

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY, NOVEMBER 20, 2012

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 and asked Commissioner Mathies to lead those attending the meeting in the Lord's Prayer and the Pledge of Allegiance.

At 2:00 P.M., President Simpkins declared a public hearing open relating to the following matter:

“ To hear opponents and proponents of the amended 10-year Somerset County Solid Waste Plan. The amendments include the addition of electronics recycling and the tentatively approved public school recycling plan.”

The public notice was read into the record by the County Administrator. Mr. Taylor also reviewed the proposed amendments to the Plan:

1. Electronics Recycling – Electronics are currently being collected at the five County Transfer Stations, stockpiled at the County Landfill and transported by private contractor to Bennett Construction in Fruitland.
2. Public School Recycling – The Public School Recycling Plan is now incorporated into the Solid Waste Plan. Passed in 2009, House Bill 1290 requires all public schools to recycle.
3. Fluorescent Tube Recycling – House Bill 685 requires the County to recycle fluorescent tubes. Tubes are currently collected by the Board of Education, the County Maintenance Department, and at the Transfer Stations. Bulbs are crushed and the glass is recycled.

President Simpkins asked for any proponents wishing to testify in support of the proposed amendments. There were none.

President Simpkins then asked for any opponents wishing to testify in opposition to the proposed amendments. There were none.

With no further comments or questions, President Simpkins declared the public hearing closed at 2:05 p.m. Written comments will be accepted until November 30, 2012 at 4:30 p.m.

Mr. Tom Lawton, Senior Planner for the Somerset County Department of Technical and Community Services (DTCS), was now present before the Board, accompanied by DTCS Director, Gary Pusey, to discuss the Dividing Creek Rural Legacy Area. Mr. Lawton reported that six farms in Somerset County, totaling 760 acres is in the Rural Legacy Area, and two additional farms, totaling 125 acres, are close to settlement. Another 100 acre property may also qualify for the FY13 funding under the Wetlands Reserve Program. At the conclusion of the review, Mr. Lawton advised that he anticipates receiving the new program agreement in the near future.

Upon motion made by Commissioner Boston, seconded by Commissioner Fisher, it carried unanimously to authorize President Simpkins to sign the Dividing Creek Rural Legacy Area Agreement for the new program year.

The County Administrator presented two ordinances to the Board for their review, following the advertised public hearings held on Tuesday, October 23, 2012:

- 1) Ordinance No. 1049 – An Ordinance to amend the Somerset County Subdivision Ordinance to revise the definition of a “Minor Subdivision” to increase the maximum number of lots from five (5) to seven (7) and to clarify that the road standard section of the Ordinance will also reflect this revision.

At the conclusion of the review, President Simpkins called for a motion on the adoption of Ordinance No. 1049. A motion was made by Commissioner Laird, seconded by Commissioner Boston, to adopt Ordinance No. 1049 as presented. The motion carried unanimously.

- 2) Ordinance No. 1050 – An Ordinance to repeal Ordinance No. 913, as amended by Ordinance No. 1019, entitled the “Nuisance Ordinance”, and to amend and re-enact the Nuisance Ordinance to include various health and safety nuisances requiring the owners of real property to meet certain standards and providing for the administration and enforcement thereof.

Mr. Taylor noted that one written comment was received following the public hearing. The Board was provided a copy of the letter, as submitted by Jane Hawkins of Princess Anne. At the conclusion of the review, President Simpkins called for a motion on the adoption of Ordinance No. 1050. A motion was not offered and therefore the Board moved on to the next agenda item.

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried unanimously to adopt a Proclamation in honor of Lenny McGee for his extraordinary dedication to his family in their time of need, and his commitment to the Princess Anne Volunteer Fire Department as well as the citizens of Somerset County.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to prepare a Proclamation in recognition of the Washington High School Golf Team for competing in the 2012 State 1A/2A Tournament. The motion carried unanimously.

At this time, the County Administrator reviewed correspondence with the Board.

A project notification from the Maryland Department of Planning, State Clearinghouse, was reviewed by the Board. The County was advised that the Maryland Department of Natural Resources has submitted an application for federal funding assistance for the following planned upgrades to the Deal Island Wildlife Management Area:

- 1) Purchase and install water control structures with risers and boards; conduct election survey to identify optimal location(s) for new water control structures; and fabricate and install permanent flap gates;
- 2) Treat infestations of phragmites with a glyphosate-based herbicide;
- 3) Re-vegetate about 2 acres of former marsh (inside impoundment) that was lost to flooding along the perimeter of the large pond east of Riley Roberts Road.

A motion was made by Commissioner Fisher, seconded by Commissioner Mathies, to authorize the County Administrator to respond with a C-5 designation, indicating that the project is generally consistent with our plans, programs and objectives. The motion carried unanimously.

In a separate letter, The Board was also advised by the Maryland Department of Planning that the Town of Princess Anne has submitted a project for intergovernmental review regarding a request for CDBG funding to pay for an engineering study for the construction of a roundabout, sidewalks, and the impact of the construction on existing water and sewer lines and drainage. No action was necessary at this time.

A request for a Subordination Agreement was presented to the Board for their consideration. Ms. Viola Allen received a grant for housing rehab. through the CDBG program in the amount of \$7,500. She is refinancing with the Bank of America for a lower interest rate on her mortgage. In order for her to get this lower interest rate, the County would have to subordinate this grant mortgage.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to subordinate the Deed of Trust to the second party, Bank of America, for the remainder of the term of the grant mortgage. The motion carried unanimously.

At 2:30 p.m., the County Administrator advised the Board of the need for a Closed Session. A motion was made by Commissioner Laird, seconded by Commissioner Boston, to go into Closed Session 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 motion carried unanimously. Also present for the Closed Session were Commissioner President Rex Simpkins, Commissioner

Craig N. Mathies, Sr., Commissioner Vice-President Fisher; County Administrator-Clerk, Ralph D. Taylor; Executive Aide, Cynthia R. Ward; Director of Human Resources, Erica Quillen; and Director of Solid Waste and Maintenance, Charles Cavanaugh.

The Board resumed in Open Session at 3:00 p.m. and a public hearing was declared open by President Simpkins relating to the following matter:

“The Board of County Commissioners is considering the introduction of a legislative bill in the next session of the General Assembly which would dissolve the elected position of Treasurer in Somerset County. The duties associated with the Office of Treasurer, such as the receipt and collection of all state and county taxes and all other money due to the County, would be absorbed into the County’s Finance Department. This action would represent the County’s effort to not only reduce the size of government and the cost to operate such operations, but to ensure the future security of the County’s finances. If approved, the elected Office of Treasurer would terminate at the end of the current term, 2014.”

The public notice was read into the record by the County Administrator. Mr. Gene Adkins, Finance Director, followed with a PowerPoint presentation which addressed “Why Consider Legislation to Change?”

- Expertise of candidate
 - No safeguards in place to ensure any level of expertise in finance or accounting for elected office
 - Complicated regulatory environment
 - Require credentials, such as CPA or business degree with experience
- Consolidate accounting functions
 - Consistent accounting processes by consolidating within one department
 - Improved processes
 - Stronger internal controls
 - Improved communication between departments
 - Cross training opportunities
- Greater efficiency and responsiveness to both the Board and Public
 - Better communication to the Board
 - More timely information to the Board
 - “One Stop Shop” for the public
 - No more trips from Prince William St. to County Complex and back
- Cost Savings
 - Net positions would not change
 - Hire Tax Collection Supervisor and pt. time tax clerk, saves \$40,000
 - Saves \$12,000 in related fringe benefits
 - Saves \$8,000 in utilities and other costs
 - Total projected savings would be \$60,000
 - Potential for additional revenue from sale or rental of Treasurer’s Office Building

Mr. Adkins also advised that a tax collection unit would be created as a branch of the Finance Department. An organizational chart showing the proposed structure of a new Finance

Department was displayed. The PowerPoint presentation concluded with a tentative timeline for the proposal:

- Hold public hearing – November 20, 2012
- Pre-file the Bill – by December 14, 2012
- Discuss & pass Bill in Legislature – February 2013
- MAC Ctr. And COA move to Westover – July 2013
- Remodel new Treasurer's Office – August 2013-January 2014
- Treasurer's Office move to County Complex – January 2014
- Hire new Tax Collection Unit Supervisor – January 2014
- Treasurer's Office officially part of Finance Department – January 2015

Mr. Adkins concluded the presentation by stating that the timing is perfect to make this transition.

President Simpkins questioned the timeline – from January 2014 to January 2015. Mr. Adkins proposed that the new Tax Collection Unit Supervisor would be hired prior to the official change for training purposes.

At this time, President Simpkins asked for any proponents wishing to testify. There were none.

President Simpkins then asked for any opponents wishing to testify. There were none.

When prompted by President Simpkins for any questions or comments, Commissioner Laird encouraged the local newspaper editors to include an article in their next edition and urge citizens to comment on the proposed change.

Mr. Edward J. "Bunky" Price, P.O. Box 416, Princess Anne, Maryland, appeared before the Board, as neither a proponent or opponent. Mr. Price stated that if he were of a younger age, he would file as a candidate for the Office of Treasurer. Otherwise, he is not in opposition to the proposal.

Mr. Richard Crumbacker, Editor for the Crisfield-County Times, appeared before the Board to inquire about the flexibility that is currently allowed by the Treasurer. Who would have this authority now? Mr. Adkins advised that it may fall under his authority, however, they are still researching the transition. Mr. Taylor believed this was a legal issue that would require further investigation. Mr. Crumbacker concluded by asking if the Treasurer's Office would still move into the Complex, even if the legislative bill did not pass. He was advised "yes".

Commissioner Boston called upon the two Treasurer's Office Employees (Rachel Custis and Josette Grangier) that were in the audience and asked if they were in favor of the proposed change to the Treasurer's Office. They both replied yes – they supported the change.

Commissioner Mathies asked Ms. Custis if she still planned to retire at the end of the current term. Ms. Custis stated that she is planning to retire.


With no further questions or comments, President Simpkins declared the public hearing closed at 3:20 p.m. Written comments will be accepted until November 30, 2012 at 4:30 p.m.

In other business, Commissioner Laird called upon Delegate Charles Otto, which was present in the audience for the public hearing, and inquired about the possibility of moving the Early Voting location from Princess Anne to a more centralized location, such as Westover. Delegate Otto believes that it can be moved, but will further research the issue.

Upon a motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried unanimously to dispense with the reading of the Minutes of the meetings held on Tuesday, October 23, 2012 and November 5, 2012 , (open and closed sessions) and approve them as presented.

With no further business, a motion was made by Commissioner Fisher, seconded by Commissioner Boston, to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 3:30 p.m.

Respectfully Submitted:


Cynthia R. Ward
Executive Aide

Approved By:


Board of County Commissioners
For Somerset County