

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
April 13, 2021
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. - Second Amendment Sanctuary Resolution
- 1:15 p.m. - Dr. John Gaddis, Ms. Linda R. Johnson, Somerset County Public Schools
 - FY22 Budget
 - FY21 Budget Transfer Request
- * 1:30 p.m. - Mr. Charles Cavanaugh, Director of Solid Waste and Maintenance
 - Resolution/Landfill and Transfer Station Fees
 - Sealed Bid Opening/Scrap Metal Removal
 - Sealed Bid Opening/Drainage Projects (3)
 - Sealed Bid Opening/Power Washing Services
- * 1:40 p.m. - Mr. Clint Sterling, Department of Recreation and Parks/Tourism
 - Sealed Bid Opening/Marion Recreation Area Rehabilitation
 - Sealed Bid Opening/Surplus Property-6303 Old Westover Road (Burgess Museum)
 - Bike Trail TAP Funds Grant Agreement
 - Tourism Commission Vacancies (3)
- * 1:55 p.m. - Mr. John Redden, County Engineer
 - Sealed Bid Opening/Aviation Consulting Services
- * 2:00 p.m. - Mr. Gary Pusey, Mr. Mark Konapelsky, DTCS
 - Bid Award Recommendation/Housing Elevation Projects

Correspondence:

Received

- * Mr. Ed Goyda, Library Director re: Library Board Vacancies (2)

Sent

The Honorable Paul Pinsky and The Honorable Cheryl Kagan re: LOS SB634/HB 840 (Sunday Hunting)
Ms. Mindy Lee, FAA re: Airport Capital Improvement Plan
Ms. Jennifer Ruffner, MD Heritage Areas Authority re: Beach to Bay Heritage Area Boundary Amendment

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.

2:20 p.m. - Closed Session- Mr. Ralph Taylor

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.

- * Denotes Action Item

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
April 13, 2021

At 1:00 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 April 13, 2021, from 2:12 p.m. until 2:22 p.m., at 11916 Somerset Avenue, Room 111, upon a motion made by Commissioner Rex Simpkins, and seconded by Commissioner Eldon Willing, with Commissioner Randy Laird and Vice President Charles Laird 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.

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

Also present were County Administrator Ralph D. Taylor, and Executive Aide Lory Ebron.

Topics discussed: (1) Probationary to Permanent Employee Status (2) Litigation. Actions taken during closed session: (1) Approval to move employees from probationary to permanent employee status (2) Authority to represent Board.

Minutes from the Commissioner and Closed Session meetings held on March 30, 2021, were approved as presented upon a motion made by Vice President Charles Laird and seconded by Commissioner Eldon Willing. Commissioner Randy Laird and Commissioner Rex Simpkins voted in favor; therefore, the motion carried.

Mr. Taylor provided a summary following the Second Amendment Sanctuary Public Hearing held on March 30, 2021. The public hearing was declared open at 1:05 p.m., with one hundred and four people signing in to attend. Seventeen people spoke in favor of adopting the resolution, and no one spoke in opposition during the hearing. During the 10-comment period, eleven comments were received in favor of the resolution, with one person voicing opposition from District 2.

Vice President Charles Laird made a motion to proceed with the Second Amendment Sanctuary 2A Preservation, Resolution #1163. Commissioner Simpkins seconded the motion. Commissioner Randy Laird and Commissioner Willing voted in favor; therefore, the motion carried. President Mathies then stated that in regards to this matter, that we as a county believe in our second amendment rights to hold firearms, but as citizens of the State of Maryland and Elected Officials, we are sworn to uphold the laws of the State of Maryland, so all of us must be mindful of that, including law enforcement, and we can just hope that it never comes to that.

Next, Dr. John Gaddis and Ms. Linda R. Johnson, Somerset County Public Schools, came forward to present the FY22 Somerset County Public Schools Proposed Operating Budget Summary. Also coming forward were Mr. Gene Adkins, Somerset County Finance Director, and Ms. Sharon Muir, Somerset County Internal Auditor.

Dr. Gaddis advised they were presenting the proposed operating budget today, however, there may be changes with what is being shown today as their budget was not formally finalized.

Ms. Johnson then presented the PowerPoint Budget Summary prepared for the meeting today as follows:

- The proposed FY22 budget is \$44,717,574
- Funding Sources include the County MOE of \$10,393,440 which is based on a calculated average from 2017 to 2020
- Increase in funding for FY22 is expected to be \$539,411, which includes a carryover of \$900,800 from FY 20
- State revenue comparison for FY21 and FY22 reflect a difference of (\$416,904)
- Revenue sources consist with Somerset County at 23.24%, State at 74.39% and Other noted as 2.37%
- Expenditure increases for FY22 included increases in Health Insurance, Technology, Textbooks/Instruction and Increases in Salaries (still in negotiation phase)
- FY22 Expenditures were Instruction 41.44%, Fixed Charges 21.76%, Mid Level Admin 8.88%, Operation/Maintenance 7.88%, Special Education 7.87%, Transportation 6.24%, Administration 3.22% and Student Services 2.72%

Dr. Gaddis explained the financial impact on the budget with Pre-K enrollments being down this year, however, enrollment is looking better for this year. No capital projects are planned for this year, and School Resource Officers (SRO) have not been budgeted as of today. Discussions have been held with the Sheriff, and funding for SRO's will depend on how the funding works

out. Dr. Gaddis advised he would speak to his Board at next weeks meeting, and advise the county afterward. Commissioner Randy Laird requested an update regarding COVID cases in our schools. Dr. Gaddis reported that there has been a ‘mini-spike’ in the southern end of the county. He highly commended our Health Department on how phenomenal they have been working with the schools, noting they are continuing to social distance and are mitigating when possible. Commissioner Willing asked about the School Board vacancy, and was advised it has not been filled as of yet.

Ms. Johnson then requested the Boards consideration and approval for FY21 budgetary transfers being presented today.

Upon a motion by Commissioner Randy Laird, and seconded by Vice President Charles Laird, with Commissioner Willing and Commissioner Simpkins voting in favor, the motion carried to approve the following transfers as requested:

<u>Category:</u>	<u>Transfer Requested:</u>
Mid-Level Admin	\$15,000
Special Education	10,000
Student Personnel Services	60,000
Student Health Services	16,000
<u>Fixed Charges</u>	<u>(101,000)</u>
Total	\$0.00

Mr. Charles Cavanaugh, Director of Solid Waste and Maintenance came forward to present Resolution #1162, to increase the tipping fee to \$70.00 per ton, with the other fee’s remaining the same.

Upon a motion made by Commissioner Simpkins, and seconded by Commissioner Willing, with Vice President Charles Laird and Commissioner Randy Laird voting in favor, the motion carried to approve Resolution #1162 as presented.

President Mathies next proceeded to open sealed bids regarding Scrap Metal Removal as follows:

<u>Contractor:</u>	<u>Bid Amount:</u>
Fitzgerald’s Auto	\$80.00 Per Ton
Salisbury Scrap Metal	\$70.00 Per Ton

Mr. Cavanaugh recommended awarding the bid to the high bidder, Fitzgerald’s Auto. A motion was made by Commissioner Simpkins to award the bid to Fitzgerald’s Auto, at \$80.00 per ton. Commissioner Willing seconded the motion. Vice President Charles Laird and Commissioner Randy Laird voted in favor; therefore, the motion carried.

Next, President Mathies proceeded to open sealed bids received regarding three ditch maintenance projects as follows:

<u>Contractor:</u>	<u>Nevette Muir Road</u>	<u>Deal Island/Haines Point</u>	<u>Champ Road</u>
Doug Vann	\$8,765.00	\$9,836.00	\$14,465.00
Mark Bozman	\$7,200.00	\$7,800.00	\$15,800.00

A motion was made by Commissioner Willing to award the Nevette Muir project to the low bidder Mark Bozman, for \$7,200.00. Commissioner Simpkins seconded the motion. Vice President Charles Laird and Commissioner Randy Laird voted in favor; therefore, the motion carried.

A motion was made by Commissioner Willing to award the Deal Island/Haines Point project to the low bidder Mark Bozman. Commissioner Simpkins seconded the motion. Vice President Charles Laird and Commissioner Randy Laird voted in favor; therefore, the motion carried.

A motion was made by Commissioner Willing to award the Champ Road project to the low bidder Doug Vann. Commissioner Simpkins seconded the motion. Vice President Charles Laird and Commissioner Randy Laird voted in favor; therefore, the motion carried.

President Mathies next opened sealed bids received regarding Power Washing and Painting regarding the Somerset County Roads Maintenance Building as follows:

<u>Contractor:</u>	<u>Bid Amount:</u>
Colossal Contractors	\$39,800.00
Barone Painting	\$17,595.00
Noah's Construction LLC	\$44,600.00
Procoat LLC	\$20,565.00

Mr. Cavanaugh requested to review the bids submitted, and return with a recommendation.

Mr. Clint Sterling, Director of Recreation and Parks/Tourism, came forward at this time. First, Mr. Sterling was advised that there were no bids received regarding the Marion Recreational Facility Project.

Next, sealed bids received regarding the purchase of the Burgess Storage Facility, Grounds and Contents were announced as follows:

<u>Bidder:</u>	<u>Amount:</u>
William G. Swift	\$31,348.59
Gary Cullen	\$36,000.00

Mr. Sterling requested to return in two weeks following review to make a recommendation.

Mr. Sterling presented the Memorandum of Understanding for MD413 Hiker Biker Trail, Phase II-C for the Boards consideration and approval. He explained that the Transportation Alternatives Program (TAP) funding agreement will be used for the design for Phase II-C. The grant, is for \$442,812, or 80% of actual eligible costs, whichever is less. Attorney Simpkins has reviewed the agreement and found it legally sufficient.

Vice President Charles Laird made a motion to authorize President Mathies to sign the TAP grant agreement for the Hiker/Biker Trail Phase II-C. Commissioner Randy Laird seconded the motion. Commissioner Simpkins and Commissioner Willing voted in favor; therefore, the motion carried.

Last, Mr. Sterling advised the Board of three vacancies, advising that members representing Districts 1, 2 and 3 have stepped down.

Commissioner Randy Laird and Commissioner Willing both advised that Ms. Sandy Marriner has expressed her interest in serving on this commission.

Commissioner Willing made a motion to appoint Ms. Marriner to serve on the Tourism Commission for District 3. Commissioner Simpkins seconded the motion. Commissioner Randy Laird and Vice President Charles Laird voted in favor; therefore, the motion carried.

Mr. John Redden, County Engineer, came forward at this time to accept sealed bids received regarding the Crisfield-Somerset County Airport Request for submittal regarding Statement of Qualifications for Aviation Consulting Services. One bid was received from AECOM. The bid submitted was reviewed, and there being questions, Mr. Redden was asked to contact AECOM, and return later in the meeting.

Mr. Gary Pusey, and Mr. Mark Konapelsky, Department of Technical and Community Services came forward to present bid award recommendations regarding the five MEMA elevation projects, received on March 16, 2021. Mr. Konapelsky advised that the recommendation is being made to award all 5 bids to Eastern Sun Construction, the low bidder, who has also performed work in Ocean City and Dewey Beach. Mr. Konapelsky also explained that these projects will be “turn-key”, and the contractor will handle the entire project from start to end. Commissioner Simpkins left the meeting briefly during the discussion and returned.

Commissioner Randy Laird made a motion to award 39W Chesapeake Avenue, Crisfield to Eastern Sun Construction for \$77,700.00. Vice President Charles Laird seconded the motion. Commissioner Simpkins and Commissioner Willing voted in favor; therefore, the motion carried.

Commissioner Willing made a motion to award 9338 Deal Island Road for \$89,300.00 to Eastern Sun Construction. Commissioner Simpkins seconded the motion. Vice President Charles Laird and Commissioner Randy Laird voted in favor; therefore, the motion carried.

Commissioner Randy Laird made a motion to award 3181 Sackertown Road, Crisfield to Eastern Sun Construction for \$81,500.00. Vice President Charles Laird seconded. Commissioner Simpkins and Commissioner Willing voted in favor; therefore, the motion carried.

Vice President Charles Laird made a motion to award 7950 Riverview Road, Westover, to Eastern Sun Construction for \$81,700.00. Commissioner Simpkins seconded the motion. Commissioner Randy Laird and Commissioner Willing voted in favor; therefore, the motion carried.

Commissioner Willing made a motion to award 11528 Long Point Road, Dames Quarter, to Eastern Sun Construction for \$89,800.00. Commissioner Simpkins seconded the motion. Vice President Charles Laird and Commissioner Randy Laird voted in favor; therefore, the motion carried.

Mr. John Redden, County Engineer, returned to the meeting to further discuss the bid received from AECOM. He advised that the request was a "statement of qualification" bid, which is required to be obtained every 5 years by the FAA. Mr. Redden advised he will review the submission, and return with a recommendation.

Mr. Taylor continued the meeting with correspondence received and sent.

A letter was received from Mr. Ed Goyda, Library Director advising of 2 recent resignations on the Library Board; Ms. Marlena Turner and Ms. Marilyn Cottman. Mr. Goyda advised that the Library Board of Trustees is recommending Mr. Tim Spillane to fill Ms. Turner's term, and Ms. Jennifer Timmons to fill the remaining term of Ms. Cottman.

A motion was made by Commissioner Simpkins to appoint Mr. Spillane to fill the term of Ms. Turner. Commissioner Willing seconded the motion. Vice President Charles Laird and Commissioner Randy Laird voted in favor; therefore, the motion carried.

A motion was made by Vice President Charles Laird to appoint Ms. Jennifer Timmons to fill the remaining term of Ms. Cottman. Commissioner Simpkins seconded the motion. Commissioner Randy Laird and Commissioner Willing voted in favor; therefore, the motion carried.

The letter sent to the Honorable Paul Pinsky and the Honorable Cheryl Kagen in support of SB634/HB840 to allow Sunday hunting of game bird and mammal seasons was noted, however

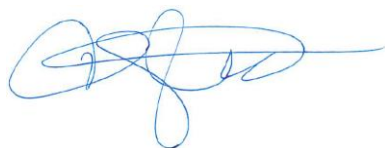
Mr. Taylor advised that the bill may have died in committee; and may need to be resubmitted next year.

Letters were also sent to Ms. Mindy Lee regarding the Airport Capital Improvement Plan, and to Ms. Jennifer Ruffner regarding the Beach to Bay Heritage Area Boundary letter of support, discussed during the previous meeting held on March 30, 2021.

With no further business, at 2:12 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. Commissioner Randy Laird and Vice President Charles Laird voted in favor; therefore, the motion carried.

The Commissioner and Closed Session meetings were adjourned at 2:22 p.m., upon a motion made by Commissioner Rex Simpkins and seconded by Vice President Charles Laird. Commissioner Eldon Willing and Commissioner Randy Laird voted in favor; therefore, the motion carried.

Approved by:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Lory E. Ebron
Executive Aide