworth, Department of Technical and Community Services came forward at this time to present a request for Release of Lien/Housing Rehabilitation Grant.

Mr. Pusey first explained the County's Housing Rehabilitation Grant Program, and the use CDBG funds to do rehabilitation work on owner-occupied homes for low-moderate income persons. He advised the county has been receiving this grant funding for a number of years, and the term of the lien, generally 3-5 years, is based on the dollar amount of the loan. This year grant award was in the amount of \$335,000 and will assist approximately 20 people. He also noted that usually local contractors are used to perform the work, thereby creating a "multiplier" effect.

The Release of Lien being presented today was for funding used in the amount of \$4,030.00 on December 17, 2014 to pay for a new well at 14155 Carver Manor Circle, Eden, Maryland. The homeowner, Ms. Patricia Ennis has passed away and the property sold. This grant had a 5-year lien, so therefore, a total of \$1,612.00 is owed to the County. A check for the amount owed has been received from the settlement company; therefore Mr. Pusey requested the Boards approval to authorize President Mathies to sign the lien release as presented.

Upon a motion made by Vice President Laird, and seconded by Commissioner Randy Laird, it carried 5-0 to authorize President Mathies to sign the lien release for 14155 Carver Manor Circle, Eden, Maryland.

With Mr. Pusey remaining present, Mr. John Redden came forward at this time to provide an update regarding the Sheep Pen Gut dredging project. Mr. Redden advised that he attended a meeting about a week ago in Annapolis to discuss the project with Department of Natural Resources (DNR). He first provided background information regarding the project, and the original plan for the county to piggy-back off the USACE Smith Island project to save on costs. DNR agreed to a 50% match and the county intended to use Sandy funding which was available. However, delays were experienced regarding the permitting requirements, and the contractor completed the Smith Island project, and removed the equipment. Therefore, the meeting in Annapolis was to discuss options now available. The options presented for consideration were as follows:

1. Use Shoreline Placement for the sandy soils and thin Layer Placement for the silty soils.

2. Use the existing Pitchcroft DMP site for all material which could be made available to residents.
3. Use Shoreline Placement for the sandy soils and the Pitchcroft DMP for the silty soils.

Mr. Redden advised that DNR recommended the first option due to environmental and resiliency benefits. It is also the least expensive option, estimated to be \$1.2 million. It was noted however that this estimate is a high estimate, and \$400,000 had been budgeted for the original plan. It is anticipated that an additional \$600,000 will be needed. Mr. Pusey advised that he is looking into additional Sandy funding that may be available. Commissioner Willing discussed concerns he had, referencing the Deal Island dredging project, where the Geo Tubes disintegrated and the material ended up back in the channel 4-5 years later. It was noted that Geo Tubes have not been mentioned for this project and this material will be placed on the barrier island shoreline to offer protection.

The discussion concluded with the county continuing to move forward with obtaining permits and funding to cover the cost of the project. It was noted that dredging is needed as soon as possible, and DNR is supportive of the project. No action was taken by the Board at this time.

Mr. Robert Murphey, Mr. Vann Muir and Mr. Frank Lusk, Somerset County Liquor License Board came forward at this time to present FY19 Proposed Legislation.

Mr. Murphey began by introducing Messer's Muir and Lusk, and congratulating the elected officials. He also congratulated President Mathies regarding his appointment as President. First, he presented a salary increase for the Chair, Members, Clerk and Attorney serving on the Liquor License Board. He stated that they are proposing a \$2,000.00 annual increase for the Chair, Member and Clerk position, and a \$3,000.00 increase for the attorney position.

Secondly, he discussed the legislation currently in place prohibiting the License Board from issuing a license if the establishment is within 300 feet of a place of worship, school, public library or youth center. He stated that a change to this restriction was requested 2 years ago by the Liquor Board, and was not changed. He described the issues that are resulting from this restriction being in place, affecting various businesses in the county and causing loss of business growth in the county. He stated to the Board that the current members serving on the Liquor License Board have good knowledge of what is going on and that the 300-foot limitation ties their hand and the business community's hands. He assured the Board of Commissioners their licensing decisions would be made responsively if given the authority. Mr. Murphey advised

that they would like to eliminate the section regarding the 300-foot limitation, but would accept the removal of “place of worship” from the section. The discussion continued regarding time of sales and if grandfathering is allowed for previous owned businesses. In closing, Mr. Murphey advised that the Liquor License Board has been very strict on the selling to alcohol to minors, and he requested the Board allow the Delegate and Senator to introduce the legislation as presented. No action was taken.

Mr. Gene Adkins, Finance Director, Ms. Yvette Cross, Emergency Services Director and Mr. Gary Powell, Assistant Director came forward at this time to discuss the Emergency Services Radio Equipment Services Upgrade request. Mr. Adkins explained this was the third visit to the Board on this subject, which follows the required procedures when borrowing public funds. He explained the last step in the process is to solicit financing from various banks and to secure the financing. In providing a review of the project to date, he stated that during last year’s budget deliberations it was approved to expend this project in the fiscal year we are in and a contract was secured for a price of \$3,852,044 from Harris Corporation. An additional \$160,000 will be needed, as discussed during the November 27, 2018, regarding improvement of tower integrity. The borrowing intent resolution, also approved previously, allows for payment of expenses before final financing is received. A public hearing was also held; with no comments received. Mr. Adkins then explained the two options of financing available:

- Borrow the entire amount upfront, with funds put in a trust fund to earn interest. This option offers a locked in rate, and would most likely be a 10- year loan.
- Do an interim construction loan, as a variable rate which is tied to the market rate, making draws as needed. Permanent financing would be at the end of the project.

Mr. Adkins advised that he would send out the solicitation of bids for permanent financing, which will be due January 3, 2019. He would like to present the bids received to the Board for their consideration and approval during the January 8, 2019 meeting.

A motion was made by Vice President Charles Laird to proceed with the Request for Proposals regarding financing for the Emergency Services Radio Equipment Services Upgrade. Commissioner Willing seconded the motion. The motion carried 5-0.

Ms. Sherree Marshall, Commission on Aging, came forward at this time to present the State of Maryland, Department of Transportation 2019 Capital Grant Agreement for the purchase of two new vehicles (8 passenger/2 wheelchair) at a cost of \$112,480.00. She advised that the federal share is \$89,984.00 and the local share is \$22,496.00 (which will be paid by the

Commission on Aging); therefore it will be at no cost to the county. Ms. Marshall then requested the Boards approval to proceed with the purchase.

A motion was made by Commissioner Laird to approve the 2019 Capital Grant Agreement to purchase 2 new vehicles for the Department of Aging. Vice President Laird seconded the motion. The motion carried 5-0.

Mr. Taylor continued with correspondence and discussion items.

A letter received from Mr. Joe Howard, Ethics Commission Chairman advising that members William Benson, Ernest Satchell, Elmer Barkley and himself would like to continue serving on the Commission. Mr. Clarence Johnson does not wish to continue serving. It was noted that Mr. Johnson represented Commissioner Willing's district.

A motion was made by Commissioner Simpkins to appoint Mr. Joe Howard to serve as a member of the Ethics Commission. Commissioner Randy Laird seconded the motion. The motion carried 5-0.

A motion was made by Commissioner Randy Laird to appoint Mr. Elmer Barkley to serve as a member of the Ethics Commission. Commissioner Simpkins seconded the motion. The motion carried 5-0.

A motion was made by Vice President Charles Laird to appoint Mr. William Benson to serve as a member of the Ethics Commission. Commissioner Randy Laird seconded the motion. The motion carried 5-0.

A motion was made by Commissioner Randy Laird to appoint Mr. Ernest Satchell to serve as a member of the Ethics Commission. Vice President Charles Laird seconded the motion. The motion carried unanimously.

A letter for assistance was received from Ms. Rosalyn D. Leatherbury who, do to medical reasons, requires a wheelchair accessible van. She stated in her letter that she has depleted her reserve funds to pay for a handicap ramp for her home. The Board discussed the request, and would like to help, however the county is not in a position to provide monetary assistance for such a purpose. A letter will be drafted advising Ms. Leatherbury to seek assistance from our various civic organizations.

A letter of support request was received from Ms. Jennifer Merritt, Crisfield City Hall regarding their grant application to the Maryland Emergency Management Agency for the Crisfield Tide Gates, Storm Water Infrastructure Repairs and Pumping Stations project.

Upon a motion made by Commissioner Randy Laird, and seconded by Vice President Charles Laird, it carried 5-0 to authorize President Mathies to sign the letter of support as presented. The motion carried 5-0.

A proclamation was presented for approval honoring Martin Luther King, Jr. Upon a motion made by Commissioner Simpkins and seconded by Vice President Charles Laird, it carried 5-0 to approve the proclamation honoring Martin Luther King, Jr.

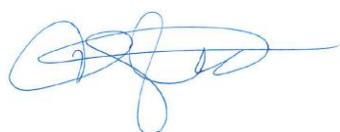
A proclamation was presented for approval in recognition of National Mentoring Month. Upon a motion made by Vice President Charles Laird and seconded by Commissioner Randy Laird, it carried 5-0 to approve the proclamation recognizing National Mentoring Month.

With no further business, at 2:47 p.m. the Board was advised of the need to enter 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 (8) consult with staff, consultants, or other individuals about pending or potential litigation.

Upon a motion made by Commissioner Willing and seconded by Vice President Charles Laird, the Board entered into Closed Session. The motion carried 5-0.

The Commissioner and Closed Session meetings adjourned at 3:12 p.m. upon a motion made by Vice President Charles Laird and seconded by Commissioner Simpkins. The motion carried 5-0.

Approved by:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Lory E. Ebron
Executive Aide