



AGENDA
January 22, 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. - Opportunity for Public Hearing- SSTAP Grant /Ms. Sherree Marshall, Commission on Aging
 - SSTAP Grant Application – Request for Approval
- * 2:05 p.m. - Mr. Gary Pusey, Ms. Kristen Tremblay/DTCS
 - Rural Legacy Application/Mr. Jared Parks Lower Shore Land Trust
 - MALPF Local Matching Program – Commitment of Three-Year-Old Funds
- * 2:20 p.m. - Mr. Charles Cavanaugh
 - Robert H. Johnson Health Center Cleaning Contract
- 2:25 p.m. - Ms. Sheila Warner, Ms. Karen Brimer, Local Management Board
 - LMB Updates
- 2:35 p.m. - Ms. Sharon Muir, Ms. Vicki Miller
 - AMOSS 508 Funds
- 3:00 p.m. - Mr. Herb Geary, TGM and Mr. Gene Adkins
 - FY18 Audit

Correspondence:

Received

- * Maryland Department of Planning Clearinghouse Review re: County Flood Plan (MD2019-1-7-0974)
 - * Maryland Department of Planning Clearinghouse Review re: County Elevation Project (MD20190107-0017)
 - * Maryland Department of Planning Clearinghouse Review re: Crisfield Tide Gates, Infrastructure Repairs (MD20181220-0997)
- Maryland Department of Health re: Somerset County Health Officer Appointment
Maryland Department of Transportation re: Airport Grant Funding

Sent

The Honorable Mary Beth Carozza re: Senate Appointment
The Honorable James N. Mathias re: Recognition of Service
Ms. Sheila Warner, LMB re: Appointment
Mr. Adam Riggin, Sanitary Commission re: Appointments (2)
Mr. Wayne Langston re: Surplus Property Purchase

Discussion:

- * 1. Surplus Property Offers (5)
- * 2. Crisfield High School Athletic Field Lighting
- * 3. Webster's Cove Refunds
- * 4. Deal Island Bridge Dedication/Request for Letter of Support
- * 5. Workforce Development Board Vacancy (3)

Public Comments (5 minute time limit to speak)

- * **3:30 p.m. – Closed Session, Mr. Ralph Taylor, Clint Sterling**
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.

- * Denotes Action Item

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
January 22, 2019

At 2:00 p.m., President Mathies called the Board of County Commissioners for Somerset County to open 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 Prayer and the Pledge of Allegiance. Commissioner Willing first read a passage from the Bible and Devotional; after which the Lord's Prayer and Pledge of Allegiance was recited.

Closed Session Summary Report January 22, 2019

On January 22, 2019, at 3:30 p.m. until 3:56 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, Recreation and Parks Director Clint Sterling and HR Director Erica Yeager. Topics discussed were: (1) Hiring of Golf Course Equipment Manager (2) Hiring of PT Contractual Groundskeeper/Maintenance (3) County Attorney Resume's (4) Update regarding current litigation (5) Potential litigation. (6) Need to re-enter into Open Session. Actions taken during closed session: (1) Hired FY Golf Course Equipment Manager (2) Hired PT Contractual Groundskeeper/Maintenance (3) Approval to re-enter into Open Session (4) Disqualification of resume.

Meeting minutes were presented for approval regarding the Commissioner and Closed Session meetings held on January 8, 2019. Commissioner Simpkins made a motion to approve the minutes as presented. Commissioner Willing seconded the motion. The motion carried unanimously.

Ms. Sherree Marshall came forward at the time regarding the SSTAP Grant Application. Ms. Marshall advised that there were no requests received to hold a Public Hearing regarding the grant, which was advertised in the local papers. She then requested the Boards approval to submit the SSTAP Grant Application, in the amount of \$117,447.00 which will assist in providing transportation services to the elderly and disabled citizens in the county.

Upon a motion made by Commissioner Simpkins and seconded by Commissioner Randy Laird, it carried unanimously to authorize President Mathies to sign the SSTAP grant application for submission. Ms. Marshall left the meeting at this time.

Mr. Gary Pusey and Ms. Kristen Tremblay, Department of Technical and Community Services, came forward at this time.

Ms. Tremblay first presented a request to propose the expansion of the Dividing Creek Rural Legacy Area (DCRLA). She explained the program, noting that Somerset County currently works in partnership with Worcester County and the Lower Shore Land Trust to manage the DCRLA. Prior to the submission of this year's application for funding, the recommendation is being made to seek the Boards approval to expand the existing area. Ms. Tremblay introduced Mr. Jared Parks, Land Programs Manager with the Lower Shore Land Trust at this time.

Mr. Parks explained the current acreage of approximately 55.5 acres, with 11,178 acres located in Somerset County. It was noted that Worcester has expanded their portion of the area twice, the latest being last year when over 27,000 acres were added. A map was displayed which showed the current boundary as well as the proposed expansion area. The expansion, if approved, would double acreage within Somerset County from 11,178 acres to 23,463 acres. Additionally, the Board was being asked to give their approval for the submission of the grant application, required to be submitted before February 12, 2019.

Upon a motion made by Vice President Laird, and seconded by Commissioner Simpkins, it carried unanimously to approve the expansion area for the DCRLA for Somerset County as presented, and submit the grant application before February 12, 2019.

Vice President Charles Laird asked Mr. Parks to keep our office updated regarding the program. Commissioner Randy Laird questioned if it is in Somerset County's best interests to be combined with Worcester County. Mr. Parks explained the difficulty of splitting the counties and he noted that the State actually looks more favorably when counties work together in a combined effort.

Next, Mr. Pusey presented the State's Agricultural Land Preservation Program, which is funded through dedicated revenues from the State's Agricultural Transfer Tax since 1977. Funds not used within three years must be returned to the State. Mr. Pusey advised that Somerset County has \$33,849.67 of funds that are almost three years old, and the State has asked if the County would like to commit these funds to the Local Matching Program that allows local funds to be used with State funds to purchase easements in the county. Mr. Pusey advised that committing the entire amount of \$33,849.67 allows for an additional \$50,774.51 in State funding to be used locally for easement purchases. The recommendation was made to commit all of the funds totaling \$33,849.67 to the Local Matching Program for the FY19 easement cycle. Approval for a letter authorizing the commitment was also requested.

Upon a motion made by Commissioner Simpkins, and seconded by Vice President Laird, it carried unanimously to commit the funding in the amount of \$33,849.67 to the Local Matching Program for FY19, and authorize President Mathies to sign the letter authorizing the commitment of funds.

Mr. Charles Cavanaugh, Director of Solid Waste and Maintenance came forward at this time to present a Memorandum of Understanding (MOU) between The Somerset County Commissioners and the Somerset County Health Department. It was explained that the MOU was in need of updating following the move of the Health Department to their new location at 8928 Sign Post Road. Mr. Cavanaugh reviewed the key revisions that were made that included duties of housekeeping staff, supplies and payment amount due annually (\$30,000 paid on a quarterly basis of \$7,500). Mr. Cavanaugh also advised that there is a current outstanding balance owed for the time used at the former location, combined with the time at the new location totaling \$15,000, which will be paid as the initial payment to cover two quarters that will be due February 1, 2019.

A motion was made by Vice President Laird to accept the MOU regarding the housekeeping agreement for services at 8928 Sign Post Road, Westover as presented. Commissioner Simpkins seconded the motion. The motion carried unanimously.

Being appointments were running ahead of schedule, Mr. Taylor continued with correspondence and discussion items at this time.

The Maryland Department of Planning has assigned three Clearinghouse Review projects as follows:

- MD20181218-0974 – As required by Maryland HB 1350/SB 1006, on July 1, 2019 or before, local jurisdictions that experience nuisance flooding shall develop a plan to address the flooding. The Plan must also be published on the local jurisdiction website, and updated at least every five years. This project meets that requirement, and expands on the existing Hazard Mitigation Plan. Mr. Taylor recommended a C5 code (It is consistent with our plans, programs and objectives).

Upon a motion made by Commissioner Simpkins, and seconded by Vice President Laird, it carried unanimously to submit a C5 code for Clearinghouse Review project MD20181218-0974.

- MD20190107-0017 – This project for FY18 Pre-Disaster Mitigation for Flood Mitigation Assistance is for a Elevation Project at 11528 Long Point Road. The homeowners have indicated they will pay up front and be reimbursed. The recommendation was made to code this project as C5.

Upon a motion made by Vice President Laird and seconded by Commissioner Willing, it carried unanimously to code Clearinghouse Review Project MD20190107-0017 as C5 (It is consistent with our plans, programs and objectives).

- MD20181220-0997 – This project is for FY18 Pre-Disaster Mitigation Assistance/Crisfield Tide Gates, Stormwater Infrastructure Repairs and Pumping Stations and will install 11 tide gates, and two stormwater pumping stations in Crisfield. A letter of support for the project was previously approved by the Board, and the recommendation was made to code Clearinghouse Review Project MD20181220-0997 as C5 (It is consistent with our plans, programs and objectives).

Upon a motion made by Commissioner Laird and seconded by Commissioner Willing, it was approved to code Clearinghouse Review Project MD20181220-0997 as C5. The motion carried unanimously.

Mr. Taylor presented a request to purchase surplus property, offered at half-deed price from Vincent Kenney. Mr. Kenney has requested to purchase the following properties as follows:

- 07-115709 (Map 0101 Parcel 0895) \$1,000.00 plus closing costs
- 07-120850 (Map 0101 Parcel 0893) \$ 477.50 plus closing costs

Upon a motion made by Commissioner Randy Laird and seconded by Vice President Laird, the offers received from Mr. Kenney to purchase Account 07-115709 and 07-120850 totaling \$1,477.50 was approved. The motion carried unanimously.

Next, an offer was received from Mr. Jon Robertson to purchase the following surplus properties at half-deed price:

- 02-024497 (Map 0021 Parcel 0082) \$459.00 plus closing costs
- 07-118619 (Map 0101 Parcel 0385) \$625.50 plus closing costs
- 07-128800 (Map 0101 Parcel 0864) \$359.00 plus closing costs

Upon a motion made by Vice President Laird and seconded by Commissioner Simpkins, it carried unanimously to accept the offers presented by Mr. Robertson to purchase Account 07-024497, 07-118619 and 07-128800 totaling \$1,443.50.

Next, complaints from Crisfield area residents regarding the lack of field lighting at Crisfield High School was discussed. It was requested that a letter be submitted to the Board of Education asking the matter be addressed during upcoming budget deliberations.

Upon a motion made by Commissioner Randy Laird and seconded by Vice President Laird, it carried unanimously to send a letter to the Board of Education requesting the lack of field lights at Crisfield High School be addressed during upcoming budget deliberations.

Mr. Taylor next discussed the Webster's Cove Marina project, advising that nine slip holders were asked to relocate during construction, which lasted approximately 6 months. Being that these slip holders did not have use of the leased slips for half the year, approval was requested to refund these nine slip holders \$250.00 (half the slip fee) for the inconvenience.

A motion was made by Commissioner Simpkins to refund each slip holders asked to relocate for 6 months at Webster's Cove Marina \$250.00. Vice President Laird seconded the motion. The motion carried unanimously.

Commissioner Willing advised that Mr. Thomas Shores of Deal Island/Chance has requested a letter of support regarding a request he wishes to submit to the Maryland Transportation Commission to dedicate the Deal Island Bridge in honor of our local veterans.

Upon a motion made by Commissioner Randy Laird and seconded by Vice President Laird, it carried unanimously to write a letter of support to dedicate the Deal Island Bridge to our local veterans.

Ms. Sheila Warner, Local Management Board Chair, came forward at this time to provide an update regarding the Local Management Board (LMB). She explained that the LMB assists communities, youth and families, and currently has ten active members. She noted some of those members here today that included Ms. Traci Cottman, Ms. Claudia Nelson, Ms. Karen Brimer and President Mathies. They have been meeting regularly, and it was noted that the fulltime director, Ms. Rota Knott, has recently took another position, however she has remained on part

time to assist during the transition of finding another director. Ms. Warner advised that they have received three or four applications for the position. The LMB works under the direction of the Governor's Office for Children, now falling under the Crime Control and Prevention Office. She reassured the Board that the LMB is still here, strong and supportive. The Board thanked Ms. Warner for all she does, and for attending the meeting today to provide the updated information.

Ms. Sharon Muir, Internal Audit and Ms. Vicki Miller, Finance Department, came forward at this time to discuss the AMOSS (508) Grant, which provides funding to County Governments for fire protection, rescue and ambulance services as required by the Maryland Annotated Code. Ms. Muir explained that the allocation is determined by statute, based on the number of property tax accounts in each County, with each county receiving at least 2% of the total awarded each fiscal year. Allowable uses include the acquisition or rehabilitation of fire, ambulance or rescue vehicles and rescue equipment, or the rehabilitation of facilities used to house equipment and vehicles. The County must encumber or expend the Amoss Funds within two years and the fire and ambulance companies must do likewise, unless they receive prior approval from the county to encumber funds for a period greater than two years.

Ms. Muir then explained that Tylerton Fire & Rescue made such a request in April 2018, in which they requested approval to encumber their unspent Amoss funds from FY15, as well as funds they had received for subsequent fiscal years, for a period greater than two years in order to purchase a fire boat. Since Tylerton Fire & Rescue had only spent \$1,310 of their remaining FY'15 funds as of the FY'18 reporting period, Ms. Muir recommended that the Board consider drafting an agreement between all parties that outlines the request for encumbrance and the expected period of time for purchasing the fire boat. The Board questioned the legality of such an agreement and if a time limit as to when the purchase must be made could be included. Ms. Muir advised that she would contact Mr. Scott Gordon of the Maryland Military Department for clarification on this issue and return at a later date to discuss those findings.

Also discussed was the distribution of funding, which historically has been evenly divided amongst the ten fire/ambulance companies. The Board was in consensus to have the distribution of funding remain the same.

Ms. Miller then advised that in order to release funding, the Grant Agreements for FY18-19 for all 10 companies must be signed by the President. At the time of document preparation (November 2018) Commissioner Laird was serving as President and therefore the form is requiring his signature. As Commissioner Randy Laird is currently not the sitting President,

President Mathies requested a legal opinion to ensure it is appropriate for Commissioner Laird to sign as President; therefore no action was taken at this time.

With Ms. Muir and Ms. Miller remaining present, Mr. Herb Geary, TGM Group LLC, Certified Public Accountants, and Mr. Gene Adkins, Finance Director came forward at this time to present the FY18 Financial and Compliance Audit. Mr. Geary complimented the county finance department for their hard work and due diligence resulting in the timely completion of this year's audit; without the need for extension. Mr. Geary then distributed a handout, which provided highlights regarding the audit performed:

- Somerset County and its component units have approximately \$168 million in assets, and approximately \$109 million in revenues.
- The county received an "unmodified opinion" which is the highest level of assurance that an independent audit firm can provide.
- Fund balances were reviewed for FY14-FY18. Mr. Geary noted that Somerset County is at 38% of Operating Expenditures, which is very commendable.
- Total Debt Obligations for FY14-FY18 were also reviewed as well as total debt to fund balance. Somerset County was complimented as being right on target with a debt ratio of 1.67 to 1.
- Results of operations of the General Fund for FY18 were expected to be a \$2.6 Million shortfall; but actually decreased \$921K. General Fund revenues and expenditures were also reviewed.
- Results of Operations of the Roads Board for FY18 reported an overall decrease in fund balance of \$36K. He also advised the Roads Board Fund Balance is \$1.2 Million for FY18.
- The recording of the full liability was required in FY18 for the County, Board of Education and Library. The County liability is \$18.4M, the Board of Education is \$19.3M and the Library is \$1.1M.
- Federal funding awards in the amount of \$3.8 Million, as well as Hurricane Sandy funding totaling \$3.0 Million for FY18 were also reviewed and no findings or questioned costs were found.

At the conclusion of the audit report, Mr. Taylor thanked the Finance staff and the TGM group for all they have done, and for completing the audit without filing for an extension this year.

With no further business, at 3:23 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.

At this time, the Board of Commissioners entered back into Regular Session upon a motion made by Commission Simpkins and seconded by Commissioner Willing. The motion carried unanimously.

Mr. Taylor advised the Board that legal opinion was received from County Attorney Kirk Simpkins regarding the question to allow Commissioner Laird to sign the AMOSS Grant Agreement as President. Attorney Simpkins advised that a vote can be taken to have Commissioner Randy Laird sign the Grant Agreements as the former President representing the Board.

Therefore, a motion was made by Commissioner Simpkins and seconded by Commissioner Willing to authorize Commissioner Randy Laird to sign the AMOSS Grant Agreements as the former President representing the Board. The motion carried unanimously.

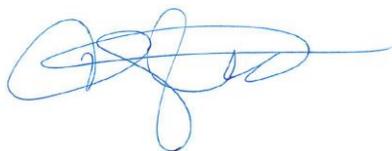
Upon a motion made by Commissioner Simpkins and seconded by Vice President Laird, the Board entered back into Closed Session by Authority of the General Provisions Article of the Annotated Code of Maryland Section Subtitle 3-305 (b) (1) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction. The motion carried unanimously and (8) consult with staff, consultants or other individuals about pending or potential litigation.

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 at this time were County Administrator Ralph D. Taylor and Executive Aide Lory Ebron.

The Commissioner and Closed Session meetings adjourned at 3:56 p.m. upon a motion made by Commissioner Simpkins and seconded by Commissioner Randy Laird. The motion carried unanimously.

Approved by:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Lory E. Ebron
Executive Aide