



AGENDA
October 1, 2019
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. - **Open Meeting. Advise of the need for a Closed Session**
Ralph Taylor, Kirk Simpkins, Erica Yeager, Yvette Cross, Gary Pusey, Kristen Tremblay
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)(7) consult with counsel to obtain legal advice; and (b) (3) consider the acquisition of real property for a public purpose and matters directly related to the acquisition.
- * 2:30 p.m. - Mr. Gary Pusey, Ms. Kristen Tremblay
 - Great Bay Solar Phase II Decommissioning Plan
 - Blight Removal Grant Agreement Approval
- * 2:50 p.m. - Ms. Sherree Marshall, Department on Aging
 - Transportation Assistance Grant Agreement
- * 2:55 p.m. - Ms. Yvette Cross
 - Bid Award Recommendation/Uninterrupted Power Supply Replacement
- * 3:00 p.m. - Mr. John Redden, Mr. Charles Cavanaugh, Julie Widdowson
 - Bid Award Recommendation/Burgess Museum Project
 - Bid Award/Airport Obstruction Project/Tree Removal
- * 3:10 p.m. - Mr. Dick Scott, Ms. Joyce Cottman, Lower Shore Shelter
 - Inter-category budget transfers/CDBG Funding

Correspondence:

Received

Senator Mary Beth Carozza re: Crisfield-Somerset County Airport Hangars
MD Department of Natural Resources re: Proposed Commercial Shellfish Aquaculture Submerged Land Lease

Sent

Mr. Garland Hayward, SCLMB re: Board Appointments
Mr. Jon Robertson re: Surplus Property Sale
Mr. George Sackett re: Surplus Property Sale

Discussion:

- * 1. Proclamation Approval (2)

Public Comments (5-minute time limit to speak)

- * Denotes Action Item

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
October 1, 2019

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

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 Prayer and the Pledge of Allegiance.

Closed Session Summary Report October 1, 2019

On October 1, 2019, at 2:03 p.m. until 2:50 p.m., at 11916 Somerset Avenue, Room 111, upon a motion made by Vice President Charles Laird, seconded by Commissioner Rex Simpkins, it carried unanimously 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; (b) (3) consider the acquisition of real property for a public purpose and matters directly related to the acquisition; and (b) (7) consult with counsel to obtain legal advice.

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

Also present were County Administrator Ralph D. Taylor, Executive Aide Lory Ebron, HR Director Erica Yeager, Director of Technical and Community Services Gary Pusey, Assistant Director Kristen Tremblay, Emergency Services Director Yvette Cross, Attorney Kirk Simpkins. Topics discussed were: (1) Full-time 911 Emergency Communications Dispatcher Vacancy (2) Acquisition and Transfer of County Property (3) Consult with Counsel to obtain legal advice. Actions taken during closed session: (1) Transfer of part time 911 Emergency Communications Dispatcher to full time (2) Approval to transfer property to City of Crisfield (3) Offer to purchase property.

Meeting minutes from the Commissioner and Closed Session meetings held on September 17, 2019 and Commissioner Special and Closed Session meetings held on September 24, 2019, were approved as presented upon a motion made by Vice President Charles Laird and seconded by Commissioner Eldon Willing. The motion carried unanimously.

At 2:03 p.m., the Board entered into Closed Session upon a motion made by Commissioner Randy Laird, and seconded by Vice President Charles Laird, 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) (3) consider the acquisition of real property for a public purpose and matters directly related to the acquisition; and (b) (7) consult with counsel to obtain legal advice. The motion carried unanimously.

At 2:50 p.m. the Board entered back into Open Session, upon a motion made by Commissioner Randy Laird, seconded by Vice President Charles Laird. The motion carried unanimously.

Mr. Gary Pusey and Ms. Kristen Tremblay, Department of Technical and Community Services came forward to further discuss the Great Bay Solar Phase II Decommissioning Plan, initially presented during last week's meeting by Dave Bauer and Melissa Hall. Mr. Pusey provided a brief overview noting the following:

- Responses were provided to the Board for questions submitted during last week's meeting.
- There are separate decommissioning plans in affect for Phase I and Phase II with a new plan required to be submitted by the State for the whole project encompassing Phase I and Phase II in September 2020. The Decommissioning Plan before the Board today is for Phase II, and will be in effect until September 2020.
- The County Attorney has reviewed the Decommissioning Plan for Phase II and found it to be legally sufficient.
- The County Attorney has reviewed the Letter of Credit (LOC) regarding landscaping for Phase II in the amount of \$27,928.13 for the project and also found it to be legally sufficient.

Vice President Charles Laird questioned if this Decommissioning Plan is therefore a temporary plan. Mr. Pusey replied that yes, the applicants will be preparing a new plan for the States approval (with the county's participation) for both Phase I and Phase II in September 2020.

Commissioner Rex Simpkins made a motion to approve the Great Bay Solar Phase II Decommissioning Plan, contingent on the building permits being held until the County Attorney's review/approve of the Irrevocable Letter of Credit for the Decommissioning Plan. Commissioner

Randy Laird seconded the motion. Vice President Charles Laird opposed and President Craig Mathies abstained; therefore, the motion carried 3-1-1.

The Letter of Credit was presented for approval with regard to the Great Bay Phase II Landscaping Plan in the amount of \$27,928.13, issued by the Bank of America, which was reviewed by the County Attorney and found to be legally sufficient.

Commissioner Randy Laird made the motion to approve the Letter of Credit as presented for the Great Bay Solar Phase II Landscaping Plan. Commissioner Rex Simpkins seconded the motion. Vice President Charles Laird opposed and President Craig Mathies abstained; therefore, the motion carried 3-1-1.

Mr. Pusey next presented the DHCD Grant Agreement for the Fiscal Year 2020 Blight Removal Grant. This grant will provide the County with \$310,000.00 to remove blight throughout the County over the next two years. All funds must be spent by July 21, 2021. Mr. Pusey then requested approval for the President's signature on the agreement.

Upon a motion made by Commissioner Randy Laird and seconded by Vice President Charles Laird, it carried unanimously to approve President Mathies to sign the FY20 Blight Removal Grant Agreement as presented. Mr. Pusey and Ms. Tremblay left the meeting at this time.

Ms. Sherree Marshall, Commission on Aging came forward to present the Maryland Department of Transportation, Transit Administration Assistance Grant for approval. Ms. Marshall explained that the grant, in the amount of \$117,447.00 will be used for transportation services for the elderly and disabled.

Commissioner Rex Simpkins made a motion to approve the President's signature on the Transit Administration Assistance Grant as presented. Commissioner Eldon Willing seconded the motion. The motion carried unanimously.

Mr. John Redden, Public Works, Mr. Charles Cavanaugh, Maintenance, Ms. Julie Widdowson, Tourism and Mr. Finith Jernigan, Design Atlantic, came forward at this time to present their bid recommendation regarding the Burgess Rural Living Center Project. Mr. Cavanaugh advised the Board that a meeting was held with the sole bidder R.D. Meredith General Contractors, LLC., to negotiate their bid submitted for \$494,000 during the September 17, 2019 meeting. A revised project summary was reviewed and presented for consideration. It was noted that the contractor has reduced their bid submission to \$459,000.00; therefore, the total deficit for

the project is now \$39,395.00. Mr. Cavanaugh noted that specific reductions made. Mr. Taylor made a strong recommendation to consider this project. He noted the efforts of the Tourism Board to put this project together, and the time that has been implemented over the years for a new building. A \$500,000 grant has been awarded, and will provide the opportunity to showcase artifacts of our county. It was also noted that the deficit should be recouped from the sale of the old building, as well as the appropriation that was previously made towards this project for \$25,000.

A motion was made by Commissioner Randy Laird to approve the reduced bid proposal received from RD Meredith General Contractors for \$459,000.00. Vice President Charles Laird seconded the motion. The motion carried unanimously.

Next, Mr. Cavanaugh presented two proposals received for tree/stump (5 trees, 1 stump) removal for the Burgess project. Paul's LandWorks and Construction LLC submitted a bid for \$10,500.00 and the second bid was from Jake Cottman, Cottman Tree Experts for \$5,600.00. Mr. Cavanaugh made the recommendation to award the bid to Jake Cottman, Cottman Tree Experts for \$5,600.00. This proposal is included with the project budget summary just presented.

A motion was made by Commissioner Eldon Willing to approve the bid submission for tree and stump removal for the Burgess project to Cottman Tree Experts for \$5,600.00. Commissioner Simpkins seconded the motion. The motion carried unanimously.

Next, Mr. Cavanaugh then requested the Boards approval to use Miller Land Services for the relocation of the water line for the Burgess project. He advised that he has had the Sanitary District look at the proposed work, and advised that the Sanitary District generally uses Miller Land Services with this type of work. The bid proposal submitted was for \$2,500.00. Mr. Cavanaugh noted the amount was reasonable.

Upon a motion made by Commissioner Rex Simpkins, seconded by Commissioner Eldon Willing, it carried unanimously to award the proposal to move the water line for the Burgess project to Miller Land Services in the amount of \$2,500.00. Mr. Cavanaugh advised he would return for the President's signature on the formal contract once it is received.

Mr. Taylor next presented the State of Maryland Capital Projects Grant Agreement, received today for the Burgess Exhibit Center Addition in the amount of \$500,00.00 for approval.

Commissioner Randy Laird made a motion to approve the Capital Projects Grant Agreement for \$500,000.00 pending review by the County Attorney. Commissioner Rex Simpkins seconded the motion. The motion carried unanimously. Mr. Cavanaugh, Ms. Widdowson and Mr. Jernigan left the meeting at this time.

Mr. Redden next presented the Crisfield-Somerset County Airport bid award proposals for consideration of approval regarding the tree removal phase of this project. Airport consultant AECOM prepared the bid package and specs for this project many months ago. Bid proposals received were as follows:

<u>Contractor:</u>	<u>Bid Amount:</u>
Harper and Sons	\$1,285,547.00
Economy Tree Service Inc.	672,320.86

Mr. Redden noted that the Engineer estimate was \$919,063.50 for the project. He also advised that he will also need the Boards approval regarding AECOM's fee in the amount of \$72,206.00.

Mr. Redden then made the recommendation to award the bid to the low bidder, Economy Tree Service Inc., for \$672,320.86. Mr. Taylor then noticed that the contract amount was listed as \$672,079.08. Confirmation was needed as to the correct amount. Mr. Redden was asked to return next week to re-present the bid award once the correct amount is determined.

Ms. Yvette Cross came forward at this time to present her recommendation regarding the Uninterrupted Power Supply Replacement (UPS) Project. Four bids were received during the September 3, 2019 meeting were as follows:

<u>Bidder:</u>	<u>Amount:</u>
Weisco Power	\$39,717.00
United Power Systems Inc.	\$49,691.47
Ward-Bowland Associates	\$61,205.00
Carber Power Technologies Inc.	\$90,523.43

In providing her review, Ms. Cross advised that the first three bids (Weisco, United Power System and Ward-Bowland) all required additional floor space that is not feasible. The bid from Carber Power technologies, the highest bid submitted, from a technical standpoint, offered an open rack solution, which is the best solution for her department. This proposal also allowed for future expansion without adding an extra battery cabinet. Ms. Cross was not able to know how far this upgrade would work into the future.

Commissioner Rex Simpkins made a motion to award the UPS bid award to Carber Power Technologies, Inc., in the amount of \$90,523.43 pending funding approval from the Numbers Board. Commissioner Randy Laird seconded the motion. The motion carried unanimously.

Ms. Joyce Cottman and Mr. Dick Scott, Somerset Committee for the Homeless, Inc., came forward at this time to present an amended budget request regarding CDBG Grant No. MD-18-HI-6. Ms. Cottman explained that they were here today to request budget amendment transfers by line item category. A spreadsheet detailing the final line item category amendments was provided.

Upon a motion made by Vice President Charles Laird and seconded by Commissioner Rex Simpkins, the Board unanimously approved the final amended budget line item transfers as follows:

Description:	Final Amended Budget Request
5.a Personnel	\$127,213.00
5.b Utilities	4,587.00
5.d Office Materials	3,600.00
5.e Transportation	300.00
5.f Client Services	300.00
5.h Project Administration	8,000.00
8.a Audits/Financial Statements	6,000.00
Total Project Costs	\$150,000.00

A letter will be provided requesting DHCD approval of the request for budget transfers by line item category as presented. Ms. Cottman and Mr. Scott left the meeting at this time.

Commissioner Randy Laird also left the meeting at this time.

Mr. Taylor continued with correspondence and discussion items.

A letter of support was sent to Governor Hogan from Senator Mary Beth Carozza requesting support for funding (\$500,000) in the FY21 Capital Budget for the Crisfield-Somerset County Airport Hangar project.

Notice was received from Maryland Department of Natural Resources advising of a proposed commercial shellfish aquaculture submerged land lease submitted by Ralph L. Kraft and Mary E. Kraft, Wicomico River, Somerset County Maryland. The County was identified as an adjacent landowner and was therefore directly notified regarding the public notice/comment period. Vice President Charles Laird questioned if a public hearing can be requested so that the public is made aware. Mr. Taylor advised that a public hearing can be requested.

Therefore, Vice President Laird made a motion to request the State advertise for a public hearing. Commissioner Eldon Willing seconded the motion. The motion carried 4-0.

Commissioner Randy Laird returned to the meeting at this time.

Mr. Taylor then reviewed the letters sent to the individuals who were approved the sale of surplus properties. Commissioner Randy Laird asked if the Sackertown Road property, Account 12-009151 had been sold. It was noted that the county had previously requested bid proposals to have the remaining remnants of the house demolished; however, an offer was submitted to purchase the property and therefore the demo did not occur. Mr. Taylor advised that the sale did not happen, and the property has been placed back on the website as available.

Commissioner Randy Laird then made a motion to have the house (Sackertown Road Account 12-009151) demolished, as previously discussed and approved. Vice President Charles Laird seconded the motion. The motion carried unanimously. Mr. Cavanaugh will be advised to proceed with the demolition.

Approval for a proclamation thanking Mr. Benny Bozman for his dedication to develop the Benny Bozman Fire Museum was requested.

Upon a motion made by Commissioner Eldon Willing and seconded by Vice President Charles Laird, the proclamation for Mr. Bozman was unanimously approved.

Approval for a proclamation recognizing Mr. Leo Lawson's retirement from the Board of Education after 37 years of service was requested.

Upon a motion made by Commissioner Randy Laird, seconded by Vice President Charles Laird, it carried unanimously to approve the proclamation for Mr. Lawson as requested.

Ms. Tammy Truitt, Marion, District 4 requested to address the Board. Ms. Truitt had a couple of questions following the meeting last week, noting that she was riding around the Great Bay Solar site noticing the noise level was 80 dba, with the state level being 65 dba. She stated she has spoken with the PPRP, and the noise issue can be fixed as they can encapsulate the inverters that are too close to the project border. She requested they be asked to do that. Another problem was with the Route 13 site- with there being no signage regarding the cemetery as was agreed. She also had a couple of questions about the Decommissioning Plan approved today, and the Surety agreement-she would like to make sure it is in the name of Algonquin Power and Great Bay Solar. She also questioned if the LOC is a Stand-by and/or irrevocable LOC and what happens when the

project is decommissioned and what Stand-by means. Mr. Taylor stated that he had emailed Ms. Truitt, upon her request, information regarding the LOC advising it was Algonquin/Great Bay and the county will make sure that is the case with this LOC. Ms. Truitt then noted that decommissioning happens at the end of the project, so no further approval is needed. She also said we are supposed to evaluate the decommissioning amount every 5 years, stating that it is a no brainer that the amount will go up; and the county shouldn't be locked into a flat rate.

Next, Ms. Catherine Lynch of 8459 R Maddox Road, Westover came forward. She had a question about getting information (zoning and trailer) about a property up for tax sale she needed answered before the move forward with buying the property. Ms. Lynch was advised to get in touch with Mr. Pusey at the Department of Technical and Community Services to have her questions answered.

With there being no further business, a motion was made by Commissioner Randy Laird to adjourn at 3:36 p.m. Vice President Charles Laird seconded the motion. The motion carried unanimously.

Approved by:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Lory E. Ebron
Executive Aide