

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
NOVEMBER 22, 2011

At 2:00 P.M., the Board of County Commissioners for Somerset County met in regular session with Commissioner President Rex Simpkins, Commissioner Vice-President Charles F. Fisher, Commissioner Craig N. Mathies Sr., Commissioner Jerry S. Boston and Commissioner Randy Laird.

Also present was Ralph D. Taylor, County Administrator-Clerk, and Cynthia R. Ward, Executive Aide.

President Rex Simpkins called the meeting to order. Commissioner Mathies led those in attendance in the Lord's Prayer and the Pledge of Allegiance.

Upon motion made by Commissioner Boston, seconded by Commissioner Laird, it was carried 3-0 to approve the Minutes of the meeting held Tuesday, November 8, 2011.

Ms. Maureen McNeill, of Coastal Hospice, appeared before the Board to accept a Proclamation in recognition of November 2011 as National Hospice/Palliative Care Month and encourage citizens to increase their understanding and awareness of care at the end of life and to observe this month with appropriate activities and programs.

Mr. Charles Cavanaugh, Director of Solid Waste and Maintenance, was now present to review a recent Grand Jury Report that was issued following the inspection of county offices, Board of Education, and Eastern Correctional Institution. Mr. Cavanaugh reported that 99% of the problems cited in county offices have now been repaired, including the mold complaint in the Courthouse Annex. In conclusion, Commissioner Fisher inquired as to the status of the Mosquito Control Office renovation project and the Child Advocacy relocation/renovation. Both projects are progressing well and should be completed soon.

At this time, Mr. Taylor reviewed discussion items with the Board.

As discussed previously, the Board discussed the need to submit three (3) names to the Governor's Office as possible nominees for an appointment to the Tax Assessment Appeals Board to fill the vacancy created by the resignation of Sandy Plank. The following names were suggested as nominees: Keith Muir, Asher Daisy, and Christine Allen.

A motion was made by Commissioner Mathies, seconded by Commissioner Laird, to nominate Keith Muir, Asher Daisy, and Christine Allen for a possible appointment to the vacant position on the Tax Assessment Appeals Board. The motion carried unanimously.

The Board of County Commissioners received a request for a letter of support for Three Lower Counties Community Services, Inc. (TLC) for their efforts to secure a Capital Development-Building Capacity grant application to the Health Resources and Services Administration in order to expand the additional needs of obstetrical and gynecological healthcare in Somerset, Worcester, and Wicomico Counties.

A motion was made by Commissioner Boston, seconded by Commissioner Laird, to authorize President Simpkins to sign a letter of support for Three Lower Counties Community Services Inc. (TLC). The motion carried unanimously.

Mr. Taylor reminded the Board of the need to designate a Commissioner to serve on Maryland Association of Counties' (MACo) Legislative Committee. A motion was made by Commissioner Boston, seconded by Commissioner Mathies, to nominate Commissioner Fisher to represent Somerset County on MACo's Legislative Committee. The motion carried 4-0. Commissioner Fisher abstained from the vote.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to nominate Commissioner President Simpkins to serve as Alternate. The motion carried 4-0.

The Board was presented with a letter for signature in support of the Board of Education's Capital Improvement Plan for Fiscal Year 2013. The letter, addressed to Maryland Public School Construction Program, advises that no state funds are currently being requested for capital projects. However, a future request may be submitted for their consideration.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to authorize President Simpkins to sign the letter of support for the Board of Education's Capital Improvement Plan for FY13. The motion carried 4-0.

Mr. James Henderson, Supervisor of Somerset County Dog Control, was now before the Board to propose the adoption of a new Cat Control Ordinance. The proposed ordinance has been reviewed by the County Attorney and the recommended changes have been incorporated into the final draft. A copy of the final draft was presented to the Board for their review. With

the Board's permission, Mr. Henderson would like to proceed with the advertisement of a public hearing including a fair summary of the proposed ordinance.

After a brief discussion, a motion was made by Commissioner Laird, seconded by Commissioner Mathies, to schedule a public hearing to receive comment on the proposed Cat Ordinance. The motion carried 4-0.

At this time, Mr. Taylor reviewed correspondence with the Board.

A request was received from the Trustees of the John Wesley United Methodist Church to waive the permit fees (Zoning Certificate \$100; and Building Inspections \$75) associated with the renovations of the vestibule of the church.

A motion was made by Commissioner Fisher, seconded by Commissioner Mathies, to waive the permit fees (\$175) as requested by John Wesley United Methodist Church. The motion carried unanimously.

The Board reviewed a letter from Tri-County Council for the Lower Eastern Shore regarding nominees to the Executive Board. In 2012 Somerset County will hold the positions of Chair and 3rd Vice Chair.

A motion was made by Commissioner Fisher, seconded by Commissioner Laird, to nominate Craig Mathies to serve as Chair of the Tri-County Council Executive Board. The motion carried unanimously.

A motion was made by Commissioner Fisher, seconded by Commissioner Mathies, to nominate Jerry Boston to serve as 3rd Vice Chair of the Tri-County Council Executive Board. The motion carried unanimously.

At 2:30 p.m., the Board took a brief recess.

At 2:50 p.m., the Board resumed their meeting with Mr. James Kingdon and Ms. Carol Walston of Greenlight Biofuels present. Mr. Kingdon referenced his letter, dated September 29, 2011, in which he asked for the Board's consideration to waive the accrued interest for personal property taxes for 2009 and 2010. Mr. Kingdon went on to state that \$10,778.18 has been paid towards the 2009-10 outstanding interest. However, he is not sure what amount is due for 2010-2011. With the exception of the interest, the taxes have been paid for 2009 and 2010. Mr.

Kingdon advised that the Town of Princess Anne has agreed to waive the interest charges.

Commissioner Mathies inquired as to how many employees work at the Princess Anne site. Ms. Walston stated there are 11 employees and operations are now working 24/7, near total capacity.

Mr. Kingdon added that he is anxious to continue the progress being made at the Plant and continue to expand with additional equipment and employees. Recently, four new operators were added. President Simpkins inquired if any of the employees are Somerset County residents. Ms. Walston advised that two of the four new employees are county residents.

A motion was made by Commissioner Boston to waive the interest due for the 2009-2010 personal property taxes. A discussion followed in which the Board agreed to delay taking action until an exact amount due could be determined. Commissioner Boston withdrew his motion. The Board will address the request again at their next meeting when further information is available.

Mr. Charles Massey, Ms. Audrey Cornelius and Mr. Tom Lawton, which served as members of the 2011 Redistricting Committee, appeared before the Board to present the Committee's recommendation. Mr. Massey commended Ms. Cornelius and Mr. Lawton for their hard work on the project. A map showing the current populations based on census figures which revealed where the adjustments need to be made. Mr. Massey referenced the Maryland Law that was enacted in 2010 which stated that the population of ECI (2,824 inmates) must be removed from the County's total population count, resulting in a population count of 23,754 that would be divided into five districts. An ideal population count for each district would be 4,750, however each district can vary 5%. Mr. Massey reviewed the statistics for each district as proposed in 1-A and noted that a small change was made on Jeffrey Lane. Any suggested changes would require a narrative description of boundaries. Commissioner Laird asked for clarification on the addition of census blocks in District Five. Mr. Massey and Ms. Cornelius described the process that is required to expand a particular district using the boundaries of census blocks. According to Mr. Massey, the Redistricting Committee unanimously approved and recommends "1-A" for the County Commissioners' consideration. Mr. Massey recommended a work session be held by the Board before scheduling a public hearing to accept comments. Also, the Board of Elections should review the proposal. After the public hearing, the Board would take action on the acceptance of a redistricting plan which would include a narrative boundary description. This information would be forwarded to our legislative

delegation for introduction during the upcoming session of the General Assembly. Mr. Karl Aro, of Legislative Services, has been consulted and he will assist with the bill introduction. The legislative bill must be approved by the Governor prior to the April 3rd Primary Election.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to proceed with advertising the hearing for December 13, 2011 to receive public comment on the proposed 1-A Redistricting Map. The motion carried unanimously.

President Simpkins asked for any comment from the public regarding today's session. Mr. Dan Kuebler suggested the proposed redistricting maps and the proposed cat ordinance be posted on the county's website, with a link included in the public hearing advertisements.

With no further business, a motion was made by Commissioner Boston, seconded by Commissioner Laird, to adjourn the regular meeting and go into Closed Session. The motion carried unanimously, and the Board went into Closed Session at 3:49 p.m., authority of State Government Article of the Annotated Code of Maryland, Section 10-508 (a) (1) (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction.

The amount drawn on the General Fund Checking Account for the week of November 22, 2011, from check no. 10073 through check no. 10125 was \$1,211,355.95

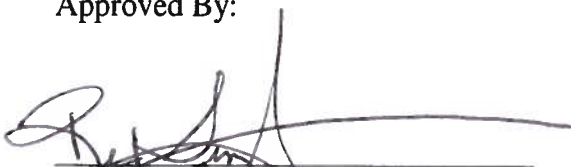
The amount drawn on the General Fund Checking Account for the week of November 29, 2011, from check no. 10127 through check no. 10146 was \$263,046.03

Respectfully Submitted:



Cynthia R. Ward
Executive Aide

Approved By:



Board of County Commissioners
For Somerset County