

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
REGULAR SESSION
TUESDAY JUNE 25, 2019

At 1:00 p.m., the Board of Somerset County Commissioners met in Regular Session with Commissioner Vice President Charles Laird, Commissioner Randy Laird, and Commissioner Eldon Willing. President Craig Mathies, Sr. and Commissioner Rex Simpkins were not present.

Also in attendance were County Administrator-Clerk Ralph D. Taylor and Executive Secretary Kimberly Lopez.

Vice President Charles Laird called the meeting to order and asked for Commissioner Willing to lead those in attendance in devotion. Following a quote read by Commissioner Willing, the Lord's Prayer and Pledge of Allegiance were recited.

Minutes from the June 11, 2019 Regular Session and Closed Session were presented for the Board's approval. Upon a motion made by Commissioner Randy Laird and seconded by Commissioner Willing, the Board approved the June 11, 2019 Regular Session and Closed Session. This motion carried 3-0.

Ms. Kimberly Widdowson was asked to come forward at this time to receive her twenty year Service Award. The Board congratulated Ms. Widdowson for her achievement and thanked her for her many years of service.

Next, Judge Daniel Powell came forward with Ms. Karen Brimer, Ms. Chrissy Webster, and Ms. Cheri Meienschein. Judge Powell expressed his deepest appreciation to Ms. Brimer throughout her years of service and introduced Ms. Webster and Ms. Meienschein to the Board and advised the Board of their new positions within the Circuit Court.

Following this, a proclamation was presented to Ms. Karen Brimer in congratulations on her retirement after 20 ½ years of dedicated service to Somerset County; stating that Ms. Brimer has had a valuable effect on the community throughout her many years of service, and the Board gave their sincerest appreciation for her outstanding performance of duty. Ms. Brimer graciously accepted the proclamation and thanked for Board for this honor.

Mr. Taylor then called Ms. Julie Widdowson, Ms. Wendy Robertson, and Ms. Cindy Beauchamp to come forward to accept Certificates of Appreciation for their efforts of extreme kindness to assist Mary Jo and Frank Ward, Tourism Visitor Center guests, during the

unfortunate event that occurred on April 11, 2019, stating their act of kindness and representation of the County are very much appreciated.

Ms. Julie Widdowson was now before the Board to request the approval of the Destination Marketing Grant Application in the amount of \$22,390.00, explaining that this grant will fund marketing and promotion activities.

On a motion made by Commissioner Randy Laird and seconded by Commissioner Willing, the Board voted 3-0 to authorize Vice President Laird's signature on the Destination Marketing Grant Application as presented.

Next, Ms. Linda Johnson and Mr. Tom Davis with Somerset County Public Schools came before the Board to present the Certificate Statement for the FY20 Teacher Salary Incentive Grant Application, stating this certificate statement shows the 3% salary increase teachers in our district were given per the incentive, therefore giving Somerset a 1.96% match of \$340,287 to add to their teacher's scale. Ms. Johnson further explained that they were able to meet the 3% increase criteria by using their budgeted funds allocated in their State and Local formulas for FY20 (eliminating the need to request additional fund from the County).

Upon a motion made by Commissioner Willing and seconded by Commissioner Randy Laird, the Board voted 3-0 to authorize Vice President Laird's signature on the Certificate Statement for the FY20 Teacher Salary Incentive Grant Application.

Following this, Ms. Johnson presented the inter-category budget transfers and budget amendments for FY19:

<u>Category:</u>	<u>Amount of Transfer:</u>
Administration	\$12,000
Mid-Level Administration	\$70,000
Instructional Salaries	\$50,000
Textbooks and supplies	\$(75,000)
Student Health Services	\$43,000
Student Transportation	\$60,000
Operation of Plant	\$(126,000)
Fixed Charges	\$(34,000)

Upon a motion made by Commissioner Willing and seconded by Commissioner Randy Laird, the Board voted to formally approve the inter-category budget transfers and budget amendments for FY19. This motion carried 3-0.

Ms. Erica Yeager, Director of Human Resources, was now before the Board to present updates to the Employee Handbook pertaining to usage of County vehicles and advised the Board of a free service (for government agencies) through the MVA that provides a three year

driving record of any employee that uses a County vehicle. Ms. Yeager advised that these reports will be provided from the MVA yearly and can be provided weekly should the employee's driving record be flagged. Ms. Yeager then advised the Board of the changes to the Employee Handbook to include: Policy Objective & Intent, Scope & Applicability, Authorization to Operate County Vehicles, General Operating & Safety Guidelines, Vehicle Accident/Incident Reporting Procedures, and Disciplinary Actions.

Then, on a motion made by Commissioner Randy Laird and seconded by Commissioner Willing, the Board voted 3-0 to approve the updates to the Employee Handbook as presented.

Mr. Clint Sterling, Director of Recreation and Parks, was now before the Board to present his recommendation to award the bid for construction of the MD 413 Hiker/Biker Path Phase 1: Somerset County Contract NO.: 01-PR-18, State Contract NO.: SO1815125, and FAP NO.: AC-TAP-323-1(5)E to David A. Bramble, Inc. for the amount of \$3,956,000.25 (upon the review and approval and concurrence from MDOT/SHA and The Transportation Alternative Program (TAP).

On a motion made by Commissioner Randy Laird and seconded by Commissioner Willing, the Board voted 3-0 to award the bid for construction of the MD 413 Hiker/Biker Path Phase 1: Somerset County Contract NO.: 01-PR-18, State Contract NO.: SO1815125, and FAP NO.: AC-TAP-323-1(5)E to David A. Bramble, Inc. for the amount of \$3,956,000.25.

With the meeting ahead of schedule, Mr. Taylor moved on to correspondence received.

Mr. Taylor presented a notice of opportunity to file public comments in regards to the matter of application of Great Bay Solar I, LLC for a Certificate of Public Convenience and Necessity to Construct a 150.0 MW Solar Photovoltaic Generating Facility in Somerset County, MD. Mr. Taylor advised this notice will be placed on the County's website.

Correspondence was received from Liberty Power regarding Great Bay Solar II, LLC's MDE permit application to Appropriate and Use Waters of the State.

Correspondence was received from Ms. Sheila Warner advising that she is retiring from the Maryland Department of Juvenile Services on June 30, 2019, and therefore will be stepping down from Chair of the Local Management Board. Her letter further advised that Mr. Garland Hayward will be filling the Chair of the Local Management Board.

Next, a letter was presented from Mr. Danny Thompson in regards to the appointment of Harry Gemmell, Sandy Adkins, Jerry Barbierrri, Kathleen Harrison, and Dennis Williams to the Somerset County Economic Development Commission.

Upon a motion made by Commissioner Willing and seconded by Commissioner Randy Laird, the Board voted 3-0 to appoint Harry Gemmell, Sandy Adkins, Jerry Barbierrri, Kathleen Harrison, and Dennis Williams to the Somerset County Economic Development Commission with their terms ending on June 30, 2022.

Mr. Taylor then reviewed correspondence sent.

The meeting transitioned to discussion items with Mr. Taylor presenting a request from the City of Crisfield to assign the Certificate of Sale on property ID 07-113722 located on S. Somerset Avenue in Crisfield to the City of Crisfield for the amount of \$200.00.

On a motion made by Commissioner Randy Laird and seconded by Commissioner Willing, the Board voted 3-0 to assign the Certificate of Sale on property ID 07-113722 located on S. Somerset Avenue in Crisfield to the City of Crisfield for the amount of \$200.00.

Mr. Taylor presented a request from the State to purchase Tax Map 65, Parcel 317, Account #08-141576 (1.007 acres located on Holland's Crossing Road) and Tax Map 65, Parcel 28, Account #03-043746 (.970 acres located on Tulls Corner Road) for the amount of \$26,000.00.

On a motion made by Commissioner Randy Laird and seconded by Commissioner Willing, the Board voted 3-0 to approve the sale of Tax Map 65, Parcel 317, Account #08-141576 (1.007 acres located on Holland's Crossing Road) and Tax Map 65, Parcel 28, Account #03-043746 (.970 acres located on Tulls Corner Road) to the State for the amount of \$26,000.00.

Next Mr. Taylor requested the Board's approval of Resolution #1142 for the creation of the Crisfield-Somerset Airport Advisory Board to provide general guidance on the development of the Crisfield-Somerset Airport in Somerset County, Maryland. No nominations were made at this time.

A motion was made by Commissioner Willing and seconded by Commissioner Randy Laird to approve Resolution #1142 "Crisfield-Somerset Airport Advisory Board." This motion carried 3-0.

Mr. Taylor requested the Board's approval of Resolution #1143 for the creation of a 2020 Census Complete Count Committee.

On a motion made by Commissioner Randy Laird and seconded by Commissioner Willing, the Board voted 3-0 to approve Resolution #1143 “2020 Census Complete Count Committee.”

Next, Mr. Charles Cavanaugh came before the Board to discuss the Crisfield Airport Drainage project. Upon a meeting with Mr. Glenn Blaugh that morning, Mr. Cavanaugh advised that Mr. Blaugh has requested to keep a section of trees undisturbed, therefore eliminating 500’ of ditch work. Mr. Cavanaugh advised the bidders of this change and received credits from two (Doug Vann: \$26,545.00 - \$3,500.00 = \$23,045.00, and Mark Bozman: \$23,400.00 - \$1,800.00 = \$21,600.00).

Following a brief discussion, a motion was made by Commissioner Randy Laird and seconded by Commissioner Willing to award the Crisfield Airport Drainage project to Mark Bozman in the amount of \$21,600.00. This motion carried 3-0.

Moving back to discussion items, Mr. Taylor requested the Board’s approval for a proclamation to honor Ms. Karen Brimer upon her retirement.

A motion was made by Commissioner Willing and seconded by Commissioner Randy Laird to approve the proclamation for Ms. Karen Brimer. This motion carried 3-0.

Mr. Taylor then presented a request from the Somerset County Health Department to utilize their unspent County funds for the purchase of a shed and materials to expand their parking lot.

Upon a motion made by Commissioner Randy Laird and seconded by Commissioner Willing, the Board approved the request from the Somerset County Health Department to utilize their unspent County funds for the purchase of a shed and materials to expand their parking lot. This motion carried 3-0.

The Board entered into a recess from 1:52pm to 1:59 pm.

Mr. Gary Pusey and Ms. Kristen Trembley were now before the Board to discuss the proposed zoning ordinance; however Vice President Laird advised that the Board had further questions and concerns and requested this discussion be further addressed during a Work Session.

Ms. Trembley joined the audience at this time.

Mr. Mark Konapelsky and Mr. Joe Raab joined Mr. Pusey to provide updates on nuisance violations. The Board was advised that all nuisance complaints are cataloged on a spreadsheet to

assist with keeping track of inspections, compliance deadlines, and court hearings. The Board discussed these violations and inquired if inspections were completed after the properties have been mowed (either by the property owner or by a contractor). Mr. Pusey advised that they are and they are addressing the ones that have not been completed to the satisfaction of the County. The Board then held a discussion regarding repeat offenders and additional fees involved, which Mr. Konapelsky advised he will contact County Attorney Kirk Simpkins for more information. The Board then addressed the usage of contractors for lawn maintenance and advised that they have been questioned why some contractors are used and others aren't. Mr. Konapelsky advised that he contacts the reliable contractors he has used in the past. The Board then requested that Mr. Konapelsky advertise at the beginning of the season and build a list of reliable contractors to use for that year (providing equal opportunity for all lawn mowing businesses within the County).

Mr. Konapelsky and Mr. Raab left the meeting.

Ms. Trembley and Mr. Adam Gibson now joined Mr. Pusey before the Board.

Commissioner Vice President Laird called the Public Hearing to open at 2:30 p.m. and Mr. Taylor then read the notice of the Public Hearing into record as follows:

NOTICE OF PUBLIC HEARING

Under the provisions of Maryland Agricultural Land Preservation Foundation, applications have been filed with the Somerset County Commissioners to sell easements to the Maryland Agricultural Land Preservation Foundation on the following properties:

James & Bonnie East – Costen Road – Property located on the Southeasterly side of Costen Road on Map 42, Parcels 23, consisting of 97 Acres.

Gerard & Donna Dumsha – Old Princess Anne Road – Property located on East side of Old Princess Anne Road on Map 74, Parcels 72 & 49 consisting of 238.8 Acres.

Thomas & Lindi Anne Smith – Stone Creek Lane - Property located West of Reading Ferry Road & North and South of Stone Creek Lane on Map 3, Parcel 132, Lots 1, 2, 12, 14, 15, 16, 19, & 28 consisting of 205.59 Acres.

Gladmar Land Company Inc. – Perryhawkin Road – Property located on the Northwesterly side of Perryhawkin Road on Map 25, Parcel 51 consisting of 92 acres.

Brian Johnson – Old Princess Anne Road – Property located on the Southeasterly side of Old Princess Anne Rd on Map 32, Parcel 18, consisting of 52 acres.

Brian Johnson – Curtis Chapel Road – Property is located on the North side of Curtis Chapel Road on Map 41, Parcels 8 and 220, consisting of 120 acres.

Wilson Davis – River Road – Property located on the Northeasterly side of River Road on Map 49, Parcel 70, consisting of 79 acres.

Gary Breeding – Lovers Lane – Property located on the Northwesterly side of the intersection of Charles Cannon Road and Lovers Lane on Map 48, Parcel 9, consisting 348 acres.

Gary King – Brownstone Road – Property located on the East side of Brownstone Road on Map 23, Parcel 2, 2 lots consisting of 174 acres.

J & J Agriculture (James Nelson) – Black Road – Property located on the North side of Black Road on Map 14, Parcel 201, consisting of 141 acres.

Ryan Miller – Stewart Neck Road – Property located on the Northwesterly side of Stewart Neck Road on Map 23, Parcels 41 and 42, consisting of 59 acres.

Scott Tawes and Horace Marshall – Country Club Road – Property located on the Southeasterly side of Country Club Road on Map 72, Parcel 11, consisting of 107 acres.

Scott Tawes and Horace Marshall – West Post Office Road – Property located on West Post Office Road on Map 16, Parcel 78, consisting of 65 acres.

Scott Tawes and Horace Marshall – Crisfield Highway – Property located on the Northwest side of Crisfield Highway on Map 57, Parcel 459, consisting of 63 acres.

Scott Tawes and Horace Marshall – Stewart Neck Road – Property located on the North side of Stewart Neck Road on Map 23, Parcel 193, consisting of 67 acres.

Scott Tawes, James Nelson and Doug Reynolds – Millard Long Road – Property located on the Southeasterly side of Millard Long Road on Map 31, Parcel 61, consisting of 76 acres.

Scott Tawes and James Nelson – Old Westover Marion Road – Property located on the West side of Old Westover Marion Road on Map 40, Parcel 12, consisting of 81 acres.

GladMar Land Company – Dividing Creek Road – Property located on the South side of Dividing Creek Road on Map 43, Parcels 4 and 38, consisting of 108 acres.

A HEARING WILL BE HELD BEFORE THE SOMERSET COUNTY COMMISSIONERS

ON TUESDAY, JUNE 25, 2019 AT 2:30 P.M. in the office of the Board, 11916 Somerset Avenue, Room 111, Princess Anne, MD, to hear comments from the public regarding these applications.

Agricultural Land Preservation Easements may be sold by landowners whose land meets eligibility requirements of the Maryland Agricultural Land Preservation Foundation.

For further information concerning these applications or the Agricultural Land Preservation Program, call the Somerset County Department of Technical and Community Services: Telephone 410-651-1424. Materials related to the public hearing may be found at 11916 Somerset Avenue, Room 211, Princess Anne, MD, 21853.

Board of County Commissioners
For Somerset County

Ralph D. Taylor
County Administrator

Mr. Gibson advised that the Planning and Zoning department has received over twenty interested applicants in regards to the Maryland Agricultural Land Preservation Foundation, but only eighteen met the conditions. Mr. Gibson further advised that they are only permitted to send twelve applications and provided the Board with the FY20 Easement Applications in order of highest to lowest score (rating based on: farm size, location, farm ownership & operation, proximity to other easements, and development potential).

Vice President Laird then addressed the members of the audience whom signed up to speak, asking them to come forward.

Mr. Gerard Dumsha, 10785 Old Princess Anne Rd Princess Anne, MD 21853, came forward and presented a letter from his wife, Ms. Donna Dumsha, with a request to be considered for an appointment on the Maryland by Land Preservation Board.

The Board accepted the letter and thanked Mr. Dumsha for delivering it.

No other comments were received from the audience.

Commissioner Randy Laird questioned with the six who did not make the list this year, if they will need to reapply next year. Mr. Gibson advised that they will, however the Planning and Zoning Department will reach out to remind them.

Then, on a motion made by Commissioner Randy Laird and seconded by Commissioner Willing, the Board voted 3-0 to accept the following applicants for the FY20 Easement Applications:

<u>Name</u>	<u>Location & Acreage</u>	<u>Scoring</u>
Gary King (1)	Location: Brownstown Rd Map: 0023, Grid: 0003, Parcel: 0185 Acres: 100	FAS: 199 LAS: 53.99 TOTAL: 252.99
Ryan Miller (2)	Location: 11076 Stewart Neck Rd (Map 23 Grid: 5 Parcel: 42 / 41) Acres: 59	FAS: 174 LAS: 72 TOTAL: 246
Brian Johnson (3)	Location: Old Princess Anne Rd (Map: 32 Grid: 18 Parcel: 69) Acres: 52	FAS: 195 LAS: 44.8 TOTAL: 239.8
GladMar Land Company (4)	Location: 10710 Perryhawkin Church Rd (Map: 25 Grid: 10 Parcel: 51) Acres: 92	FAS: 183 LAS: 45.8 TOTAL: 228.8
Scott Tawes and Horace Marshall (5)	Location: West Post Office Rd (Map: 72 Grid: 6 Parcel: 11) Acres: 65	FAS: 157 LAS: 71.56 TOTAL: 228.5
J & J Ag, LLC (6)	Location: Black Rd (Map: 14 Grid 5 Parcel 201) Acres: 141	FAS: 192 LAS: 31.9 TOTAL: 223.9
Scott Tawes and Melanie Tawes (7)	Location: Stewart Neck Rd (Map: 23 Grid: 10 Parcel: 193) Acres: 67	FAS: 163 LAS: 49.5 TOTAL: 212.5

Brian Johnson (8)	Location: 31350 Curtis Chapel Rd (Map 41 Grid 2 Parcel 8) Acres: 120	FAS:192 LAS:16.3 TOTAL:208.3
Gary Breeding (9)	Location: 28599 Lovers Lane (Map: 48 Grid: 11 Parcel: 9 /12 /13/ 15) Acres: 348	FAS:174 LAS: 31.2 TOTAL:
Tawes, Nelson, and Reynolds (10)	Location: Millard Long Rd Map: 31 Grid: 18 Parcel: 61 Acres: 76	FAS: 132 LAS: 69.4 TOTAL: 201.4
Thomas H. Smith III & Lindi Anne Smith (11)	Location: West of Reading Ferry Rd. & North and South of Stone Creek Ln. (Map 3 Grid 17 Parcel 132) Acres: 205	FAS: 144.5 LAS: 52.7 TOTAL: 197.2
Scott Tawes and Horace Marshall (12)	Location: 413 Roadside Map 57 Grid: 16 Parcel: 459 / 170) Acres: 63	FAS: 146 LAS: 50.3 TOTAL: 196.3

The public hearing was then closed at 2:37 p.m.

Mr. Pusey, Ms. Trembley, and Mr. Gibson left the meeting at this time.

The Board then discussed Governor Hogan's announcement that all State offices will be closed on Friday July 5th and agreed to close all Somerset County Government offices on July 5th as well.

With no further business to discuss, a motion was made by Commissioner Willing and seconded by Commissioner Randy Laird to adjourn Regular Session at 2:40 p.m. This motion carried 3-0.

Approved by:

Board of County Commissioners
For Somerset County

Respectfully Submitted:

Kimberly Lopez
Executive Secretary