

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/](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**  
**June 9, 2020**  
**BOARD OF COUNTY COMMISSIONERS**  
**FOR SOMERSET COUNTY**  
**11916 Somerset Avenue**  
**Room 111/Meeting Room**  
**Princess Anne, MD 21853**  
**2:00 p.m.**

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**Appointments:**

- \* 2:00 p.m. - Public Hearing-Mr. Gary Pusey, Ms. Kristen Tremblay, Mr. Adam Gibson, DTCS  
- Kimberly and Ryan Miller/Rezone Map 23, Grid 4, Parcel 42 from R2 to AR
- \* 2:10 p.m. - Public Hearing – Mr. Gary Pusey, Ms. Kristen Tremblay, Mr. Adam Gibson, DTCS  
- Kathleen and Gary King/SLK Farms, LLC/Rezone Map 23, Grid 3, Parcel 185 from R2 to AR
- \* 2:20 p.m. - Public Hearing – Mr. Gary Pusey, Ms. Kristen Tremblay, Ms. Donna Laird, DTCS and Dr. Charlotte Phillips, Seton Center  
- CDBG Grant Program/COVID Funding and Resolution
- \* 2:30 p.m. - Dr. John Gaddis, Ms. Linda R. Johnson  
- Budgetary Transfer Request
- \* 2:40 p.m. - Mr. Gene Adkins, Mr. Will Dryden, Ms. Kira Evans  
- Personal/Corporate Property Tax Write Offs
- \* 2:50 p.m. - Mr. Gary Pusey, Ms. Kristen Tremblay, DTCS  
- Great Bay Solar Decommissioning Plan

**Correspondence:**

**Received**

- \* Maryland Department of Agriculture re: Cooperative Agreement/Control and Eradication of Noxious/Invasive Weeds  
Mr. Kirk Simpkins re: MDE Application to Perform Work in Tidal Wetlands

**Sent**

Director Kendrick M. Gordon, Office of Rural Broadband re: Emergency Request/SCPS  
Mr. Adam Riggan, Chairman, Sanitary District re: Maxine Landon Reappointment  
Ms. Jennifer McShane re: Surplus Property Purchase  
Mr. Lionel Milfort re: Surplus Property Purchase

**Discussion:**

- \* 1. Boat Slip Sublease Request

**Public Comments: Five Minute Time Limit**

- \* **3:30 p.m. - Closed Session-** Mr. Ralph Taylor, Mr. Danny Thompson

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.

- \* Denotes Action Item

BOARD OF COUNTY COMMISSIONERS  
FOR SOMERSET COUNTY  
June 9, 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 June 9, 2020**

On June 9, 2020, from 2:56 p.m. until 3:50 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; (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, EDC Executive Director Danny Thompson, Administrative Aide Ms. LeeAnn Linton, Ms. Kimberly Widdowson, and Mr. Charles Cavanaugh. Topics discussed: (1) CARES Grant Funding Application (process/criteria) (2) Various personal matters (3) Employee termination. Actions taken during closed session: (1) Approval to terminate employee.

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Minutes from the Commissioner Regular Session and Closed Session meetings held on May 26, 2020 and the Special Session and Closed Session meetings held on June 2, 2020, were

approved as presented upon a motion made by Vice President Charles Laird and seconded by Commissioner Eldon Willing. The motion carried unanimously.

At 2:00 p.m., President Mathies opened the Public Hearing to consider a rezoning request from Kimberly and Ryan Miller. Mr. Pusey and Mr. Miller came forward. Mr. Taylor read the notice of Public Hearing into record as follows:

“Pursuant to the Somerset County Zoning Ordinance and Section 4-204 of the Land Use Article of the Maryland Annotated Code, notice is hereby given that a public hearing will be held by the Board of County Commissioners for Somerset County to hear opponents and proponents on:

Tuesday, June 9, 2020 at 2 P.M.  
County Commissioners’ Meeting Room, Room 111, 11916 Somerset Avenue  
Princess Anne, Maryland

The purpose of the hearing is to consider a request by Kimberly and Ryan Miller to rezone Map 23, Grid 4, Parcel 42 from R-2 Medium Density Residential to AR Agricultural Residential. The parcel totals 57.2 acres located southwest of the Town of Princess Anne at 11076 Stewart Neck Road.

The Somerset County Planning and Zoning Commission held a public hearing on the proposed rezoning on March 5, 2020, and forwarded a favorable recommendation to the County Commissioners.

All zoning maps, Zoning Ordinance, Comprehensive Plan and files may be inspected at the Department of Technical and Community Services (DTCS), 11916 Somerset Avenue, Room 211, Princess Anne, MD during regular business hours, 8:30 A.M to 4:30 P.M. Monday thru Friday. For further information please contact DTCS at 410-651-1424.

Board of County Commissioners for Somerset County  
Ralph D. Taylor, County Administrator”

Mr. Pusey explained that the Planning Commission held a Public Hearing on March 5, 2020 to rezone 57.19 acres of land southwest of the Town of Princess Anne at 11076 Stewart Neck Road, from R-2 Medium Density Residential to AR Agricultural Residential. He advised the property is in agricultural use, and the applicants would like to apply to the Maryland Agricultural Land Preservation Foundation (MALPF) in order to sell the development rights of the property to the State. If successful, the land would be preserved as agricultural land forever. Mr. Pusey explained state law requirements, and the applicants contend that a mistake existed in current residential zoning as this land had always been used for agriculture, and the owner’s intent is to keep it agricultural. Mr. Pusey closed in saying that the applicants applied to MALPF last year and were informed by the State the property was not eligible for the program because of residential zoning. He advised that both the Planning Commission and Staff were favorable to the request and recommend approval.

President Mathies asked if the Board had any questions. They did not. He then asked if there were any proponents present to speak. There were none. He then asked if there were any

opponents present to speak. There were none. It was noted that public comment will be taken for 10 days, until June 19, 2020. The Public Hearing was declared closed.

At 2:10 p.m., President Mathies declared a Public Hearing open to present a similar request from Kathleen and Gary King, on behalf of SIK Farms, LLC., to rezone Map 23, Grid 3, Parcel 185 from R-2 Medium Density Residential to AR Agricultural Residential. Mr. King came forward at this time. Mr. Taylor then proceeded to read the Notice of Public Hearing into record as follows:

“Pursuant to the Somerset County Zoning Ordinance and Section 4-204 of the Land Use Article of the Maryland Annotated Code, notice is hereby given that a public hearing will be held by the Board of County Commissioners for Somerset County to hear opponents and proponents on:

Tuesday, June 9, 2020 at 2:10 P.M.  
County Commissioners’ Meeting Room, Room 111, 11916 Somerset Avenue  
Princess Anne, Maryland

The purpose of the hearing is to consider a request by Kathleen and Gary King on behalf of SIK Farms, LLC, to rezone Map 23, Grid 3, Parcel 185 from R-2 Medium Density Residential to AR Agricultural Residential. The parcel totals 100.38 acres located west of the Town of Princess Anne on the west side of Rosehaven Drive approximately 3,800 feet south of Deal Island Road.

The Somerset County Planning and Zoning Commission held a public hearing on the proposed rezoning on March 5, 2020, and forwarded a favorable recommendation to the County Commissioners.

All zoning maps, Zoning Ordinance, Comprehensive Plan and files may be inspected at the Department of Technical and Community Services (DTCS), 11916 Somerset Avenue, Room 211, Princess Anne, MD during regular business hours, 8:30 A.M to 4:30 P.M. Monday thru Friday. For further information please contact DTCS at 410-651-1424.

Board of County Commissioners for Somerset County  
Ralph D. Taylor, County Administrator”

Mr. Pusey explained this is similar request, except involving 100.38 acres of land south of Deal Island Road, between Rosehaven Drive and Brownstone Road. This property is in agricultural use, and the applicants desire to apply to MALPF in order to sell the development rights of the property to the state, and preserve the property as agricultural forever. A Public Hearing was held by the Planning Commission on March 5, 2020, and the Planning Commission gave a favorable recommendation to rezone to AR. A mistake was also made in zoning this property residential, has it has always been used for agriculture. Approval was also recommended for this request.

President Mathies asked if the Board had any questions. They did not. He asked if there were any proponents present to speak. There were none. He then asked if there were any opponents present to speak. There were none. President Mathies advised that public comment would be taken for 10 days, until June 19, 2020. The Public Hearing was declared closed.

Being that the meeting was running slightly ahead of schedule, Mr. Taylor continued with correspondence and discussion items.

The Maryland Department of Agriculture has sent the Cooperative Agreement between the Maryland Department of Agriculture and Somerset County to provide cooperation in the control and eradication of noxious and certain invasive weeds for the period of July 1, 2020 through June 30, 2021. Mr. Taylor requested approval of the Presidents signature on the agreement.

A motion was made by Commissioner Randy Laird, seconded by Vice President Charles Laird, it carried unanimously to authorize President Mathies to sign the Cooperative Agreement.

The county received notification from Mr. Kirk Simpkins that he is submitting an application to the Maryland Department of the Environment to obtain authorization to install 90' vinyl bulkhead in tidal wetlands at his property located at 13317 Dorsey Road, Princess Anne. Mr. Simpkins is required to notify the county as it is the adjacent property owner. The advisement is informational only and there were no comments.

Following review of correspondence sent, Mr. Taylor presented a boat slip sub-lease request received from Severn Mister regarding Boat Slip No. 13 at St. Peters. Mr. Mister is requesting to sub-lease the slip to Mr. Everett Lee Bozman, Jr. The request requires Board approval per the lease agreement.

A motion was made by Commissioner Willing to approve the sub-lease request for slip 13 at St. Peters to Mr. Bozman. Vice President Laird seconded the motion. The motion carried unanimously.

Ms. Linda R. Johnson, SCPS, came forward at this time to present FY 20 Inter-category Budget Transfers to address shortages in categories for various reasons as follows:

<u>Category:</u>	<u>Transfer Requested:</u>
Mid-Level Administration	20,000
Student Health Services	27,000
Operation of Plant	30,000
Fixed Charges	(77,000)
Total	\$0.00

A motion was made by Commissioner Randy Laird to approve the inter-category transfers as presented. Vice President Charles Laird seconded the motion. The motion carried unanimously.

At 2:20 p.m., President Mathies declared the Public Hearing open regarding the CDBG Grant Application for COVID Funding Round 1. Dr. Charlotte Phillips, Seton Center came forward at this time. Mr. Taylor read the Notice of Pubic Hearing into record as follows:

“ NOTICE OF PUBLIC HEARING  
BOARD OF COUNTY COMMISSIONERS FOR SOMERSET COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM – COVID FUNDING  
Tuesday, June 9, 2020 at 2:20 P.M.  
County Commissioners’ Meeting Room, Room 111, 11916 Somerset Avenue  
Princess Anne, Maryland

The Board of County Commissioners for Somerset County will conduct a Public Hearing to obtain the views of citizens on community development and housing needs to be considered for submission of an application to the Maryland Community Development Block Grant Program (CDBG) for funds awarded through the federal CARES Act Funds must be used to prevent, prepare for and respond to the coronavirus.

Citizens will have the opportunity to discuss proposed projects and to provide input on other needs to be considered. The hearing will be held at 2:20 p.m. in the County Commissioners Meeting Room (Room 111), 11916 Somerset Avenue in Princess Anne, on Tuesday, June 9, 2020. The draft application will be available for the public to review from June 5, 2020 to June 9, 2020 at the Dept. of Technical & Community Services office at 11916 Somerset Ave., Room 211, Princess Anne, MD 21853 during normal business hours.

Citizens will be furnished with information including but not limited to:

- The amount of CDBG funds available;
- The range of activities that may be undertaken with CDBG funds; and
- The proposed projects under consideration by Somerset County.

The Maryland CDBG Program is a federally funded program designed to assist governments with activities directed toward neighborhood and housing revitalization, economic development, and improved community facilities and services. It is administered by the MD Department of Housing and Community Development.

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.

For further information, please contact the Department of Technical & Community Services at 410-651-1424.

Board of County Commissioners for Somerset County  
Ralph D. Taylor, County Administrator”

Mr. Pusey explained there is \$5 Billion in funding nationwide under the CARES Act that will be distributed through the CDBG Program in three rounds. Maryland Department of Housing and Community Development (DHCD) is accepting applications for the first round, totaling almost \$4.5 million. Applications must be submitted by counties pertaining to projects and activities that “prevent, prepare for and respond to the coronavirus”. Applications are due before June 12, 2020, and there is no limit on the amount of funds requested. Grants are for two years and expire July 31, 2022. Round 1 use of funds must pertain to certain activities including senior services, food programs, homeless assistance, and rental assistance for low/moderate income households.

Programs being offered by Catholic Charities at Seton Center in Princess Anne appear to qualify for this funding.

Dr. Phillips explained that with approved funding, the Seton Center proposes to provide food assistance, emergency rental assistance and behavioral health services.

Mr. Pusey than noted that generally the Board allows for a 10-day comment period; however, due to the expedited application process, staff requests to waive the 10-day comment period, and asks support and approval of this application. Additionally, if approved, a resolution for the application must be signed by the President and included with the application.

Vice President Charles Laird made a motion to waive the 10-day comment period, a approve the President's signature on the CARES application for Round 1 as presented. Commissioner Rex Simpkins seconded the motion. The motion carried unanimously.

Commissioner Randy Laird made a motion to approve Resolution # 1152 to support the submittal of an application requesting CDBG grant funding for projects awarded through the federal CARES Act in Somerset County. Vice President Charles Laird seconded the motion. The motion carried unanimously. Dr. Phillips left the meeting at this time.

Mr. Pusey remained present and was joined by Ms. Kristen Tremblay, DTCS. The Board was reminded of the meeting held two weeks ago, and the discussion held regarding the Great Bay Solar Decommissioning Plan and salvage value concerns. The Public Service Commission meeting scheduled for June 3 has been moved to June 17 due to the number of questions/concerns raised by the state and the county regarding the Plan as proposed. Conference calls have been held with Great Bay Solar, at their request (prompted by the State), and concerns the county had were shared. Great Bay made some changes to the Plan as proposed in an attempt to address the county's concern; and Mr. Pusey wanted to make the Board aware that the letter being drafted will still include the concerns, as one change was only agreed to verbally and is not yet in writing, and the other concern the County still does not agree to.

The proposed changes by Great Bay are as follows:

- The Parent Company would not be the financial guarantee, and they will provide a Letter of Credit or Bond (not provided in writing, therefore will still be included in the County's letter to the PSC);

- They still want to use all of the salvage value (they are not subject to the county ordinance which requires 20% of the total cost of decommissioning). Staff does not agree with this, but wanted to share with the Commissioners.

Ms. Tremblay continued, explaining the discussions held with Great Bay Solar in that they were asked to follow the ordinance, but were not required. She noted that county input was requested after the Plan had been submitted to the state and not before. The State then recommended that Great Bay contact the County for input. The total cost equaling the 20% amount would be \$3,569,600, and she noted that the approved County plan currently on file does not mention salvage at all. Ms. Tremblay continues to feel like the county has a good case to go for the full amount, but noted that the PSC may take our ordinance into consideration (that was adopted afterward) when making their decision.

Vice President Charles Laird stated that we don't want to settle for anything less, and expressed his concern that Great Bay went to the state before the county. President Mathies noted the extreme importance of wording in the letter, suggesting that "the county strongly recommends the following" language be used. Mr. Pusey and Ms. Tremblay left the meeting at this time.

Commissioner Simpkins also left the meeting at this time.

Next, Mr. Gene Adkins, Mr. Will Dryden and Ms. Kira Evans, Tax Office, came forward to discuss personal and corporate property Tax write offs.

Mr. Dryden explained that it has been two years since the last tax write off list was presented. At the request of our auditors, the current list is being presented today for the Boards consideration/approval, noting that the write offs will not be of impact on the county, as the figure has been budgeted to show the potential loss. Ms. Evans reviewed the list with the Board.

Commissioner Simpkins returned to the meeting at this time.

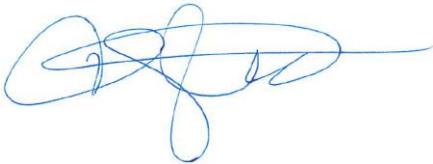
A discussion was held regarding how the process is handled and the potential impacts to the businesses should/if collection be pursued. It was decided that legal opinion be obtained before moving forward. Therefore, staff will research and modify the list per input received today from the Board and obtain legal opinion for procedural changes that can be made at the tax office to require tax payments are current before releasing business licenses if possible.

With no further business, at 2:50 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 (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 3:50 p.m., upon a motion made by Commissioner Randy Laird, seconded by Commissioner Willing. The motion carried unanimously.

Approved by:



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Board of County Commissioners  
For Somerset County

Respectfully Submitted:



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Lory E. Ebron  
Executive Aide