

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
July 21, 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. – Service Award Presentation
 - Mr. Glen Webster - 20 Years
- 2:05 p.m. - Appreciation Award Presentation
 - Mr. Clarence Goodman
- * 2:10 p.m. - Mr. Gary Pusey, DTCS
 - Crisfield Drainage Study Bid Award Recommendation
 - Maryland DHCD COVID-19 Grant Funding Agreement
 - Update-County Approval of Plumbing, HVAC and Gas Inspections
 - LOS Request/Smith Island
- 2:30 p.m. - Mr. Gary Pusey, Ms. Kristen Tremblay, DTCS, Mr. Dane Bauer and Ms. Melissa Hall, H & H Solutions
 - Algonquin Decommissioning Plan

Correspondence:

Sent

Mr. Matthew Smith re: Rental Assistance Resources

Discussion:

- * 1. Surplus Property Offers (2)
- * 2. LOS-FY21 BJAG Grant Application-New Law Enforcement CAD/RMS System

Public Comments: Five Minute Time Limit

- * **3:00 p.m. - Closed Session-** Mr. Ralph Taylor, Mr. Gene Adkins, Mr. Charles Cavanaugh, Mr. Chris Woodward, Ms. Morena Corbin, Kim Widdowson

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
July 21, 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 Commissioner Eldon Willing, Commissioner Randy Laird and Commissioner Rex Simpkins. Vice President Charles Laird was absent from today's meeting.

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 July 21, 2020

On July 21, 2020, from 2:54 p.m. until 3:32 p.m., at 11916 Somerset Avenue, Room 111, upon a motion made by Commissioner Eldon Willing, and seconded by Commissioner Randy 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.

Present for the Closed Session Meeting were President Craig N. Mathies, Sr., Commissioner Eldon Willing, Commissioner Randy Laird and Commissioner Rex Simpkins. Vice President Charles Laird was absent from today's meeting.

Also present were County Administrator Ralph D. Taylor, Executive Aide Lory Ebron, Ms. Kimberly Widdowson, Payroll/Benefits Specialist, Ms. Morena Corbin, HR Director, Mr. Gene Adkins, Finance Director, Mr. Charles Cavanaugh, Director Solid Waste/Maintenance and Mr. Chris Woodward, IT Director. Topics discussed: (1) Avigation Easement (2) Hiring's for Motor Equipment Operator I, Accountant I, Motor Equipment Operator I/Landfill, Maintenance Worker I, Network Security Specialist. Actions taken during closed session: (1) Approval to authorize signature on avigation easement letter (2) Approval to hire Motor Equipment Operator I, Accountant I, Motor Equipment Operator I/Landfill, Maintenance Worker I, and Network Security Specialist.

Meeting minutes presented were approved later in the meeting.

Mr. Glen Webster came forward at this time to accept his 20 Year's of Service Recognition. The Board of Commissioners thanked Mr. Webster for his many years of service, and wished him well upon his retirement at the end of this month.

Mr. Clarence Goodman came forward to accept a Certificate of Appreciation for his generous monetary donation made to the Somerset County Dog Control Office, in memory of his wife, Sandra Kaye Goodman and fulfillment of her last wish. The Board was very appreciative of their kind donation.

Mr. Gary Pusey came forward at this time. He began by presenting the Review Committee's (Dean Bozman, Phil Goldsborough, Tracey Gordy, John Redden, and Gary Pusey) recommendation of the award of Engineering Services Contract regarding the Crisfield Drainage System Assessment (funded by a Hurricane Sandy Disaster Grant \$100,000 and DNR Grant for \$50,000). Sealed bids received during the July 7, 2020 meeting were reviewed and it was noted that all eight proposals clearly addressed all issues discussed and were qualified. The recommendation was made to award the Engineering Services Contract for the Crisfield Drainage System Assessment project to the low bidder, Bayland Consultants for \$98,985.00. Mr. Pusey noted that remaining funds not used will be rolled back into the funding pool.

Upon a motion made by Commissioner Randy Laird and seconded by Commissioner Willing, it carried 4-0 to award the Engineering Services Contract for the Crisfield Drainage System Assessment project to the low bidder, Bayland Consultants for \$98,985.00.

Mr. Pusey presented a Community Development Block Grant (CDBG) COVID-19 Agreement/Round 1 (CV-1-10) for \$200,000, as modified by DHCD, to be used by Catholic Charities Seton Center and Somerset County. Mr. Pusey advised that \$100,000 was approved for Catholic Charities to administer a Food Assistance Program in the county, and \$100,000 was awarded to the county to administer the Emergency Rental Assistance Program. Mr. Pusey requested the approval for the President's signature on the agreements presented.

A motion was made by Commissioner Simpkins to authorize President Mathies to sign the CDBG COVID-19 Round 1 Grant Agreement No: CV-1-10. Commissioner Willing seconded the motion. The motion carried 4-0.

Mr. Mark Konapelsky, Code Enforcement Officer, joined the meeting at this time to present the recommended option regarding Building Inspections (previously discussed during the

May 12, 2020 meeting). There were four options presented, and after discussing the matter with the Department of Labor, the chosen option was to use current resources available, including county staff who are certified in the International Residential Code. Mr. Konapelsky reviewed how inspections would be performed regarding plumbing, HVAC, propane/gas and electrical. He advised that the Director of Building Codes Administration shared the county's proposal with the Maryland Building Officials Association and the Maryland Building Officials Association who agree with the choice made. Mr. Konapelsky advised that this is a more efficient approach, giving the department more control, and may be a platform to be established nationwide going forward as other counties experience the same issue. After discussion, consensus was received to allow the department to move forward with this new inspection process for plumbing, propane/gas and HVAC inspections. Mr. Konapelsky left the meeting.

Next, Mr. Pusey presented a letter of support request for the FY21 Rural Maryland Prosperity Investment Fund (RMPIF) Grant Request regarding the Smith Island Somers Road and Wharf Street Drainage Project. He explained the grant funded studies performed previously, noting that previous attempts to secure funding for these projects have been unsuccessful. Ms. Tracey Gordy, Maryland Department of Planning, has become involved with this grant submission, and it is hoped this grant, if approved for \$200,000, would be used to fund two of the four recommended drainage projects (Somers Road and Wharf Street) as recommended in the study.

Commissioner Randy Laird made a motion to authorize Mr. Taylor to sign the requested Letter of Support regarding the Smith Island drainage projects. Commissioner Willing seconded the motion. The motion carried 4-0.

Mr. Dane Bauer and Ms. Melissa Hall, H & B Solutions, came forward to discuss the Algonquin Decommissioning Plan. Mr. Taylor distributed a handout received from Algonquin a couple of days ago. Mr. Bauer began by providing a historical review of his local firm, noting that clients use them due to their distant location, and not having a presence in the area. He explained that their firm puts a team together for the client to oversee and bring solar projects together. He advised that Algonquin has hired their firm to do "specialty work", and discussed decommissioning plans as in place for other counties they have created. He explained the difficulty in projecting recycling costs due to marketing and inflation changes and discussed the changes implemented regarding credit for recycling and the need to show documentation. He also discussed the change for original bond term review of 30 years, now changed by the PSC to be

reviewed, first every 10 years, and now currently, every 5 years, due to the inability to really perform a 30-year projection because of market and regulation changes. Additionally, he explained that the final change that they ask their clients to do is to find a recycling company that will guarantee the price for the first five years, and then review every 5 years. Mr. Bauer stated that the decommissioning numbers Great Bay is proposing falls right in line with others they have done, and recycling values are better. He then advised that Great Bay has asked him to advise the county of their added discounts in that their estimate includes a 15% reduction on buy back value, and since previous communication with the county on this topic, Great Bay Solar I & II has revised the plan to update the recycling credit every 5 years to adjust for inflation and market changes, and are willing to commit to increase the security to 20% of the estimate decommissioning costs within the last 10 years of useful life of the asset. Mr. Bauer stated no other company has offered this type of discount.

They also presented a formal, written commitment from “We Recycle Solar”. Commissioner Randy Laird questioned how long We Recycle Solar has been in business. Mr. Bauer stated he would need to look into the question and will provide an answer back to Mr. Pusey as soon as possible. Commissioner Randy Laird also questioned what will happen if We Recycle Solar goes out of business. Mr. Bauer replied that there are other companies out there, and the company itself is bonded and is also one of the biggest companies in the market place, and he doesn't see the risk.

Mr. Pusey was asked what the current bond in place, and after having Ms. Kristen Tremblay, DTCS come forward, Mr. Pusey advised that on Phase II, it is approximately \$7 million that expires September 30. Commissioner Randy Laird asked if they felt it was just as good. Mr. Bauer replied he did. He re-stated when looking at the risk and guarantees involved, it is now is for a 5- year period. Commissioner Simpkins asked what happens if Great Bay sells. Mr. Bauer stated they are bound by the same agreement.

Following the discussion, President Mathies advised that the Board will discuss the information presented today, and Mr. Pusey would be in contact. Mr. Bauer thanked the Board for the opportunity to attend the meeting today.

Next, Mr. Taylor continued with correspondence and discussion items.

A surplus property offer was received from Ms. Magda Cruz for Account 12-005245/3154 Boone Road, for the listed price of \$6,135.00. The 10% deposit was made as required.

A motion was made by Commissioner Randy Laird and seconded by Commissioner Willing to approve the sale of Account 12-005245 to Magda Cruz for \$6,135.00. The motion carried 4-0.

A surplus property offer was received from Ms. Joletta Whaley for Account 03-037045/30970 Old Rehobeth Road for the listed price of \$930.00. The 10% deposit was made as required.

A motion was made by Commissioner Simpkins to approve the sale of Account 03-037045 for \$930.00. Commissioner Willing seconded the motion. The motion carried 4-0.

A letter of support request was also received from Sheriff Ronnie Howard to support the BJAG Grant Funding Agreement that will support the purchase of new software and hardware CAD/RMS management system for the Sheriff's Office, Princess Anne Police Department, Crisfield Police Department and the Somerset County Emergency Services Department.

A motion was made by Commissioner Simpkins to authorize Mr. Taylor to sign the letter of support requested by Sheriff Howard. Commissioner Willing seconded the motion. The motion carried 4-0.

Meeting minutes for the Commissioner and Closed Session meetings held on July 7, 2020 and the Special and Closed Session meetings held on July 14, 2020 were approved as presented on a motion made by Commissioner Randy Laird and seconded by Commissioner Willing. Commissioner Simpkins abstained regarding the July 7, 2020 minutes; therefore, the motion carried 3-0-1 for July 7, 2020 and 4-0 for July 14, 2020.

President Mathies asked if there was anyone present wishing speak. Mr. Schermerhorn, who signed in to speak, yielded to Ms. Tammy Truitt.

Ms. Truitt, identified as living in District 4, noting Charles Laird was her District Commissioner. Ms. Truitt comments are summarized as follows:

- Great Bay Solar used irrelevant values from a 2018 NREL report in their decommissioning plan. This is troubling as it shows Algonquin is using unethical sources/methods to bloat salvage values
- Transportation costs have been calculated based on an instate recycling facility when there is none. The closest We Recycle Solar facility in in New York who have been in existence since July 2019 and the Arizona facility is an office building, not a recycle center. We Recycle Solar does not store or ship panels and salvage value is based on undamaged panels and a spokesperson said current costs are \$18-20 per panel (435,138 x \$20 +\$8.7 million)
- Great Bay Solar decommissioning plan grants them a panel value of \$8.8 million
- Algonquin 2020 financial report sets company assets at \$11 Billion; an increase of over \$2 Billion since requesting a county tax abatement. Great Bay Solar is struggling showing an 88% production level
- Get more specifics on the We Recycle Solar plan

Next, Mr. Ron DeClement, 11179 Old Princess Anne Road addressed the Board. Mr.

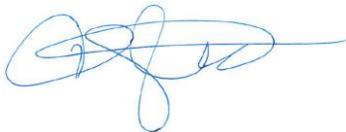
DeClement's comments are summarized as follows:

- Board was just given the facts, it's a question of leadership
- No Decommissioning Plan for Great Bay Solar I
- Price of the panels exceed price of the metal and copper
- Somerset County showed excellent leadership with Great Bay Solar II with accepting a suitable decommissioning plan at \$5 Billion value
- Great Bay attorney letter advises revision to a 5-year plan for Phase I and II at \$600,000
- He asks Somerset continue its great leadership and stick with the \$16 million plan
- We Recycle Solar has been in business 1 year, store front and no warehouse no address in New York
- Need to protect our interests and continue to show great leadership

With there being no one else present wishing to speak, the Board was advised of the need of a Closed Session. Therefore, at 2:54 p.m., upon a motion made by Commissioner Willing and seconded by Commissioner Randy 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 (3) consider the acquisition of real property for a public purpose and matters directly related to the acquisition. The motion carried 4-0.

The Commissioner and Closed Session meetings were adjourned at 3:32 p.m., upon a motion made by Commissioner Simpkins and seconded by Commissioner Randy Laird. The motion carried 4-0.

Approved by:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Lory E. Ebron
Executive Aide