

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
SPECIAL SESSION
TUESDAY JULY 16, 2019

At 2:30 p.m., the Board of Somerset County Commissioners met in Special Session with Commissioner President Craig Mathies, Sr. Commissioner Vice President Charles Laird, Commissioner Randy Laird, Commissioner Eldon Willing and Commissioner Rex Simpkins.

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

Closed Session Summary Report for July 16, 2019

On July 16, 2019, from 3:39 p.m. until 5:17 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 5-0 to enter into Closed Session by Authority of State Government Article of the Annotated Code of Maryland, 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; (b) (3) consider the acquisition of real property for a public purpose matter; 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 Rex Simpkins, Commissioner Randy Laird, and Commissioner Eldon Willing. Also present were County Administrator Ralph D. Taylor, Executive Secretary Kimberly Lopez, County Attorney Kirk Simpkins, Rec & Parks Director Clint Sterling, Warden Louis Hickman, Solid Waste Director Charles Cavanaugh, Internal Auditor Sharon Muir, and Human Resources Director Erica Yeager. Topics discussed were: (1) Legal Actions taken: None (2) Personnel. Actions taken: (1) Hiring of 2 Rec & Parks Maintenance Workers, (2) In-house hiring of Scale House Attendant, (3) Promotion to permanent employee status.

Minutes from the June 25, 2019 Regular Session were presented for the Board's approval. Upon a motion made by Vice President Charles Laird and seconded by Commissioner Willing, the Board approved the June 25, 2019 Regular Session minutes. This motion carried 3-0-2 (President Mathies and Commissioner Simpkins abstained as they were not in attendance for that meeting).

Minutes from the July 2, 2019 Work Session and Closed Session were presented for the Board's approval. Upon a motion made by Commissioner Simpkins and seconded by Commissioner Willing, the Board approved the July 2, 2019 Work Session and Closed Session minutes. This motion carried 3-0-2 (President Mathies and Vice President Charles Laird abstained as they were not in attendance for those meetings).

Mr. Robert Lee Price was asked to come forward at this time to receive his thirty-five year Service Award. The Board congratulated Mr. Price for his achievement and thanked him for his many years of service.

Ms. Yvette Cross, Director of Emergency Services, came before the board to present the amended Mutual Aid Agreement with Wicomico County for Emergency Response and Disaster Situations. The current agreement (approved in January 2016) is for personnel and resources, and this amended agreement will include planned events. This document has been reviewed by County Attorney Kirk Simpkins and found legally sufficient.

Therefore, on a motion made by Vice President Charles Laird and seconded by Commissioner Randy Laird, the board authorized President Mathies' signature on the amended Mutual Aid Agreement with Wicomico County as documented above. This motion carried 5-0.

Next, Mr. Gary Pusey, Director of Technical and Community Services, Ms. Kristen Tremblay, Assistant Director of Technical and Community Services, and Mr. Adam Gibson, Planner of Technical and Community Services, were now before the board to discuss the Proposed Zoning Ordinance Amendments. Mr. Pusey provided the board with a table listing the total acreage of constructed and proposed solar projects within the county, which totals at 655.2 acres (with a proposed limit of 1200 per previous meetings). He then discussed utility scale solar permitted in the agricultural district and industrial district and advised they have reviewed the ordinance to set proposed restrictions around transmission lines consisting of one of the following:

- 3 Mile Buffer: 78,441.76 acres within the Agricultural District and 1,940.94 acres within the Industrial District
- 2 Mile Buffer: 56,720.76 acres within the Agricultural District and 1,940.94 acres within the Industrial District
- 1 Mile Buffer: 30,787.27 acres within the Agricultural District and 1,923.63 acres within the Industrial District

The Board discussed this as well as the proposed limit of 1200 acres. Mr. Pusey then provided a summary on grandfathering (no changes from previous meeting) and advised that in addition to the ordinance there will be 3 map zones to discuss and approve as well.

Next, in regards to the MD DNR PPR Great Bay Solar Proposed Conditions for Phase II, Mr. Pusey advised that the Public Service Commission has provided a working draft which has been reviewed by Planning and Zoning staff and found sufficient. Mr. Pusey further advised that the Commission is considering revising conditions for Phase I to include language for landscaping requiring the buffer to be established to an average of 8 feet above ground level (year round) within 5 years of project completion. Complaints have been received from citizens regarding the cemetery located at the Route 13 solar project location, therefore Mr. Pusey advised of a proposed condition that would provide visitation access to the cemetery by contacting Great Bay 14 days in advance. It was then advised that a proposed condition regarding grass height would be added to the agreement in concurrence with the county's nuisance ordinance (grass shall be no taller than 12 inches). The decommissioning plan has been expanded and the county is being proposed to review and approve (this authority was not granted to the county in Phase I). A complaint system has been identified through Great Bay Solar, and any complaints filed will be shared with the county (complaints can be received up to 2 years after completion of the project).

Ms. Trembley and Mr. Gibson then left the meeting.

Ms. Dee Savorese joined Mr. Pusey before the board to present the following Hurricane Sandy Temporary Housing Homes for sale approval:

- 28229 Crisfield Marion Road
- 5549 Luther Miles Road
- 30039 Mt. Vernon Road

Mr. Pusey advised that two of the homes sold for the full asking price, therefore the county will receive approximately \$200,000 in program income. This money will stay in the county and is required to meet the block grant requirements (the county is to advise Ms. Cindy Stone how these funds are to be spent).

Ms. Savorese advised that the asking price for 28229 Crisfield Marion Road was \$135,000. With the 10% discount and expenses, the net amount received for this home will be \$111,366.48. The settlement date is scheduled for this week.

Next, Ms. Savores advised that the asking price for 5549 Luther Miles Road was \$125,000. With the 10% discount and expenses, the net amount received for this home will be \$91,615.00. The settlement date is scheduled for next month.

Ms. Savorese then advised that the asking price for 30039 Mt. Vernon Road is \$142,000, however the interested buyers have offered \$138,000.

On a request from Commissioner Simpkins, Mr. Pusey clarified that these homes can only be sold to low to moderate income households and the 10% discount was offered as an incentive to make these homes more affordable. It is considered a second lean on the property that will go away if the homeowners keep it for 15 years, and if they sell the home within those 15 years that 10% will return to the county.

A motion was made by Commissioner Randy Laird and seconded by Vice President Charles Laird to authorize President Mathies' signature on the closing documents for 28229 Crisfield Marion Rd as presented. This motion carried 5-0.

A motion was made by Vice President Charles Laird and seconded by Commissioner Willing to authorize President Mathies' signature on the closing documents for 5549 Luther Miles Road as presented. This motion carried 5-0.

A motion was made by Vice President Charles Laird and seconded by Commissioner Simpkins to sell for the asking price of \$138,000 with the condition that no additional work is to be completed to the home by the county and that the 10% discount be increased to offset the deficit. This motion carried 5-0.

Mr. Pusey and Ms. Savorese left the meeting.

Mr. Taylor then presented received correspondence.

Mr. Taylor advised that nominations were needed for the Somerset County Property Tax Assessment Appeals Board.

Next, Mr. Taylor presented a request from Ms. Tyantha Randall with the Seton Center for FY20 Funding in the amount \$10,000.00 and a brief discussion was held.

A motion was made by Commissioner Randy Laird and seconded by Vice President Charles Laird to provide funding to the Seton Center in the amount of \$5,000 (in concurrence with previous years). This motion carried 5-0.

Mr. Taylor then advised that Father Rob Laws has expressed his interest in continuing to serve on the Library Board of Trustees for a full term (Father Laws filled the remainder of George Milbert's term).

On a motion made Vice President Charles Laird and seconded by Commissioner Willing, the Board voted 5-0 to appoint Father Rob Laws to a full term on the Library Board of Trustees.

Mr. Taylor shared a letter from Comcast regarding the termination of Xfinity On Demand for TiVo devices.

Mr. Taylor then reviewed sent correspondence.

A letter of support sent to the John Wesley Community Association was approved upon a phone poll last week, and Mr. Taylor requested the phone poll be recorded into the minutes.

Therefore, the motion was made by Vice President Charles Laird and seconded by Commissioner Willing to approve the letter of support to the John Wesley Community Association for an African American Heritage Preservation Grant with regards to the John Wesley Restoration Project. This motion carried 4-0-1 (President Mathies abstained).

Moving on to discussion items, Mr. Taylor advised the board that Ms. Magda Cruz has requested an extension on her settlement deadline for the purchase of property ID 07-123760.

On a motion made by Vice President Charles Laird and seconded by Commissioner Randy Laird, the board voted 5-0 to grant a two month extension for Ms. Cruz's settlement deadline on property ID 07-123760 with 10% of the purchase price (\$646.50) to be paid immediately.

Next, Mr. Taylor presented the Foreclosure Property list and asked how the board wished to proceed. A discussion was held in regards to the board only closing on county properties and allowing the city/town entities to foreclose on properties within their limits.

A motion was made by Vice President Charles Laird and seconded by Commissioner Simpkins to foreclose county properties and allow the city/town entities to foreclose on properties within their limits. This motion carried 4-1 with Commissioner Randy Laird opposing the motion.

Mr. Taylor presented a MOU request from the Deal Island Lion's Club for permission to use county property to hold the annual Skipjack Festival.

A motion was made by Commissioner Willing and seconded by Commissioner Simpkins to grant the MOU that permits the Deal Island Lion's Club for permission to use county property to hold the annual Skipjack Festival. This motion carried 5-0.

Next, Mr. Taylor advised that with the approval of Resolution 1142, the Airport Advisory Board was in need of appointments. The following were presented for the board's consideration: Mr. Kim Lawson (as requested by the City of Crisfield), Mr. Bryant Owens (Bayland Aviation),

Mr. Chris Hartman (UMES), Mr. Danny Thompson (EDC), and Mr. John Redden (Public Works).

On a motion made by Vice President Charles Laird and seconded by Commissioner Simpkins, the board voted 5-0 to appoint the above mentioned to the Airport Advisory Board. A letter will be sent to the City of Crisfield for their concurrence.

Mr. Taylor then presented the following interested parties for the Census Count Committee for the board's consideration: Rev. Joe Barnes, Traci Grangier, Tyantha Randall, Sherree Marshall, Kerry Kelly, and Father Rob Laws (additional members are needed).

On a motion made by Commissioner Randy Laird and seconded by Vice President Charles Laird, the board voted 5-0 to appoint the above mentioned to the Census Count Committee.

Mr. Taylor advised that the State of Maryland Capital Budget requests are due September 30, 2019.

Mr. Taylor presented the Integra Agreements for the Dental and Vision plan and requested the board's authorization for President Mathies' signature.

A motion was made by Commissioner Simpkins and seconded by Vice President Charles Laird to authorize President Mathies' signature on the Integra Agreements for the Dental and Vision plan. This motion carried 5-0.

Mr. Taylor then presented the Integra Agreements for the Retirees plan and requested the board's authorization for President Mathies' signature.

A motion was made by Commissioner Randy Laird and seconded by Vice President Charles Laird to authorize President Mathies' signature on the Integra Agreements for Retirees plan. This motion carried 5-0.

Mr. Taylor presented a letter of support for from the City of Crisfield regarding tide gates, culvert modifications, and pump Stations for the Flood Management Program Grant they are applying for.

A motion was made by Commissioner Simpkins and seconded by Vice President Charles Laird to approved President Mathies' signature on the letter of support for the City of Crisfield to apply for the Flood Management Program Grant. This motion carried 5-0.

The meeting was then opened for public comments, and Senator Carozza addressed the board to offer her support and assistance with the capital budget requests. Senator Carozza then

advised of a call she had received from Mr. Eddie Somers and Mr. Duke Marshall in regards to Ewell Harbor erosion, and offered her support and assistance to the county. Senator Carozza then advised she had proposed a Shore Transit stop at Jane's Island State Park (assisting visitors with travelling to Crisfield, Princess Anne, and other areas) to Vice President Charles Laird. Senator Carozza advised that during the UMES meeting with Secretary Schultz (earlier in the day) she expressed her thanks for maintaining a healthcare facility in Somerset County, was able to reinforce Natural Gas. Lastly, Senator Carozza advised the board of her involvement with the Crisfield Revitalization project and gave a brief summary.

The board thanked Senator Carozza for the information shared and for attending today's meeting.

The board was then advised for the need of a Closed Session.

Therefore, at 3:39 pm, on a motion made by Commissioner Randy Laird and seconded by Vice President Charles Laird that carried 5-0, the Board of County Commissioners for Somerset County entered into Closed Session by Authority of State Government Article of the Annotated Code of Maryland, 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; (b) (3) consider the acquisition of real property for a public purpose matter; and (b) (7) consult with counsel to obtain legal advice.

Approved by:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Kimberly Lopez
Executive Secretary