



AGENDA
January 21, 2020
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. - Ms. Sherree Marshall, Commission on Aging
- FY21 SSTAP Grant Application
- * 1:05 p.m. - Bid Opening- Ag Rental Bid
- 1:10 p.m. - Mr. Herb Geary, TGM, Mr. Gene Adkins, Finance Director
- FY19 Audit Report
- * 1:30 p.m. - Mr. John Redden, County Engineer
Business Case Analysis

Correspondence:

Received

Mr. Dallas Baker, Jr., P.E. re: Recycled Material at Newland Park Landfill

Sent

President Garland Hayward, Town of Princess Anne re: Planning Commission Appointment
Ms. Kathleen Garton re: Planning Commission Reappointment
Mr. Glen Ains re: Planning Commission Service
Mr. Kirkwood Cottman re: Social Services Advisory Board Reappointment
Mr. David Barone re: Surplus Property Purchase

Discussion:

- * 1. Current Commission and Board Vacancies:
 - Agricultural Reconciliation Board (3)
 - Lower Shore Workforce Alliance (1/Business Representative)
 - Somerset County Property Tax Assessment Appeal Board (1/Alternate)

Public Comments (5-minute time limit to speak)

- * **2:00 p.m. - Closed Session-** Mr. Ralph Taylor. Kirk Simpkins
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.
- * Denotes Action Item

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
January 21, 2020

At 1:00 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, 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 Devotion and the Pledge of Allegiance. Commissioner Rex Simpkins joined the meeting at this time.

Closed Session Summary Report January 21, 2020

On January 21, 2020, at 2:01 p.m. until 3:52 p.m., at 11916 Somerset Avenue, Room 111, upon a motion made by Commissioner Rex Simpkins, 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 (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, and Attorney Kirk Simpkins. Topics discussed were: (1) Employee Resignation (2) Consult with Counsel. Actions taken during closed session: (1) None.

Minutes from the Commissioner Meeting held on January 7, 2020, were approved as presented upon a motion made by Commissioner Eldon Willing and seconded by Vice President Charles Laird. The motion carried unanimously.

Ms. Sherree Marshall, Commission on Aging Director, came forward at this time to present the FY21 Statewide Special Transportation Assistance Program (SSTAP) grant for the Boards approval. These funds, in the amount of \$117,447 will be used for the Elderly and Handicapped. A Notice of Opportunity for a Public Hearing was advertised. There were no requests received to

hold a public hearing. Ms. Marshall then requested the Boards approval to authorize President Mathies to sign the grant submission as presented.

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 SSTAP grant application in the amount of \$117,447.

Next, President Mathies proceeded to open the sealed bids submitted to lease three (3) parcels of county owned property ag land for agricultural purposes as follows:

<u>Bidder:</u>	<u>Annual Lease Amount:</u>
Swift Farms	\$6,055.00
Southern Ag	\$8,117.00
Meadows Edge LLC	\$4,150.00

Mr. Taylor requested time to prepare the lease agreement, and award the bid at a later meeting.

Mr. Herb Geary, TGM Group LLC, Certified Public Accountants, Mr. Gene Adkins, Finance Director and Ms. Sharon Muir, Internal Auditor, came forward at this time to present the FY19 Financial and Compliance Audit. Mr. Geary complimented county staff involved with this year's audit for their hard work and due diligence resulting in the timely completion of this year's audit. Mr. Geary then distributed a handout, which provided highlights regarding the audit performed:

- Somerset County and its component units have approximately \$196 million in assets, and approximately \$126 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 FY15-FY19. Mr. Geary noted that Somerset County fund balance is at 36% of Operating Expenditures, which is very commendable and on target
- Total Debt Obligations for FY15-FY19 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 1.62 to 1, which remains consistent for the last 5 years
- Results of operations of the General Fund for FY19 were expected to be a \$2 Million shortfall; but actually resulted in an increase of \$1.8 Million. This is primarily attributable to two main revenue items; Personal Property Tax and Income Tax revenue
- Results of Operations of the Roads Board for FY19 reported an overall decrease in fund balance of \$140K. He also advised the Roads Board Fund Balance is \$1 Million for FY19.
- The County's full liability is \$20.6M, the Board of Education is \$20.7M and the Library is \$1.1M
- Federal funding awards in the amount of \$1.4 Million, as well as Hurricane Sandy funding totaling \$629K for FY19 were also reviewed and no findings or questioned costs were found

Mr. Geary congratulated Somerset County for being in good shape fiscally. Mr. Geary, Mr. Adkins and Ms. Muir left the meeting at this time.

Mr. John Redden, County Engineer, came forward at this time to present a Business Case Analysis Letter of Interest for consideration. He explained that Schneider Electric is proposing to provide Somerset County, at no cost, an energy savings audit. The audit will provide recommendations to the county for energy saving improvements. Following the audit performed, a business plan will be provided describing the results of the analysis performed.

Vice President Charles Laird made a motion to move forward with the energy savings analysis at no cost to be provided by Schneider Electric Buildings Americas, Inc., authorizing President Mathies to sign the letter of interest. Commissioner Eldon Willing seconded the motion. The motion carried unanimously.

Mr. Taylor continued with correspondence and discussion items.

Correspondence was received from Mr. Dallas Baker, Jr., P.E., Wicomico County Director of Public Works giving notice to Somerset County of recycling program changes at the Newland Park Landfill. Beginning February 1, 2020, Wicomico County will no longer accept recycled waste from outside Wicomico County. Mr. Taylor advised that Mr. Cavanaugh, Somerset County Director of Solid Waste and Maintenance, is working to find alternative solutions with other vendors. This will be a notable change the way Somerset has handled recycling for many past years.

Mr. Taylor presented current board vacancies for the Agricultural Reconciliation Board (3), the Lower Shore Workforce Alliance Board (1) and the Somerset County Property Tax Assessment Appeals Board (1/Alternate). It was noted that the one vacancy for the Agricultural Reconciliation Board requires the Forestry Board to provide a nomination. The Board requested a letter be drafted and sent to the Forestry Board requesting they provide an appointment for consideration. The importance of the vacancies for the Lower Shore Workforce Alliance Board (1) and the Somerset County Property Tax Assessment Appeals Board (1/Alternate) were noted by Mr. Taylor and they will be placed on the next meeting agenda.

President Mathies asked if those wishing to address the Board would like to come forward, and he invited Mr. Robert McIntyre, Mt. Vernon Road, Princess Anne, MD to approach the podium. Mr. McIntyre advised he has been reading the Sanitary Commission and Commissioner Board meeting minutes that are posted online. He discussed the Sanitary Commission Westover water tower matter, that has had “no movement” noted in the meeting minutes since Delegate Otto’s intervention last year. He requested a letter be sent to Delegate Otto for previous work, and

to get Annapolis representatives back down here to solve the problem before something bad happens. Regarding Mr. Redden's presentation for the energy saving analysis, Mr. McIntyre, a former electrician, urged caution when listening to the first low-ball guy, and considering quotes for replacement equipment-noting that often times lower quotes provided are for older equipment. He advised to make sure that equipment is up to date, guaranteed with a background of working correctly.

Mr. Richard Schneider, Golden Eagle Landing Road, Westover, came forward at this time as a concerned citizen. He expressed concern regarding the Clean Bay Renewable project, who attended a Zoning and Appeals meeting 5 years ago, when very little specific data was given relating to the specific impact of this facility in this county. He stated that information provided previously stated no impact and the projection was for 2 trucks per day to support 32-40 tons of waste the facility will process. Today, he says that Clean Bay Renewables site today is stating they will be processing 150,000 tons of chicken litter yearly, which when doing the math, equates to 29-30 vehicles daily- a huge impact. He also addressed his concern regarding water discharge, initially stated to be 5,000 gallons, and now proposed to be 75,000. He feels the project as presented 5 years ago no longer exists, and stated that we need specific, detailed analysis of the project, now 15 times greater. He is also concerned about this project being the first of its type. Because of these concerns, he requested the Board take the matter as an action item, and place an immediate Stop order on the project as information is vague and unsubstantiated. He cited an example of the need to install a new well on his property due to the impact of water use from the prison.

Mr. Dave Medland, Perry Road, Princess Anne, MD came forward at this time. Mr. Medland expressed his concern about the original validity giving approval for a "Special Exception" regarding the Clean Bay Renewable Project, concentrating on the word 'special'. The reason involves "analyzing the items that shall be addressed by the Board" and would involve all the impacts caused in the area. He asked if anyone has performed due diligence by calling A & M University in Texas, who have had a similar project in place since 1991. What is this project going to be when its up and running. He also expressed concern about the project creeping up to the 150,000 ton of processing per year, and the impact this one facility will have on the area, and what the impact will be when future facilities come to the area. He recommends the Board go back to the beginning and put a hold on the project and pin the guys down for specific details. He also

stated he feels the process has changed regarding fermentation and it may now be methane, yet another change. This makes the project unrecognizable to the original project proposed.

Commissioner Simpkins asked where the chicken litter was going before this proposed project, and the environmental impact and asked for Mr. Medland's specific concerns.

Mr. Medland stated his concern is the lack of due diligence and the impact the project will have. He stated he would put a list together to submit regarding his specific concerns to submit to the board.

Commissioner Simpkins stepped out of the meeting at this time.

Mr. Ron DeClement, Old Princess Anne Road, came forward. He discussed the recent articles written in the County Times where it stated that Somerset County has the lowest assessment values in Maryland, with neighboring county's having significant increases, and the lowest health stats in Maryland. He reviewed the county's history since moving here in 1983, and if proposed projects were enacted by the Town and County we would have a State and Federal Prison, Landfill, Crisfield Incinerator, Chesapeake Plywood Incinerator, Dahlmans Recycling, Clean Soils, Wind Mills, and unbuffered Solar Projects) that have been presented over the years, which he feels brings a negative image to the county, and may be the reason for the county's low assessment values.

Commissioner Simpkins returned to the meeting.

Mr. DeClement continued, closing with the proposed Clean Bay Renewable project. He presented the facts misrepresented by Clean Bay Renewables to Mr. Taylor, Mr. Ains and Mr. Pusey, noting that every stat has changed or been modified. He stated they lied to the Public Service Commission and the County and quoted MDE falsely and misrepresented Maryland Department of Agriculture. He feels this company needs to not be entertained, and others like them should not be entertained as well. He admitted that Hurricane Sandy was an impact also, but we did not have control over that. He noted our beautiful county, similar to Accomack, has a great location and many amenities available. For these reasons, our assessments should be going up.

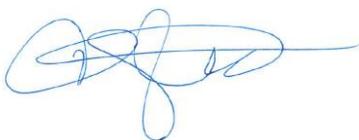
President Mathies questioned for his clarification, that what is being said today, is that information Clean Bay Renewable's presented 5 years ago, to the Zoning Board as to what was proposed, has now changed, and this information is not what is being taken into consideration?

Mr. DeClement advised that the parameters made in 2015 is what zoning certification was based on, and what is being proposed today would be illegal in his opinion.

With no further business, at 1:57 p.m., the Board was advised of the need to enter into Closed Session. Therefore, upon a motion made by Commissioner Simpkins and seconded by Vice President Charles Laird, the Board entered 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 (b) (7) consult with counsel to obtain legal advice.

The Commissioner and Closed Session meetings were adjourned at 3:52 p.m., upon a motion made by Commissioner Randy Laird and seconded by Vice President Charles Laird. The motion carried unanimously.

Approved by:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Lory E. Ebron
Executive Aide