

Due to State regulations with COVID-19, social distancing will be observed during the meeting and members of the public in attendance must wear a face mask. Live audio of the meeting will be available by clicking on the link provided on the County's website, or by entering this web address in your internet address bar:
http://mixlr.com/somerset_county_commissioners/ Public comments will be accepted by phone or email. Minutes will be made available to the public via the County's website upon approval. We thank you for your cooperation during this time.



AGENDA
May 26, 2020
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. - Mr. Gene Adkins, Finance Director
 - Adoption of FY21 Budget
- * 2:10 p.m. - Mr. Gary Pusey, Ms. Kristen Tremblay, DTCS
 - Great Bay Solar Decommissioning Plan
- * 2:25 p.m. - Mr. Kijjicketchme Southern-Fox, Mr. Gary Pusey, Mr. Will Cornish, DTCS
 - Nuisance Hearing
- * 2:35 p.m. - Mr. Charles Cavanaugh, Director of Solid Waste and Maintenance
 - Scrap Metal Bid Opening
- * 2:40 p.m. - Mr. Clint Sterling, Rec and Parks, Mr. John Redden, County Engineer
 - Bike Trail Contract Extension
 - Letter of Support Requests/Rt. 413 Hiker Biker Trail
- * 2:50 p.m. - Ms. Sharon Muir, Internal Auditor
 - LGIT Sponsorship/Somerset County Library and Sanitary District

Correspondence:

Sent

Mr. Cary Knopp re: Social Services Advisory Board Appointment
Ms. Elizabeth (Betsy) Thomas, RN re: Social Services Advisory Board Appointment
Ms. Maddy Ciulu, Deputy Director re: Housing Bond Transfers
Ms. Shelley Johnson re: Surplus Property Purchase Approvals
Ms. Molly Hilligoss, Executive Director Habitat for Humanity of Wicomico County - Letter of Support
Mr. Charles Cavanaugh re: Tipping Fee Waiver/Economy Tree Service

Discussion:

- * 1. Surplus Property Purchase Request- (11)
- * 2. Letter of Support/Chesapeake Country Byways

Public Comments: Five-minute time limit

- * **3:30 p.m. - Closed Session-** Mr. Ralph Taylor, Ms. Erica Yeager, Mr. Woody Barnes

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.

- * Denotes Action Item

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
May 26, 2020

At 2:00 p.m., President Craig N. Mathies, Sr., called the Board of County Commissioners for Somerset County to open in Regular Session. Also present for the meeting were Vice President Charles Laird, Commissioner Eldon Willing, Commissioner Randy Laird and Commissioner Rex Simpkins.

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

President Craig N. Mathies, Sr., asked Commissioner Willing to lead those present in Devotion and the Pledge of Allegiance.

Closed Session Summary Report May 26, 2020

On May 26, 2020, from 3:25 p.m. until 4:00 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; (2) protect the privacy or reputation of an individual with respect to a matter that is not directly related to public business; and (3) consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

Present for the Closed Session Meeting were President Craig N. Mathies Sr., Vice President Charles Laird, Commissioner Eldon Willing, Commissioner Randy Laird, and Commissioner Rex Simpkins.

Also present were County Administrator Ralph D. Taylor, Executive Aide Lory Ebron, HR Director Erica Yeager, County Roads Director Woody Barnes. Topics discussed: (1) Acquisition of property (2) Employee handbook changes (3) Request to advertise MEO (4) Request for Proclamation (5) Move employee from probationary to permanent employee status. Actions taken during closed session: (1) Approval to move employee to permanent status (2) Proclamation approved.

Minutes from the Commissioner Regular Session, Closed Session and Public Hearing meetings held on May 12, 2020 were approved as presented upon a motion made by Commissioner Eldon Willing, seconded by Vice President Charles Laird. Commissioner Simpkins abstained; therefore, the motion carried 3-0-1.

Mr. Gene Adkins, Finance Director, came forward at this time to present the final County Budget for Fiscal Year 2021 for adoption.

Mr. Adkins first provided a review of the budget process. Two people testified during the Public Hearing held on May 12, 2020, Mr. Jerry Boston and Senator Mary Beth Carozza via teleconference. There have been no letters received regarding the budget, and following the public hearing held on May 12, 2020, the budget was revised downward for the following reasons:

- The State Disparity Grant, as discussed during the public hearing, was increased as it was found that the supplemental grant for teacher's retirement did not include \$382,000.
- Health insurance was revised due to a 3.26% decrease received after the public hearing.
- Minor changes were made to salary and fringe benefits.
- The Roads Board and Golf Course budget transfers were adjusted for salary and fringe benefits.

Mr. Adkins advised that the end result was that the county transfer from undesignated reserve decreased from \$956,449.00 to \$447,964.53, and the County General Fund budget total is now \$39,616,457. The County Roads Budget total is now \$2,818,362.55, and the County's tax rates remained at \$1.00 (per \$100.00 of the full assessed value) for real property and \$2.50 (per \$100.00 of the full assessed value for personal and public utility property). Mr. Adkins requested to receive motions to adopt the budget.

Upon a motion made by Commissioner Randy Laird, seconded by Vice President Charles Laird, it carried unanimously that it be adopted and resolved, that for the Fiscal Year ending June 30, 2021, the property tax rate be \$1.00 per \$100.00 of the full assessed value of real property and \$2.50 per \$100.00 of full assessed value of personal and public utility property in Somerset County, except such property as may, by provision of the laws, be exempt from this rate.

Upon a motion made by Vice President Charles Laird, seconded by Commissioner Simpkins, it carried unanimously that it be adopted and resolved that for the Fiscal Year ending June 30, 2021, the property tax rate of \$.28 per \$100.00 of the full assessed value of public utility property; and, \$.112 per \$100.00 of the full assessed value of all other real property in Somerset County, excepting such property as may, by provisions of the laws, be exempt from this rate, be levied and imposed for the State of Maryland.

Upon a motion made by Commissioner Simpkins, seconded by Commissioner Willing, it carried unanimously that it be adopted and resolved that for the Fiscal Year ending June 30, 2021, the local income tax rate for residents of the County be at the rate of 3.2% of Maryland's taxable income for Tax Year 2021.

Upon a motion made by Commissioner Willing, seconded by Commissioner Randy Laird it carried unanimously that it be adopted and resolved for the Fiscal Year ending June 30, 2021 that a service charge of 0.68% be applied to the second installment amount of semiannual tax payments.

Upon a motion made by Commissioner Randy Laird, seconded by Vice President Charles Laird it carried unanimously that it be adopted and resolved that the proposed Levy, reflecting total revenues in the amount of \$39,616,457.00 and total appropriations in the amount of \$39,616,457.00, be adopted as the Official Levy of Fiscal Year 2020-2021.

Upon a motion made by Vice President Charles Laird, seconded by Commissioner Simpkins, it carried unanimously that it be adopted and resolved that the proposed Somerset County Roads Budget, reflecting total revenues in the amount of \$2,818,362.55 and total appropriations in the amount of \$2,818,362.55 be adopted for Fiscal Year 2020-2021.

Mr. Adkins next presented the budget cover sheets for signature signifying approval of the FY21 Somerset County Budget as presented. Mr. Adkins left the meeting at this time.

Mr. Gary Pusey and Ms. Kristen Tremblay, Department of Technical and Community Services came forward to discuss final recommendations regarding the Great Bay Solar Decommissioning Plan.

Mr. Pusey first advised and distributed public written comments received from Ms. Tammy C. Truitt, Mr. Ron DeClement and Ms. Chris Widdowson. Mr. Pusey noted the previous discussion held regarding the Decommissioning Plan (Plan) proposed by Great Bay Solar (GBS) during the May 12, 2020 meeting. The Plan is scheduled to be considered by the Public Service Commission on June 3, 2020 via teleconference (which staff will attend), and it was noted that county staff has serious concerns with various aspects of the Plan as follows which will be drafted into written form and submitted to the PSC for consideration:

- The PSC approved a Decommissioning Plan for Phase 1, which was not reviewed by the County. The County was not notified until after the fact that it had been approved. The Phase I plan allowed for salvage value, and no financial guaranty would be required for the first 12 years of the project's life.
- The County approved a Decommissioning Plan for Phase 2 (Westover site) that did not include salvage value. A Letter of Credit (LOC) issued by the Bank of America for \$7,087,000 was issued as a guaranty with the Board of County Commissioners as beneficiary. The LOC is dated 10-7-19 and expires 9-30-20 and only covers Phase 2.
- The approval of Phase 2 by the PSC included a condition that GBS would prepare a new Decommissioning Plan that covers both Phase 1 and Phase 2, and requires that it be submitted to the PSC, the County and the Power Plan Research Program (PPRC) for review.
- A discrepancy in values exists as the proposed plan includes salvage value and places the cost of decommissioning at \$567,000 for both Phase 1 and Phase 2 versus the Decommissioning Plan approved in October 2019 included a financial guaranty of \$7,087,000 for Phase 2 only.
- The PSC condition requires that GBS can only use salvage value in the decommissioning costs if evidence can be shown that a recycling market exists and that the salvage value used can be commercially supported. Staff feels the evidence provided does not support a recycling market will exist in the future.

In summary, Staff expressed two major concerns with the submitted Decommissioning Plan. First, salvage value is now included in the decommissioning costs, when they weren't for the county approved Phase 2 plan, and staff does not believe a strong case has been established by

GBS to guarantee a future recycling market exists. And secondly, the financial guaranty proposed by GBS is a “Parent Guarantee” and in effect, no third party would be involved. Staff believes a third-party financial guaranty should be required.

The Board then gave full consensus for Staff to move forward, in conjunction with Attorney Simpkins, to draft the letter expressing concerns of the Great Bay Solar Decommissioning Plan for submission to the PSC at the June 3, 2020 meeting. In closing, Ms. Tremblay requested the boards concurrence that if it appears that they don’t agree to salvage value for Phase 1, staff would like to push to not have salvage value taken into account for Phase 2. There was no objection stated to Ms. Tremblay’s statement. Mr. Taylor requested a copy of the letter once completed to forward to the Board. Ms. Tremblay left the meeting at this time.

With Mr. Pusey remaining present, Mr. Will Cornish, and Mr. Kijjiketchme Southern-Fox came forward.

Mr. Pusey explained that P & Z employee Will Cornish sent a letter to the property owner Mr. Southern-Fox to address tall grass at his property and giving 15 days to address the violation. In conversations held, Mr. Pusey advised that Mr. Southern-Fox has told the department that he grows the grass as feed for his goats, which he rotates to keep the grass trimmed. Mr. Southern-Fox believes the Right to Farm Ordinance allows him to let his grass grow taller than the 12” Nuisance Ordinance allows. The matter was referred to the County Attorney for opinion, and further research was completed regarding both ordinances, and it was found that the Right to Farm Ordinance contains language which states that “this ordinance is not intended to and shall not be construed as in any way modifying or abridging local, state or federal laws relating to health, safety, zoning, licensing requirements, environmental standards (including those standards which relate to air and water quality) and the like”. Staff believes that this language in the Right to Farm Ordinance means that the Nuisance Ordinance requirements would apply as the Nuisance Ordinance is intended to protect the health, safety and general welfare of the County and takes precedence, noting this property contains less than the 5-acre minimum requirement to raise livestock as found in the Zoning Ordinance.

President Mathies then advised Mr. Southern-Fox that he was going to ask Commissioner Simpkins to address the concerns, as the property falls within his district and he represents all of the constituents there.

Mr. Southern-Fox began by advising that he lives in an agricultural district, and he is here to engage his right to agriculture. His discussed their love of the rural landscape of the county, and

requested to appeal a nuisance violation. He advised that last August, Mr. Konapelsky issued a similar notice, and upon writing a letter stating the grass was being grown for the goats, the violation would be ignored and it was. Mr. Southern-Fox noted language in section 2a of the Nuisance Ordinance regarding the “uncontrollable growth of weeds, grass or other similar vegetation of more than 12” in height in any lot or parcel of land not being used for bona fide agricultural purposes” stating that his property is used for a bona fide agricultural purpose to raise goats and the pasture they require. He disagreed with the statement that the growth is uncontrolled, as he uses natural methods of control to maintain his property and feels the Nuisance Ordinance language should not be deemed necessary a stand in for a Homeowners Association type regulation and inflict prejudice. He advised that he currently has 17 goats, and the recommendation from usfarmland.com is a ¼ acre allowance per goat, which is perfect for the size of his property (4.25 acres) if all is used. He explained the need of the grass to be tall, and his use of goat milk, and feels he is operating as a bone fide agricultural activity. Mr. Southern-Fox advised they try to prioritize keeping the grass shorter by the road when possible. He discussed language and his interpretation within the Zoning Ordinance, feeling that the 5-acre requirement would not apply because he falls within the ag district. He presented information from the US Department of Agriculture as well as the US Federal Government’s definition of small family farms. He also discussed his interpretation of the Right of Farm Ordinance and the discussion he had with a representative from the Somerset County Extension Office, and his opinion that he felt that the 5-acre minimum would not apply because he is in an agriculture district. Mr. Southern-Fox thanked the Board for their time, he asked consideration to reflect, that it is absurd that a person from an agriculture district is defending his right to engage in agriculture during a pandemic.

Commissioner Simpkins questioned an alternative solution that was offered by the DTCS Department that would allow the grass in the yard on the back portion of the property to remain taller, and the roadside portions to be cut. Living in Mt. Vernon for his whole life, he knows the field in the back was farmed, and the grass kept cut around the house. He noted that the county is well within its rights as the property doesn’t fall within the Right to Farm Ordinance because of the 5- acre minimum. Commissioner Simpkins questioned why the option is not sufficient.

Mr. Southern-Fox stated that in the winter months he does buy bailed hay to feed the goats, but it saves him money to use the grass on his property. He also stated he needs to use his entire property for the number of goats that he has.

President Mathies asked Mr. Southern-Fox for his patience, noting the Board's concern for his concern, and to allow the Board the privilege to discuss the matter and not make a rash decision; he advised that Mr. Pusey would be in touch regarding the final decision. Mr. Southern-Fox said he would absolutely grant that privilege.

Mr. Charles Cavanaugh came forward at this time to accept Scrap Metal sealed bids received. President Mathies opened the sole bid received from Fitzgerald's Auto; bid amount \$80.00 per net ton.

Commissioner Randy Laird made a motion to accept the bid amount of \$80.00 per net ton from Fitzgerald's Auto. Vice President Charles Laird seconded the motion. The motion carried unanimously.

Mr. Clint Sterling and Mr. John Redden came forward at this time.

First, the MD 413 Hiker Biker project contractor, David A. Bramble, Inc., has requested the completion date for the project be extended to September 30, 2020 (originally June 30, 2020). Weather, change orders and additional extra work, a Utility Clearing Contract as well as COVID-19 have pushed progress past the planting season, which will now be completed in September if acceptable to the Board. Landscaping progress involving the project was also discussed.

Commissioner Rex Simpkins made a motion to approve the extension request made by David A. Bramble, Inc. Commissioner Eldon Willing seconded the motion. The motion carried unanimously.

Next, Mr. Sterling requested the Board's approval for two letters of support regarding the Route 413 Hiker Biker Trail projects next phase. The letters will be going to Secretary Gregory Slater, MDOT and Secretary Jeannie Haddaway-Riccio, DNR.

Commissioner Randy Laird made a motion to authorize the President's signature on the Letters of Support. Vice President Charles Laird seconded the motion. The motion carried unanimously.

Next, Ms. Sharon Muir, Internal Auditor, came forward to present a request to approve the LGIT sponsorship of the Somerset County Library System and the Somerset County Sanitary District as participants in the Local Government Insurance Trust Liability and Property Pools of insurance coverage. She explained that pursuant to the LGIT Trust Agreement, the county must submit "Public Entity" sponsorship letters for the 2020-2021 renewal-year for these two component units that the county sponsors.

Upon a motion made by Commissioner Randy Laird and seconded by Commissioner Simpkins, it carried unanimously to authorize President Mathies to sign the Public Entity sponsorship letters for the 2020-2021 renewal year as presented. The motion carried unanimously.

Mr. Taylor continued with correspondence and discussion items.

Letters were sent to Mr. Cary Knopp and Ms. Elizabeth Thomas regarding their appointment approval to serve on the Social Services Advisory Board; Ms. Maddy Ciulu regarding the transfer of Somerset County's housing bond allocation; to Ms. Shelley Johnson regarding surplus property approval; a Letter of Support to Ms. Molly Hilligoss, Habitat for Humanity, Wicomico County; and to Mr. Charles Cavanaugh for the Economy Tree Tipping Fee Waiver approval.

Mr. Taylor next presented surplus property offers received for approval as follows:

Account 03-037762/1.5 acres Irene Whittington (Map 0057 Parcel 0521) for \$542.00 plus closing costs to Ms. Pamela Scarborough, was approved upon a motion made by Commissioner Randy Laird, seconded by Vice President Charles Laird. The motion carried unanimously.

Account 03-038335/.6 acres Hudson Corner Road (Map 0058 Parcel 0070) for \$539.00 plus closing costs to Mr. David Barone, was approved upon a motion made by Vice President Charles Laird, seconded by Commissioner Eldon Willing. The motion carried unanimously.

Account 03-048160/.87 acres Hudson Corner Road (Map 0058 Parcel 0038) for \$433.00 plus closing costs to Mr. David Barone, was approved upon a motion made by Vice President Charles Laird, seconded by Commissioner Eldon Willing. The motion carried unanimously.

Account 04-066693/2.42 acres Peach Orchard Road (Map 0051 Parcel 0022) for \$1,480.00 plus closing costs to Mr. David Barone, was approved upon a motion made by Vice President Charles Laird, seconded by Commissioner Randy Laird. The motion carried unanimously.

Account 14-004580/.30 acres Deal Island Road (Map 0019 Parcel 0096) for \$675.00 plus closing costs to Mr. David Barone, was approved upon a motion made by Commissioner Eldon Willing, seconded by Commissioner Rex Simpkins. The motion carried unanimously.

Account 14-005005/.956 acres Deal Island Road (Map 0028 Parcel 0157) for \$637.00 plus closing costs to Mr. David Barone, was approved upon a motion made by Commissioner Eldon Willing, seconded by Commissioner Rex Simpkins. The motion carried unanimously.

Account 12-003439/3615 Freedomtown Road (Map 0072 Parcel 0163) for \$2,647.00 plus closing costs to Ms. Latoya Johnson, was approved upon a motion made by Commissioner Randy Laird, seconded by Vice President Charles Laird. The motion carried unanimously.

Account 11-001106/11151 Long Point Road (Map 0020 Parcel 0048) for \$1,169.00 plus closing costs to Mr. David Barone, was approved upon a motion made by Vice President Charles Laird seconded by Commissioner Eldon Willing. The motion carried unanimously.

Account 11-001327/2.5 acres Long Point Road (Map 0020 Parcel 0047) for \$405.00 plus closing costs to Mr. David Barone, was approved upon a motion made by Commissioner Eldon Willing seconded by Commissioner Rex Simpkins. The motion carried unanimously.

Account 11-003036/.689 acres Long Point Road (Map 0020 Parcel 0297) for \$490.00 plus closing costs to Mr. David Barone, was approved upon a motion made by Vice President Charles Laird seconded by Commissioner Rex Simpkins. The motion carried unanimously.

A Letter of Support request was received for the Chesapeake Country National Scenic Byway's nomination as an "All American Road".

Vice President Charles Laird made a motion to authorize the President's signature on the Letter of Support as requested. Commissioner Randy Laird seconded the motion. The motion carried unanimously.

President Mathies then acknowledged that there were citizens present wishing to address the Board.

John Milligan, President of the Chesapeake Bay Commercial Fisherman Association, residing in Caroline County, was here to represent the entire fisherman community in the State of Maryland. He stated this was not on the meeting agenda, but wanted to express his major concerns regarding a mounting crisis regarding the Manokin River Project, which he described as a 'scientific experiment'. He explained there are three rivers that this scientific experiment has been conducted in and the goal was sold to the watermen as they were told there would be an increase the oyster population, and they have the numbers to show that's not played out. He said this project has been used to push the wild industry out and to usher in aquaculture, utilizing grant money thrown at this disaster, which is not proving to be a viable business. Restaurant owners are not satisfied with the product, stating the end game is to do away with the wild fishery industry, and they are not in favor of that. He has spoken with legislators, and met in Annapolis, dealing with these pressing issues. He's heard comments that if we are going to go in and destroy it, just shut it down. He feels is a violation of Maryland law because the bottom is public bottom. He discussed the rights of habitants and authority stated in the American Constitution. He encouraged that the Board to listen to these gentlemen and pull together forces to keep this from happening. The Manokin is the biggest producer of wild oyster production and if they get this river this may be the final downfall for Maryland.

Next, Mr. Daniel Webster, Oyster Committee Chair, representing Somerset County on the Advisory Committee, came forward. He provided a 56- page handout, showing information on the Manokin river project. He explained that in 2010, Governor O'Malley came up with the oyster

sanctuaries in the state to save the oyster population. Nothing has been done in the Manokin for 10 years, and now, all of a sudden, they want to do something. Watermen were satisfied with them doing nothing. Members of the Oyster Committee have met with DNR, regarding plans for watermen to do partial harvesting. Every plan they would come up with was shot down. The last legislative session passed a law that totally shut down the Manokin. He distributed the 'Plan' and asked them to read it, stating they do not want to see the federal government getting in there. He discussed the plan the watermen presented, but each time, a counter offer plan would be made. He closed in saying he needs the Commissioners help, as this is going on in the county's back door. He closed in offering to provide more information, such as Powerpoints if the Board would be interested.

Next, Mr. Eugene Evans, Somerset County Oyster Committee member came forward. He expressed his concern, stating they need the Commissioners help because they can't do this alone. He is the owner of Evans Boat in Crisfield and has many customers are watermen and this is their livelihood, they have the Manokin in their back yard. Years ago, hundreds of boats caught a lot of oysters. All of the sudden, they've closed it down and taken this property (the water), from the watermen, and have done nothing. He said they could be using this money to put back into the oyster bars. In his opinion they are not worried about the watermen, and want to put the watermen out of business. Watermen are a big part of Somerset County, bringing business for the county. He has shared his ideas in Annapolis, to allow watermen to cultivate the bottom and bring the big oysters out. What they are doing doesn't make any sense. They are talking about bringing stone into the river, and if allowed, we won't be able to oyster or crab in the river. He said he'd prefer it just be shut down if they do what they are saying. He stated that they desperately need the Commissioners help to stop this, and ask the Board to stand beside them, come up to the plate, and get this done.

Mr. Roger Dize, born and raised in Rumbly 58 years, came forward. He asked if they realized that if you went to Racoon Point and picked up a bucket of oysters, they could lock you up. He discussed the prohibited amount of area they are talking about along the coast, and what they are doing was stupid, closing this down 11 years ago for 2 years. When the 2-year period was up, no answer, they asked what they were going to do. They said 5 years. At the end of 5 years, no answer. He's worked for 5 years with DNR and legislators to resolve something, and gotten nowhere until this plan came out. They want to spend money on this project, 3 times Somerset County's budget on this river. If rocks are place on bottom, people won't be able to trot line on

this river. Mr. Dize said they are begging as they don't have the money to fight it. Their last hope is coming to the county, and they want the county to back the watermen.

Commissioner Charles Laird stated this is typical, in that the State of Maryland doesn't care about the working man and doesn't care about the bottom being gone, good bad or indifferent, and he can promise if you don't stand up to what their doing they will run us out of business. He stated he works on the water and he farms, and this is his personal opinion but he's going along with what has happened over time. He agrees 100%, and we need to put pressure on Annapolis.

Mr. Dize closed in saying he needs the Commissioners and Sheriff to do whatever they can do. He said he will do anything he can do, even taking off of work early to be here today. Mr. Dize was thanked for his time.

Next Mr. Gregory Price came forward. He is a 73-year old Somerset County resident, licensed since he was 19 years old. He was with the others at the DNR meeting, and asked if they could allow 6-8 bushel a boat but this suggestion was not accepted. He said they spent weeks to meet, even on Sunday's, and what they have to say doesn't get anywhere. He discussed the number of licensed watermen, and how expensive it is to keep their license stating that they are at the last straw and why they are here today. He is concerned about future generations.

Commissioner Randy Laird stated he agrees with the people here today, but questioned that they are saying that they would rather them do nothing and close it down, but then they can't do anything? Those in the room stated that they can't do anything now anyway. You can harvest crab right now, but not oysters. Commissioner Randy Laird said he takes their word, and we will do what we can do.

Vice President Charles Laird stated he will be their voice when in Annapolis, and to continually discuss this when he is up at MACo, but noted that many in Annapolis don't understand the language being used. He also discussed the importance of working the water, to make it work, so that it doesn't silt over and then it's done. Vice President Charles Laird stated this will not fall on deaf ears for his part.

Commissioner Willing noted that the narrative to the public is when John Smith came up the bay he ran up shore on oyster beds. He stated that we don't live in the bay that John Smith came up now; it's not a pristine bay. The public believes what they put out, in that if they make all of these sanctuaries, in all the various places, that will be what you are going to have. All of the watermen know, that's totally false. Commissioner Willing agrees that if it doesn't get worked, it silts over and dies, leaving no clean shell on the bottom to catch onto and reproduce, and that's not

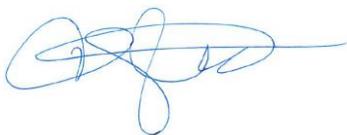
the word that gets out to the public; it never has. He stated that the Bay Foundation has also been a part of the problem for 40-50 years.

A brief group discussion continued, after which President Mathies thanked the gentlemen for attending today, and sharing the information provided with him that he was not aware of. In speaking for himself, until the matter is taken up with the full board, he noted his concern for the livelihood of our residents of Somerset County and their families. He advised the board is here to help and assist in anyway they can. He thanked them for taking time out of their busy schedules to share and enlighten those of us here today of this dire situation. Mr. Dize offered to provide any additional information or clarity for the issues, feel free to give him a call.

With no further business, at 3:25 p.m., the Board was advised of the need to enter into Closed Session. Therefore, upon a motion made by Commissioner Randy Laird 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 (2) protect the privacy or reputation of an individual with respect to a matter that is not directly related to public business; and (3) consider the acquisition of real property for a public purpose and matters directly related to the acquisition. The motion carried unanimously.

The Commissioner and Closed Session meetings were adjourned at 4:00 p.m., upon a motion made by Vice President Charles Laird, seconded by Commissioner Willing. The motion carried unanimously.

Approved by:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Lory E. Ebron
Executive Aide