



AGENDA
April 30, 2019
BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
11916 Somerset Avenue
Room 111/Meeting Room
Princess Anne, MD 21853
1:00 p.m.

Appointments:

1:00 p.m. - Proclamation Presentation/Ms. Christina N. South, 2019-2020 Teacher of the Year

1:00 p.m. - Public Hearing- Community Development Block Grant Program /Mr. Gary Pusey

- * 1:10 p.m. - Mr. Gary Pusey, DTCS
 - FY20 Critical Area Grant Agreement
 - Re-Appointment/Board of Zoning Appeals
 - Agricultural Preservation Advisory Board Vacancy (1)
- 1:20 p.m. - Mr. Dan Kuebler, Chairman
 - Somerset County Early Learning Advisory Council

Correspondence:

Received

MD Dept. of the Environment re: Calpine Mid-Atlantic Generation, LLC/Part 70 Operating Permit
MD Dept. of Planning Clearinghouse Review re: HMGP Smith Island Drainage Project MD20190416-0282
Federal Energy Regulatory Commission re: Del-Mar Energy Pathway Project
Tri-County Council for the Lower Eastern Shore re: Transfer of Funds Request

Sent

Ms. Maddy Ciuly, DHCD re: Tax Exempt Housing Bond Allocation (REVISED)
Ms. Akira Spiker re: School Project/Local Dog Parks

Discussion:

- * 1. Boat Slip Fees
- * 2. Mosquito Billing Fee
- * 3. LOS (3) Smith Island, Princess Anne, Crisfield
- * 4. MOU Health Department & Recreation and Parks

Public Comments (5 minute time limit to speak)

- * **2:00 p.m. – Closed Session, Ralph Taylor, Clint Sterling, Wess Garner**
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
April 30, 2019

At 1:00 p.m., Vice President Charles Laird called the Board of County Commissioners for Somerset County to open in Regular Session. Present for the meeting were Commissioner Vice President Charles Laird, Commissioner Randy Laird, and Commissioner Eldon Willing. Commissioner Simpkins was not present at this time. Commissioner President Craig N. Mathies, Sr., was absent from today's meeting.

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

Vice President Charles Laird asked Commissioner Willing to lead those present in Prayer and the Pledge of Allegiance.

Closed Session Summary Report April 30, 2019

On April 30, 2019, at 1:54 p.m. until 2:37 p.m., at 11916 Somerset Avenue, Room 111, upon a motion made by Commissioner Randy Laird and seconded by Commissioner 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.

Present for the Closed Session Meeting were Vice President Charles Laird, Commissioner Randy Laird, Commissioner Eldon Willing and Commissioner Rex Simpkins. Commissioner President Craig N. Mathies, Sr., was absent from today's meeting.

Also present were County Administrator Ralph D. Taylor, Executive Aide Lory Ebron, HR Director, Erica Yeager and States Attorney Wess Garner and Recreation and Parks Director Clint Sterling. Topics discussed were: (1) Hiring of PT Golf Course Cart Attendant (2) Job vacancy advertisement (3) Probationary employee status to permanent status (4) Disciplinary Action/Probation status (5) Dog Control Warden vacancy. Actions taken during closed session: (1) Approval to hire PT Golf Course Cart Attendant (2) Approval to move employee from probationary to permanent employee status (3) Approval to place employee on probation.

Meeting minutes were presented for approval regarding the Commissioner and Closed Session meetings held on April 16, 2019. Commissioner Randy Laird made a motion to approve

the minutes as presented. Commissioner Willing seconded the motion. The motion carried unanimously.

Commissioner Rex Simpkins joined the meeting at this time.

Ms. Christina N. South, 2019 Teacher of the Year was asked to come forward at this time to accept a proclamation in recognition of her commitment to education.

Vice President Charles Laird called the Public Hearing open at 1:05 pm to obtain the views of citizens on community, economic development and housing needs with regard to the submission of an application to the Maryland Community Development Block Grant Program (CDBG). Mr. Gary Pusey and Ms. Kristen Tremblay, Department of Technical and Community Services came forward

Mr. Taylor read the notice of public hearing into the record as follows:

“The Board of County Commissioners for Somerset County will conduct a Public Hearing to obtain the views of citizens on community, economic development and housing needs to be considered for submission of an application to the Maryland Community Development Block Grant Program (CDBG). Citizens will have the opportunity to discuss proposed projects and to provide input on other needs to be considered. The hearing will be held at 1 p.m. in the County Commissioners Meeting Room (Room 111), 11916 Somerset Avenue in Princess Anne, on Tuesday, April 30, 2019. The draft application will be available for the public to review from May 17, 2019 to May 24, 2019 at the Dept. of Technical & Community Services office at 11916 Somerset Ave., Room 111, Princess Anne, MD 21853 during normal business hours. Additionally, the progress of the County’s current CDBG Housing Rehabilitation grant will be reviewed at the hearing.

Citizens will be furnished with information including but not limited to:

- The amount of CDBG funds available for State Fiscal Year 2020;
- The range of activities that may be undertaken with CDBG funds; and
- A proposed project to remove blighted properties under consideration by Somerset County.

The Maryland Community Development Block Grant (CDBG) Program is a federally funded program designed to assist governments with activities directed toward neighborhood and housing revitalization, economic development, and improved community facilities and services. It is administered by the Department of Housing and Community Development.

The Maryland CDBG Program reflects the State's economic and community development priorities and provides public funds for activities which meet one of the following national objectives, in accordance with the federal Housing Community Development Act of 1974, as amended, that:

1. Benefit to low and moderate income persons and households;
2. Aid in the prevention or elimination of slums or blight;
3. Meet other community development needs of an urgent nature, or that are an immediate threat to community health and welfare.

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.

For further information, please contact the Department of Technical & Community Services at 410-651-1424. Board of County Commissioners for Somerset County, Ralph D. Taylor, County Administrator.”

Mr. Pusey explained that applications are currently being accepted for CDBG FY20 grant funding and a public hearing is required to obtain citizen input on projects the County may be

considering or to allow citizens to propose projects they think the County should pursue. Currently the department is in the first year of a CDBG Housing Rehabilitation Grant totaling \$335,000 that will help approximately 25 eligible households. This two-year grant expires in August 2020, with \$80,000 expended to date. He anticipates this funding will easily be spent before the August 2020 deadline. Typical improvements utilizing this grant funding include wells, septic systems, drain fields, roof and window replacement and HVAC system replacement. Somerset County has utilized this grant funding for over 20 years for projects that benefit low/moderate income persons and households, aid in the prevention of slums or blight or meet community development needs of an urgent nature or are an immediate threat to community health and welfare. Mr. Pusey explained that the Board of Commissioners have identified a problem with the presence of dilapidated structures that are an eyesore, lower property values and attract the illegal dumping of trash. The maximum amount of funding that any county can apply for is \$800,000; which is the amount Somerset County will apply for for FY20. It was noted however that CDBG grant funding is very competitive and the amount requested may not be totally funded. The approximate cost to remove a home is between \$7,000-\$10,000. The number of homes to be removed will depend on the amount of grant funding received.

Vice President Laird asked if there was anyone present wishing to speak.

Mr. Dan Kuebler, Crisfield Maryland asked to address the Board. Mr. Kuebler expressed his full support from the south end of the county, noting that they are swamped with houses in his area, that are full of mold and blight. He stated that these houses need to come down before someone tries to live there and breathe all that bad air.

Reverend Charles Bagley, Westover, Maryland next asked to address the Board. After thanking the Commissioners and Mr. Pusey, he asked when people that have issues can apply for assistance. Mr. Pusey stated that the Housing Rehabilitation grants can be applied for at any time and contact should be made with the Planning and Zoning office.

A written comment received from Mr. Mark Simmons was read into record. Mr. Simmons asked that some of the funds be used to clean up abandoned and derelict properties in the county to "aid in the prevention and elimination of blight".

Mr. Taylor advised that written comment would be taken for 10 days, or until May 10, 2019. Vice President Charles Laird declared the Public Hearing closed at 1:16 pm.

Next, Mr. Pusey presented the Critical Area FY 20 Grant Agreement for the Boards approval. He explained that each year, the County receives a grant from the Critical Area Commission to help cover staff time associated with implementing Critical Area requirements. This year's grant amount is \$11,000, slightly less than the \$15,000 received in recent years. Mr. Pusey noted that all counties had their allocation decreased for the upcoming year. Mr. Pusey then requested the Boards approval for the Vice President's signature on the agreement as presented.

Upon a motion made by Commissioner Randy Laird, and seconded by Commissioner Willing, it carried unanimously to authorize Vice President Charles Laird to sign the FY20 Critical Area Grant Agreement as requested.

Mr. Pusey advised of a needed reappointment regarding the Board of Zoning Appeals. Mr. Andrew Baines term has expired, and Mr. Baines has stated he would like to continue serving. If reappointed, Mr. Baines term would expire March 30, 2022.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Willing, it carried unanimously to appointment Mr. Andrew Baines to serve another three-year term on the Board of Zoning Appeals, expiring March 30, 2022.

Lastly, Mr. Pusey advised the Board of a vacancy regarding the Agricultural Preservation Advisory Board. He explained that a replacement is needed for Vice President Charles Laird following his election as Commissioner. Members serve a five-year term, and advise the County Commissioners as to properties whose owners may be seeking to enroll in the State's Agricultural Preservation Program, and potential easement properties.

Mr. Dan Kuebler, Chairman of the Somerset County Early Learning Advisory Council (SELAC) came forward at this time. Mr. Kuebler first advised that he has come to the decision to step down from his service on the SELAC. After reviewing his appointment made back in 2012, Mr. Kuebler discussed the importance of the Early Learning Program, which prepares 4 year olds to go to school. He discussed how enrollment has increased over the years, and noted that Somerset County was the first school system in the State of Maryland to have ½ day Pre-K for anyone who wanted to go. He discussed the four areas of evaluation (literacy, math, social and physical) and reviewed Somerset County's average rating of 45%. The state average at September 2017 was 43% and Mr. Kuebler feels that the solution to obtain a better average for our children is to offer all day Pre-K. With this being said, Mr. Kuebler made the Board aware of

the need for teachers and classroom space to accommodate longer Pre-K days and the growing enrollment. He advised that this upcoming year is in trouble, with 250 children signing up, and something has got to be done now. He stated that to meet this academic challenge we must do the following:

- Keep classroom sizes small, noting the need for mobile classrooms
- Have a backup plan for late sign-ups, to keep the classroom size small
- Allow extra time for after school help if needed

Commissioner Simpkins questioned if the old Vo-Tech school could be utilized for this purpose once the new school is completed. It was also noted that the lack of parent involvement also plays a role as well. Mr. Kuebler was thanked for his service, and for all he has done.

Mr. Taylor continued with correspondence and discussion items.

A letter was received from the Maryland Department of the Environment advising that Calpine Mid-Atlantic (the substation in Crisfield) has applied for a renewal of the Title V (Part 70) Operating Permit. This permit renewal has to do with aerial emissions of Nitrogen Oxides, and it has been found that emissions from this facility are well below thresholds for permitting requirements. The full permit is available for public review at the Crisfield Library, and notice will be published in the local paper. Comments or requests for public hearing will be taken 30 days from the notice of publication.

A Clearinghouse Review was received for the 2018 Hazard Mitigation Grant Program/Smith Island Drainage Improvement Project (MD20190416-0282). Mr. Taylor recommended a C5 designation (It is consistent with our plans, programs, and objectives).

A motion was made by Commissioner Simpkins and seconded by Commissioner Willing to submit a C5 designation for the 2018 Hazard Mitigation Grant Program/Smith Island Drainage Improvement Project. The motion carried unanimously.

Mr. Taylor reviewed the Federal Energy Regulatory Commission's notice of availability of the Environmental Assessment for the proposed Del-Mar Energy Pathway Project. This project is related to the natural gas project that will eventually extend to Somerset County.

A request was received from Mr. Bradley A. Bellacicco, Transit Director, Tri-County Council for the Lower Eastern Shore of Maryland for the transfer of funds, in the amount of \$5,447.00 from Capital Equipment to go towards the purchase of a replacement vehicle.

A motion was made by Commissioner Simpkins, and seconded by Commissioner Willing to approve the transfer request in the amount of \$5,447.00. The motion carried unanimously.

Next, Mr. Taylor advised that during budget deliberations, the decision was made to increase boat slip fees annually by \$25.00 for all marinas. Additionally, a discussion was held regarding electricity availability at Webster's Cove Marina. Slips 1-27 did not previously provide electrical service; but is now available. A discussion was held, and it was decided that Webster's Cove Marina will now be billed with electric being mandatory, as is done at the other marinas. However, it was decided that electricity will be off at vacant slips and turned on once the slip is leased. It should be noted that slips 1-27 cannot be turned off.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Willing, it carried unanimously to approve the increase to boat slip fees annually by \$25.00 for all marinas for the upcoming billing as follows:

| Marina: | Fee FY20: |
|-----------------------|---|
| <u>Deal Island</u> | <u>\$675.00</u> |
| <u>Webster's Cove</u> | <u>\$625.00 (Vacant slips are to have electric turned off)</u> |
| <u>St. Peter's</u> | <u>\$525.00 \$625.00 (Corrected May 28, 2019/LE)</u> |
| <u>Wenona</u> | <u>\$675.00</u> |
| <u>Tylerton</u> | <u>\$525.00</u> |
| <u>Jenkins Creek</u> | <u>\$325.00</u> |

Additionally during budget deliberations, it was decided to raise the Mosquito Billing fee \$5.00 to \$80.00 for the season.

Upon a motion made by Commissioner Randy Laird, and seconded by Commissioner Simpkins, it carried unanimously to increase the Mosquito Billing fee to \$80.00.

Mr. Taylor next asked for formal approval for letters of support that were approved by phone poll consensus as follows:

- Smith Island Technical Assistance Grant Letter of Support approved upon a motion made by Commissioner Randy Laird and seconded by Commission Simpkins. Motion carried unanimously.

- Somerset Landing Drainage Study Letter of Support approved upon a motion made by Commissioner Willing and seconded by Commissioner Simpkins. Motion carried unanimously.
- Crisfield Drainage System Assessment Letter or Support approved upon a motion made by Commissioner Randy Laird and seconded by Commissioner Willing. Motion carried unanimously.

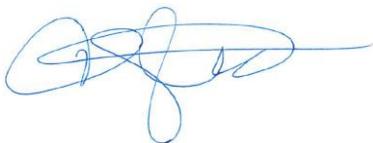
Mr. Taylor next presented a Memorandum of Understanding (MOU) between the Somerset County Health Department and Somerset County Recreation and Parks for the “Trail-Mix” in the amount of \$3,200.00 to repair, replace and grass maintenance, new QR code stickers and installation of new signs.

Upon a motion made by Commissioner Randy Laird and seconded by Commissioner Simpkins, it carried unanimously to authorize Mr. Taylor to sign the MOU for \$3,200.00 as presented.

Mr. Taylor advised the Board of the need for Closed Session. With no further business, at 1:54 p.m. the Board entered into Closed Session upon a motion made by Commissioner Randy Laird and seconded by Commissioner Simpkins, 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.

The Commissioner and Closed Session meetings adjourned at 2:37 p.m. upon a motion made by Commissioner Randy Laird and seconded by Commissioner Simpkins. The motion carried unanimously.

Approved by:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Lory E. Ebron
Executive Aide