

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/ 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
February 2, 2021
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. Gary Pusey, Department of Technical and Community Services
 - **Bid Opening**/Deal Island Shoreline Construction Project
 - **Preliminary Decision** – Bonneville Rezoning Request/Map 32, Grid 4, Parcel 149, Lots B and C from I-1Light Industrial to AR Agricultural Residential
- * 2:10 p.m. – Mr. Gene Adkins, Finance Director and Mr. Will Dryden, Tax Supervisor
 - Tax Exemption for Veterans
- * 2:20 p.m. - Ms. Vicki Miller, Finance
 - AMOSS Grant 508 Funds

Correspondence:

Received

- Comptroller Peter Franchot re: Forbearance for Business Taxes, Monthly Payments, Withholding
- * Mr. Adam Riggan, Chairman/Somerset County Sanitary District re: Sanitary Commission Vacancy

Sent

Mr. Nelson Sheppard, Crisfield City Inspector re: Waiver of Landfill Tipping Fees
Mr. Toby Swift, Fire Chief re: Fire Protection
Mr. James W. Ball Jr., re: Surplus Property Purchase
Ms. Jennifer McShane re: Surplus Property Purchase
Mr. Jon Robinson re: Surplus Property Purchase
Mr. Lionel Milfort re: Voided Surplus Property Offer

Public Comments: Members of the audience who have signed up to address the Board will be permitted to do so at this time and allotted 5 minutes.

Discussion:

- * 1. Surplus Property Purchase Offer (2)
 - * 2. Planning Commission Appointment (1)
 - * 3. Restaurant Relief Grant Agreement
- * **2:30 p.m. - Closed Session-** Mr. Ralph Taylor, Ms. Morena Corbin, Mr. Charles Cavanaugh, 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 (b)(4) consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

- * Denotes Action Item

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
February 2, 2021

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 Randy Laird, Commissioner Rex Simpkins and Commissioner Eldon Willing.

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

President Mathies asked Commissioner Eldon Willing to lead those present in Devotion and the Pledge of Allegiance.

Closed Session Summary Report

On February 2, 2021, from 2:33 p.m. until 3:31 p.m., at 11916 Somerset Avenue, Room 111, upon a motion made by Commissioner Simpkins, and seconded by Commissioner Randy Laird, with Vice President Charles Laird and Commissioner Willing voting in favor, the motion carried 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)(4) consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

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

Also present were County Administrator Ralph D. Taylor, Executive Aide Lory Ebron, HR Director Morena Corbin, Director of Solid Waste and Maintenance Charles Cavanaugh and EDC Director Danny Thompson.

Topics discussed: (1) Probationary Extension (2) MEO I Landfill Hiring (3) Leave of Absence Extension (4) Proposal for Business. Actions taken during closed session: (1) Approval to extend probationary period (2) Approval to hire MEO I Landfill (3) Approval to extend Leave of Absence.

Commissioner Rex Simpkins stepped out of the meeting.

Minutes from the Commissioner and Closed Session meetings held on January 19, 2021, were approved as presented upon a motion made by Commissioner Randy Laird and seconded by Vice President Charles Laird. Commissioner Eldon Willing abstained; therefore, the motion carried 3-0-1 (Commissioner Simpkins did not vote).

Mr. Gary Pusey, Department of Technical and Community Services (DTCS) came forward to first present sealed bids received regarding the Deal Island Shoreline Construction Project. There were eight (8) contractors present at the mandatory pre-bid meeting. Sealed bids were received as follows:

<u>Bidder:</u>	<u>Amount:</u>
Environmental Quality Resources	\$1,742,644.85
Unity Landscape Design/Build	\$1,149,291.39

Mr. Pusey requested time to review the bids submitted with staff, and Department of Natural Resources, to insure all items were addressed, and return with a recommendation in two weeks.

Next, Mr. Pusey addressed the matter of the preliminary decision regarding the rezoning request received from Mr. Mitchell Bonneville regarding Map 32, Grid 4, Parcel 149 Lots B and C from I-1 Light Industrial to AR Agricultural Residential. Mr. Pusey reviewed events leading up to today's meeting; explaining Mr. Bonneville's request to rezone. Additionally, Mr. Pusey noted that staff recommended denial to the Planning Commission, noting water and road improvements made in anticipation of the proposed Walmart Distribution Center next to Eastern Correctional Institution. Additionally, staff did not identify a mistake was made because a mistake was identified as being made in 2004 when the property was rezoned to I-1. The Planning Commission recommended approval of the rezoning to the County Commissioners, based on a mistake in the zoning, agreeing with the Applicant that the property had always been used as agriculture and the 2004 decision to rezone the property to Light Industrial was a mistake. Mr. Pusey closed his comments by asking the Board for a preliminary decision today, to allow staff time to prepare the findings of facts; after which he will return for Board approval to adopt the final decision.

Following a brief discussion, Vice President Charles Laird made a motion to approve the Planning Commission's recommendation (as voted 3-2) to rezone the Bonneville property as AR. There was no second motion; therefore, the motion died due to a lack of second.

Commissioner Randy Laird made a motion to leave the zoning as-is (Light Industrial). Commissioner Simpkins seconded the motion. Vice President Charles Laird opposed and Commissioner Willing voted in favor; therefore, the motion carried 3-1-0. Mr. Pusey advised he will return in two weeks to present the Findings of Facts for the Boards approval regarding their decision.

Mr. Gene Adkins, Finance Director and Mr. Will Dryden, Tax Supervisor, came forward to discuss Bill Ch. 630, 2020 passed into law to allow greater help for disabled veterans. Mr. Dryden explained that the State is trying to expand tax credit's to disabled veterans and he presented information collected regarding estimations of who the credit may benefit. He explained his estimated fiscal impact on Somerset County should the bill be adopted, advising that to date, only two counties have adopted this new bill. Mr. Dryden advised that there may be hesitation on behalf of counties to adopt the bill first, because it is so new, and secondly, responsibility to apply the credit will fall on the county. The county would create an application process, and veterans would be required to apply for the credit. Mr. Dryden recommended that the Board discuss the matter during budget deliberations when more information will be provided.

After stating that the county needs to give back to our veterans as much as it can, Vice President Charles Laird made a motion to research the matter further to determine what needs to be done to adopt the bill for our county, and bring the plan forward for consideration for the FY22 tax year. Commissioner Simpkins seconded the motion. Commissioner Willing and Commissioner Randy Laird voted in favor; therefore, the motion carried.

Next, Ms. Vicki Miller, Finance and Accounting Supervisor, came forward to present the annual "Senator William H. Amoss Fire, Rescue and Ambulance Fund" (508 Funds) grant for the Boards approval. She explained that grant funding this year, in the amount of \$314,785, is divided between the Fire and Ambulance companies in the County. This year's disbursement is slightly higher for each company, and each agreement indicates the company's planned use of funds. Ms. Miller then requested the Boards approval for the President and County Administrators signatures on the grant agreements.

Commissioner Simpkins made a motion to approve the President's signature on the 508 Fund grant agreements as presented. Commissioner Randy Laird seconded the motion. Commissioner Willing abstained and Vice President Charles Laird voted in favor; therefore, the motion carried 3-0-1.

Mr. Taylor continued with correspondence and discussion items.

A letter presented for informational purposes, received from Comptroller Franchot, requested the consideration by counties to explore the feasibility of forbearance periods for taxes collected. Mr. Taylor advised that he has Mr. Adkins, Finance Director, looking into the request to report his findings back to the Board.

Correspondence was received from Mr. Adam Riggan, Somerset County Sanitary District Chairman advising that Ms. Drenda Hall has relocated outside the district and will no longer be serving on the Sanitary Commission. He therefore requested Ms. Kathleen Shaffer be appointed to serve out Ms. Hall's remaining term, as well as requesting approval to begin her own 6 year term following the expiration of the remaining term. The Board discussed the request. No action was taken.

The following letters sent were reviewed;

- Mr. Nelson Sheppard approving a request to waive landfill tipping fees
- Mr. Toby Swift for fire protection services provided
- Mr. James Ball for approval to purchase surplus property
- Ms. Jennifer McShane for approval to purchase surplus property
- Jon Robertson for approval to purchase surplus property
- Lionel Milfort for notification of voided purchase of surplus property offer

Mr. Taylor next presented the following requests to purchase surplus property:

Account 15-008075 (Loretto Road) for \$1,147.00 to Mike Phillips. The 10% non-refundable deposit was made.

A motion was made by Commissioner Simpkins to sell Account # 15-008075 to Mike Phillips for \$1,147.00. Vice President Charles Laird seconded the motion. Commissioner Randy Laird and Commissioner Willing voted in favor; therefore, the motion carried.

Account 06-096255 (Clinton Bozman Road) for \$423.00 to Ronald Williams. The 10% non-refundable deposit was made.

A motion was made by Commissioner Willing to sell Account # 06-096255 to Ronald Williams. Commissioner Simpkins seconded the motion. Vice President Charles Laird and Commissioner Randy Laird voted in favor; therefore, the motion carried.

The Board was advised that Planning Commission member James Mullen is no longer able to serve. President Mathies advised that Ms. Laverne Stewart is willing to serve on the Planning Commission.

Commissioner Randy Laird made a motion to appoint Ms. Laverne Stewart to serve as a member to complete Mr. Mullens term ending September 2024. Commissioner Simpkins seconded

the motion. Vice President Charles Laird and Commissioner Willing voted in favor; therefore, the motion carried.

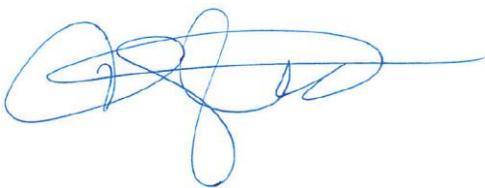
Last, Mr. Taylor discussed the Restaurant Relief Grant Agreement, offered through the COVID relief funds, noting that there are several civic organizations requesting to be allowed to submit for grant assistance.

A motion was made by Vice President Charles Laird to allow civic organizations to apply for COVID Restaurant Relief Grant funding. Commissioner Randy Laird seconded the motion. Commissioner Simpkins and Commissioner Willing voted in favor; therefore, the motion carried.

With no further business, at 2:33 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 Commissioner Willing, 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)(4) consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State. Vice President Charles Laird and Commissioner Randy Laird voted in favor; therefore, the motion carried.

The Commissioner and Closed Session meetings were adjourned at 3:31p.m., upon a motion made by Commissioner Rex Simpkins and seconded by Vice President Charles Laird. Commissioner Randy Laird and Commissioner Willing voted in favor; therefore, the motion carried.

Approved by:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Lory E. Ebron
Executive Aide