



AGENDA
February 19, 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. - Public Hearing/Mr. Gary Pusey, DTCS
 - Hurricane Sandy Disaster Recovery Grants Update
- * 2:10 p.m. - Mr. Gary Pusey, DTCS
 - MD DHCD-Amendments/Disaster Recovery Grants (4)
- 2:15 p.m. - Service Award Presentation/Mr. William Brittingham, Jr.
- * 2:20 p.m. - Bid Opening/Ms. Yvette Cross
 - Public Safety Radio Tower Reinforcements
- * 2:25 p.m. - Mr. Gene Adkins, Finance Director
 - Emergency Radio Equipment Loan Upgrade/Resolution Approval
- * 2:30 p.m. - Bid Opening Off Road Drainage Ditch Maintenance Projects/Mr. Charles Cavanaugh
 - Fortune Lane, Westover MD
 - Eden/Allen Road, Princess Anne
- 2:35 p.m. - Mr. Charles Cavanaugh, Director of Solid Waste and Maintenance
 - Transfer Station/Tipping Fees
- * 2:45 p.m. - Ms. Julie Widdowson, Tourism Director
 - Maryland Department of Commerce Grant
- * 2:50 p.m. - Mr. Clint Sterling, Director Recreation and Parks
 - Bike Trail MOU

Correspondence:

Received

- * MD Clearinghouse Review re: Easement Great Bay Solar II/MD20190130-0047
University of Maryland re: School of Pharmacy and Health Professions Project

Sent

Secretary Stephen T. Moyer re: Natural Gas
Dr. Heidi M. Anderson re: Natural Gas
Mr. Wayne Langston/Coast2Coast LLC re: Property Purchase Requests
Ms. Robin Cox re: Property Purchase Request
Mr. Edward Schuurman, Jr. re: Property Purchase Requests

Discussion:

- * 1. Surplus Property Purchase Request (3) Withdrawal Request (1)
- * 2. Social Services Board Vacancy (1)

Public Comments (5 minute time limit to speak)

- * **3:00 p.m. – Closed Session, Ralph Taylor, Robin Cockey, Heather Konyar, Yvette Cross, Erica Yeager**
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 (7) consult with counsel to obtain legal advice; and (3) consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

- * Denotes Action Item

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
February 19, 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 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. Commissioner Willing first read a passage from the Bible; after which the Lord's Prayer and Pledge of Allegiance was recited.

Closed Session Summary Report February 19, 2019

On February 19, 2019, at 3:20 p.m. until 3:42 p.m., at 11916 Somerset Avenue, Room 111, upon a motion made by Commissioner Randy Laird and seconded by Vice President Charles Laird, 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; and (3) consider the acquisition of real property for a public purpose and matters directly related to the acquisition; and (7) consult with counsel to obtain legal advice.

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, Attorney Robin Cockey, Attorney Heather Konyar, HR Director Erica Yeager and Emergency Services Director Yvette Cross. Topics discussed were: (1) Hiring of PT GIS Coordinator (2) Probation Extension (3) County Attorney Interviews (4) Property Acquisition. Actions taken during closed session: (1) Hiring of PT GIS Coordinator (2) Probation Extension Approved.

Meeting minutes were presented for approval regarding the Commissioner Special Session and Closed Session meetings held on January 29, 2019 and the Commissioner and Closed Session meetings held on February 5, 2019. 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 and Ms. Donna Laird, Department of Technical and Community Services came forward at this time.

President Mathies called the Public Hearing open at 2:00 p.m. Mr. Taylor read the notice of public hearing into record as follows:

**NOTICE OF PUBLIC HEARING
BOARD OF COUNTY COMMISSIONERS FOR SOMERSET COUNTY
CDBG DISASTER RECOVERY**

Tuesday, February 19, 2019 at 2 P.M.
County Commissioners' Meeting Room, Room 111, 11916 Somerset Avenue
Princess Anne, Maryland

Somerset County will conduct a Public Hearing to provide citizens with a status report of activities undertaken by the County through its implementation of four Hurricane Sandy Disaster Recovery Grants at the above-referenced time and location.

The County Commissioners entered into grant agreements with the Maryland Department of Housing & Community Development (DHCD) to use Community Development Block Grant (CDBG) funds for Hurricane Sandy recovery efforts (1) in November 2015 for Housing and Economic Recovery; (2) in April 2016 for Infrastructure projects at Rhodes Point; (3) in March 2017 for funding for engineering to decommission the Fairmount WWTP project; and (4) in August 2017 for construction funding to decommission the Fairmount WWTP and prepare a structural feasibility study of the Crisfield Armory.

A summary of funding allocated and spent on each of these grants will be provided at the Public Hearing.

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.

Board of County Commissioners for Somerset County
Craig N. Mathies, Sr., President

Mr. Pusey first thanked DTCS employees Ms. Laird and Ms. Savarese for keeping the Sandy grants moving along. He explained that the grant agreements for these phases requires that the County hold a Public Hearing every six months to inform the public as to how the funding is being spent. It was noted that the first six month update report was made in April 2014. Currently, there are four phases of the funding in process. Mr. Pusey provided the following update for each phase:

- Housing and Economic Recovery- \$2.94 Million (MD-14-DR Phase 3)

This grant is a continuation of the first disaster grant the County received and continues with new home replacement of houses damaged during Sandy, business loans and new activities of job training, broadband extension for Crisfield, the development of a Strategic Economic Opportunities Analysis for the County (which includes a preliminary structural analysis of commercial buildings affected by flooding in Crisfield).

- Infrastructure- \$4.872 Million (MD-15-DR-1 Phase 3)

This phase of the grant covers additional funding for the Homeless Shelter near Princess Anne, funding to be provided to the Army Corps of Engineers for the Rhodes Point Jetty and funding for the Rhodes Point Shoreline Stabilization project. It was noted the the Homeless Shelter is completed, and all funding is spent.

- Infrastructure- \$545,000 (MD-15-DR-1 Phase 4)

This phase of the grant covers additional funding for the Homeless Shelter Project, funding for the Fairmount Wastewater Plant Decommission Engineering Study and funding for Project Administration. The Homeless Shelter additional funding for this phase has been spent and the Homeless Shelter is completed.

- Infrastructure-\$4,155,000 (MD-15-Dr-1 Phase 5)

This phase of the grant covers additional funding for the Fairmount Wastewater Decommissioning Project/Construction, funding for the Crisfield Armory Feasibility Study, and funding for Project Administration.

Mr. Pusey summarized that in this most recent six month reporting period, the four phases (grants) utilizing Hurricane Sandy Disaster Recovery funds is approximately \$12.512 million. Each of the grants is on schedule to be completed before their end date of September 2022 in accordance with the requirements for each grant.

Commissioner Randy Laird and Vice President Charles Laird both thanked Mr. Pusey and his staff for their hard work.

President Mathies also thanked Mr. Pusey and staff for their hard work and efforts in doing a fantastic job. With no opponents or proponents present to speak, the public hearing was declared closed at 2:11 pm.

Next, Mr. Pusey presented the following DHCD grants for consideration and approval:

MD-15-DR-1 Phase 4:

Due to extension requests received from other northeast states, DHCD has decided to extend certain project end dates. The end date for this grant was extended to June 30, 2022. It was noted that Somerset County expects to have this phase completed before the new extension date.

Upon a motion made by Commissioner Randy Laird and seconded by Vice President Charles Laird, it carried unanimously to authorize President Mathies to sign the grant agreement amendment to extend the project completion date to June 30, 2022.

MD-15-DR-1 Phase 5 Disaster Recovery:

Due to extension requests received from other states, DHCD has decided to extend certain project end dates. The end date for this grant was extended to June 30, 2022. It was noted that Somerset County expects to have this phase completed long before the new extension date.

Upon a motion made by Commissioner Randy Laird and seconded by Commissioner Willing, it carried unanimously to authorize President Mathies to sign the grant agreement amendment to extend the project completion date to June 30, 2022.

MD-14-DR Phase 3 Disaster Recovery:

This project phase had \$100,000 funding for the Broadband Project. The amounts were amended to breakdown \$50,000 to do a study for the entire county, and \$50,000 for the Crisfield Broadband extension to the Marina area.

Upon a motion made by Vice President Charles Laird and seconded by Commissioner Simpkins, it carried unanimously to approve the President's signature on the amendment to the Grant Agreement for MD-14-Dr-Phase 3 Disaster Recovery as presented.

MD-15-DR-1:

The County received \$462,289.32 which was returned by the U.S. Army Corps of Engineers after the decision was made to not proceed with two projects they were involved with. \$300,000 of these funds will be used for towards the Rhodes Point Jetty/Shoreline Stabilization Dredging Project, the Maryland Avenue Well Generator, and the Deal Island Volunteer Fire Department Generator. Mr. Pusey requested approval of the President's signature on the amendment to Grant MD-15-DR-1 as presented.

Upon a motion made by Commissioner Simpkins and seconded by Commissioner Willing, it carried unanimously to authorize President Mathies to sign the amendment for MD-15-DR-1.

Mr. Pusey and Ms. Laird left the meeting at this time.

Mr. William Brittingham Jr., was asked to come forward at this time to receive his twenty- five year Service Award. The Board congratulated Mr. Brittingham for his achievement, and thanked him for his many years of service.

Ms. Yvette Cross, Emergency Services Director, came forward at this time to accept sealed bids regarding the Public Safety Radio Tower Reinforcements. It was noted that the upgrade to reinforcements were required due to changes made to the State standards. Bids received were as follows:

<u>Bidder:</u>		<u>Amount:</u>	<u>Liability Certification:</u>
J.G. Contracting Company	PA	\$ 49,205.00	Y
	Marion	\$ 71,725.00	
	Backup Dispatch	<u>\$138,785.00</u>	
	Total:	\$259,715.00	
Teltronic Towers Inc.	PA	\$109,787.00	Y
	Marion	\$143,995.00	
	Backup Dispatch	<u>\$176,305.00</u>	
	Total:	\$430,087.00	
Armor Tower Inc.	PA	\$ 61,195.00	Y
	Marion	\$ 93,000.00	
	Backup Dispatch	<u>\$162,755.00</u>	
	Total:	\$316,950.00	
Infinigy Solutions	PA	\$ 93,171.00	Y
	Marion	\$177,196.00	
	Backup Dispatch	<u>\$232,213.00</u>	
	Total:	\$502,580.00	

Ms. Cross requested to review the bid submissions with the Harris team, and return with a recommendation.

Mr. Gene Adkins, Finance Director, came forward at this time to present a bank resolution for approval regarding the Emergency Services Equipment upgrade. Mr. Adkins advised that all required procedures have been completed, and bond counsel has reviewed the document and found it legally sufficient. The \$4 million note will be through Bank of America at an interest rate 2.7661%, for a term of 10 years. Quartelry payments will be in the amount of \$114,810.48, with the first payment due 5/21/19. Mr. Adkins closed his comments by stating closing date is scheduled for this Thursday in Baltimore.

Upon a motion made by Vice President Charles Laird and seconded by Commissioner Simpkins, it carried unanimously to approve the Bank Note Resolution for the Emergency Services Equipment upgrade as presented.

Mr. Taylor thanked Mr. Adkins for his hard work, and for obtaining the good rate on the note.

Mr. Charles Cavanaugh came forward at this time to accept sealed bids received for two drainage ditch maintenance projects as follows:

Fortune Lane

<u>Bidder:</u>	<u>Amount:</u>	<u>Certificate of Liability</u>
Doug Vann	\$ 8,500.00	Y
Mark Bozman	\$ 9,275.00	On File
Delmarva Excavating	\$12,000.00	Y
Joseph Lee Serman Excavating	\$ 8,450.00	Y

Commissioner Simpkins noted that it is within the Board authority to accept a bid that is not the lowest bid if it falls within a 10% variance. Commissioner Simpkins then made a motion to award the bid for the Fortune Lane ditching project to Doug Vann in the amount of \$8,500.00. Commissioner Willing seconded the motion. The motion carried unanimously.

Eden Allen Road

<u>Bidder:</u>	<u>Amount:</u>
Mark Bozman	\$ 9,225.00
Doug Vann	\$12,500.00
Joseph Lee Serman Excavating	\$ 3,250.00
Delmarva Excavating	\$ 3,500.00

Mr. Cavanaugh advised that this would be Phase II of the ditching project on the south side of Eden Allen Road. Concern was expressed regarding the variance of the bids received. Mr. Cavanaugh explained that this project requires removal of debris and recommended that the bid award be tabled to allow time to contact the bidders to confirm their bid submissions meet project requirements.

Upon a motion made by Commissioner Randy Laird and seconded by Commissioner Simpkins, it carried unanimously to table the bids for review.

Next, Mr. Cavanaugh reviewed the discussion held during the previous meeting relating to Transfer Station and Tipping Fees. Also discussed was the Smith Island solid waste fee, currently at \$48.00. Following the discussion, it was decided that Transfer Station and Tipping Fees would remain the same. However, it was also decided to increase the Smith Island solid waste fee to be the same as the rest of the county.

Therefore, upon a motion made by Commissioner Simpkins and seconded by Vice President Charles Laird, it carried unanimously to have the Transfer Station Fee remain at \$60.00.

A motion was made by Vice President Charles Laird to raise the Smith Island Waste Fee to \$60.00 to be in line with the rest of the county. Commissioner Simpkins seconded the motion. Commissioner Randy Laird opposed (as he felt the increase was too much to make at one time); therefore the motion carried 4-1.

A motion was made by Commissioner Randy Laird to keep the Tipping Fee the same, at \$66.00. Vice President Charles Laird seconded the motion. The motion carried unanimously.

Ms. Julie Widdowson, Tourism Director, came forward at this time to present the Maryland Department of Commerce/Maryland Tourism Development Board FY2019 for Destination Marketing Organization Grant Agreement. The grant agreement, in the amount of \$21,632.00 is used for tourism advertising only. Ms. Widdowson also noted that the department has been receiving this grant funding for over 20 years.

Upon a motion made by Vice President Charles Laird and seconded by Commissioner Randy Laird, it carried unanimously to approve the FY19 Maryland Department of Commerce Maryland Tourism Development Board grant for \$21,632.00.

Mr. Clint Sterling, Director of Recreation and Parks and Mr. John Redden, Public Works, came forward at this time to present a Memorandum of Understanding (MOU) for the Route 413 Hiker-Biker Trail for the Boards consideration and approval. Mr. Sterling explained that this document is the last piece of paperwork required to move forward with the project. He explained that 80% is federally funded, and the remaining 20% is funded through the Maryland Bikers Program. The funding is allotted solely for the Hiker-Biker Trail, and no local money is required. Mr. Sterling also advised that Attorney Simpkins has reviewed the MOU and found it to be legally sufficient.

A motion was made by Commissioner Laird to approve the President's signature on the MOU as presented. Vice President Charles Laird seconded the motion. The motion carried unanimously.

Mr. Taylor continued with correspondence and discussion items.

A Maryland Clearinghouse Review (MD20190130-0047) for a project regarding an easement request submitted by Great Bay Solar II from the Department of Natural Resources on Parcel 3 for construction of an underground electrical collector cable at the intersection of Route 13 and Route 413 was presented. Mr. Taylor noted that the reply must be received by March 2, 2019. Mr. Taylor made the recommendation to code the project review P7 (This agency has attached information, comments, and/or concerns which may have a bearing on the Clearinghouse recommendation) with the following comment:

“This easement is requested as part of the Phase 2 Great Bay solar project. Phase I of the project has not been completed to the County's satisfaction as of this date. The County has placed “on hold” any consideration of Phase 2 plans until Phase I has been completed to the County's satisfaction. At this time, given the status of Phase I, the County cannot recommend approval of the easement being requested”.

Upon a motion made by Vice President Charles Laird, and seconded by Commissioner Simpkins, it carried unanimously to code the State Clearinghouse project MD20190130-0047 as ‘P7’ with the comment as presented.

Mr. Robert Gunter, Jr., has requested to purchase the following surplus properties:

- 03-043800 (Map 0079 Parcel 0040) \$800.00 plus closing costs
- 12-008473 (Map 0065 Parcel 0029) \$550.00 plus closing costs

A motion was made by Commissioner Randy Laird to accept the surplus property offers made by Mr. Gunter as presented. Vice President Charles Laird seconded the motion. The motion carried unanimously.

Mr. Anthony Savoni made an offer to purchase surplus property account 07-122985 (13 S First Street, Crisfield, MD/ Map 0103 Parcel 1402) for \$4,200.00 plus closing costs.

Commissioner Randy Laird made a motion to accept Mr. Savoni's offer to purchase surplus property account 07-122985 for \$4,200.00. Vice President Charles Laird seconded the motion. The motion carried unanimously.

Mr. Taylor next advised the Board that Mr. and Mrs. Schuurman, Jr., have requested to withdraw their bid to purchase surplus property account 12-009151 (3254 Sackertown Road, Crisfield, MD), approved during the February 5, 2019 meeting, for \$1,120.50 as they thought the property was in Deal Island, where they own other property.

Vice President Charles Laird made a motion to rescind his motion to approve the sale of account 12-009151 to Mr. and Mrs. Schuurman. Commissioner Simpkins seconded the motion. The motion carried unanimously.

Ms. Claudia Nelson has advised that Mr. Karen Kitching is interested in serving on the Social Services Advisory Board.

A motion was made by Vice President Charles Laird to appoint Ms. Karen Kitching to serve on the Social Services Advisory Board. Commissioner Simpkins seconded the motion. The motion carried unanimously.

Mr. Kirkwood H. Cottman Jr., requested to address the Board at this time.

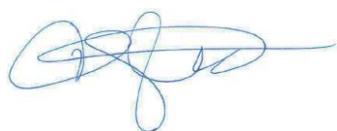
Mr. Cottman stated that he sees that "Public Comments" are at the end of the agenda and if there was a matter he wanted to address with someone during the meeting (Mr. Cavanaugh), could comments come at the time the discussion occurs. By having public comments at the end, Mr. Cottman states that he would have to go to the person's office if he needed to talk with them. He also requested that public comment be allowed before votes are taken. Commissioner Simpkins asked what is was specifically that Mr. Cottman wanted to talk about. Mr. Cottman stated when the board was discussing ditches he wanted to discuss his ditch today. It was explained by Commissioner Simpkins (and President Mathies) that discussion on a specific subject matter should be an item on the agenda. Mr. Cottman disagreed, stating that ditching was discussed in his opinion, and he would have liked to discuss his ditching concerns. The agenda and discussion requirements were reviewed. Mr. Cottman then stated that if a citizen has a

problem, he feels the citizen should be allowed to discuss it with the Board who are serving as public servants. Vice President Charles Laird stated if there is an issue, it can come right to the Commissioner, and no matter what time during the meeting that a comment is taken it will be heard, and a resolution will be looked for to resolve the issue. Commissioner Randy Laird also suggested that Mr. Cottman speak to his district commissioner (Commissioner Willing). Commissioner Willing advised Mr. Cottman to feel free to call the office, who will get in contact with him. Mr. Cottman stated he did not want to get into a debate with Commissioner Simpkins, and was glad to hear that there are some on the board who actually want to serve the community.

With no further business, at 3:15 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 (3) consider the acquisition of real property for a public purpose and matters directly related to the acquisition; and (7) consult counsel to obtain legal advice.

The Commissioner and Closed Session meetings adjourned at 3:42 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