

BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
TUESDAY, DECEMBER 4, 2012

At 1:00 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.

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried unanimously to approve the Minutes of the meetings held Tuesday, November 20, 2012 (open and closed sessions) as presented.

The meeting began with the presentation of several Proclamations, to members of the Washington High School Soccer Team, Crisfield High School Field Hockey Team, Crisfield Golf Team, and two Cross Country participants from Crisfield High School. The County Commissioners and students congregated on the front lawn of the County Office Complex for the presentations.

After returning to the Meeting Room, Mr. Steve Marshall, Director of Emergency Services, appeared before the Board, accompanied by David Bohannon, of the Maryland Department of Human Resources. Following his introduction, Mr. Marshall reported that Mr. Bohannon has provided his assistance with the distribution of vouchers to pay for housing for citizens that were displaced while their houses were being repaired, following Super Storm Sandy. Federal funding is expected to become available through the State's Community Development Block Grant Program to reimburse monies that were fronted to pay for immediate housing needs for Somers Cove residents, and possibly for extended weeks in the near future. The Board will receive testimony during a public hearing later today regarding a grant submittal for the CDBG funding.

At this time, the County Administrator reviewed discussion items and correspondence.

The Board was reminded of the proposed amendments to the Nuisance Ordinance (Ordinance No. 913) as presented during a public hearing held Tuesday, October 23, 2012. Written comments were reviewed by the Board during the meeting of November 20, 2012 at which time no action was taken on the adoption of the proposed changes. President Simpkins addressed the proposal and again called for a motion from the Board. Based upon the information and recommendation received from the Health Department Officials, Commissioner Boston made a motion to adopt Ordinance No. 1050, an ordinance which repeals the previous enacted Nuisance Ordinance and re-enacts a Nuisance Ordinance which addresses various health and safety related violations. Commissioner Fisher seconded the motion and it carried 4-0.

The Board also discussed information received during two public hearings held Tuesday, November 20, 2012:

- 1) Proposed amendments to the 10-year Somerset County Solid Waste Plan. The amendments include the addition of electronics recycling and the tentatively approved public school recycling plan. No public testimony was presented during the hearing and no written comments were received during the 10-day comment period. At the conclusion of the review, President Simpkins called for a motion on the adoption of the proposed amendments.

A motion was made by Commissioner Laird, seconded by Commissioner Boston, to approve and adopt the proposed amendments to the 10-year Somerset County Solid Waste Plan. The motion carried 4-0.

- 2). A proposal to seek legislation to dissolve the elected Treasurer's position. 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. Only one person presented testimony during the hearing, which was neither opposition nor support. Following the public hearing, written comments were received from five citizens, all in support of the proposal. Mr. Taylor also reported that support had been expressed by the Democratic Central Committee. At the conclusion of the review, the following action was taken:

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, to

seek legislation to dissolve the elected position of Treasurer (to terminate at the end of the current term). The motion carried unanimously.

At this time, the Board discussed the need to fill the position of County Treasurer, following the sudden death of Charles L. Muir. Pursuant to the Somerset County Code of Public Local Laws, Section 7-108, the County Commissioners shall appoint a Treasurer within 30 days after a vacancy occurs in the Office of Treasurer. Upon motion made by Commissioner Laird, seconded by Commissioner Mathies, it carried unanimously to appoint Willis H. Dryden Jr. to serve as Treasurer for Somerset County for the remainder of the current term, filling the vacancy left by the death of Charles L. Muir.

A Resolution was presented to the Board for their consideration, to support an application by Salisbury Neighborhood Housing Services, Inc. (SNHS) to seek grant funding from the Maryland Department of Housing and Community Development to allow SNHS to assist Somerset County potential homeowners with down payment and closing costs when purchasing a home. A presentation was provided to the Board during their Work Session, held Tuesday, November 27, 2012, by Cheryl Meadows of SNHS, on the benefits of the program for qualifying individuals of low to moderate income. There would be no local match or cost to Somerset County to participate in the program.

A motion was made by Commissioner Fisher, seconded by Commissioner Laird, to adopt Resolution No. 1052, in support of an application by Salisbury Neighborhood Housing Services, Inc. to seek grant funding for the housing program, as described above. The motion carried unanimously.

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it carried unanimously to authorize President Simpkins to sign a grant application and grant agreement for FY2013 funding for the Rental Allowance Program. If approved, the County would receive \$40,000 for rental assistance. In determining the eligibility of the recipients, priority is given first to the homeless citizens of the County, and second priority is given in an emergency or critical housing situation.

Upon motion made by Commissioner Boston, seconded by Commissioner Fisher, it was carried unanimously to approve a Proclamation in recognition of the participants of the Crisfield High School Cross Country Team.

The Board was reminded of the term expiration for Keith Ward, serving as member of the Somers Cove Marina Commission. Mr. Ward was appointed to the Commission in May of 2009 to fulfill the remainder of a term, following the resignation of Jay Tawes. Upon motion made by Commissioner Laird, seconded by Commissioner Mathies, it carried unanimously to reappoint Keith Ward to serve as member of the Somers Cove Marina Commission for a term of four years.

In a written memo from Gary Pusey, Director of DTCS, the Board was advised that The Bank of Delmarva plans to rescind two letters of credit, for Queen's Grant III Subdivision and Harrison Landing Subdivision, unless the County notifies the bank that an extension is necessary. According to Mr. Pusey, both Letters of Credit were for plantings to be done in order to comply with Critical Area regulations. The plantings for the Queens Grant subdivision were completed, so there is no need for that Letter of Credit to be extended. The plantings for the Harrison Landing Subdivision have not been completed, but the plantings can be required when a building permit is requested, therefore, that Letter of Credit can also be released.

A motion was made by Commissioner Boston, seconded by Commissioner Fisher, to release both Letters of Credit back to The Bank of Delmarva, based on the information as described above. The motion carried 4-0.

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

"The Board of County Commissioners for Somerset County will conduct a Public Hearing to offer citizens the opportunity to review an application for a proposed Emergency Housing Assistance grant that Somerset County is considering to submit to the State to assist residents displaced by Hurricane Sandy.

The Maryland CDBG Program is a federally sponsored program designed to assist units of general local government with activities directed toward neighborhood and housing revitalization, economic development and improved community facilities and services.

Maryland's CDBG Program is administered by the Department of Housing and Community Development (DHCD), in close cooperation with the Department of Business and Economic Development (DBED).

The Maryland CDBG Program reflects the State's economic and community development priorities and provides public funds for activities which meet one of the following national objectives, in accordance with the Housing Community Development Act of 1974, as amended:

1. Give maximum feasible priority to activities which will benefit low and moderate income persons and households having an income equal to or less than the Section 8 lower income limits established by HUD;
2. Aid in the prevention or elimination of slums or blight;
3. Meet other community development needs of an urgent nature, or that are an immediate threat to community health and welfare."

The public notice was read into the record by the County Administrator. Mr. Pusey advised the Board that he had been contacted by the Maryland Department of Housing and Community Development (DHCD) regarding the current (12 week) voucher program that is in place to assist those citizens displaced by Hurricane Sandy. According to Mr. Pusey, HUD funding for the voucher program in this area had become depleted. The Department of Human Resources has funding assistance available through the Community Development Block Grant Program, however, it must be directed to local government. If approved, the County may apply and receive the funding for housing assistance to cover another ten weeks at \$35,000 per week. Additionally, funding for administrative costs (10% of grant) will be included, along with funding to provide lead paint training for local contractors, for a grand total of \$395,000. The lead paint training will allow local contractors to receive certification and meet the requirements for performing housing repair. Due to the urgency of the housing situation, DHCD will "fast track" the application and funding request.

At this time, President Simpkins called for any proponents wishing to testify on the proposed grant application. There were none.

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

At the conclusion of the public hearing, a motion was made by Commissioner Mathies, seconded by Commissioner Laird, to adopt Resolution No. 1051 and authorize Mr. Pusey to proceed with the grant submittal and CDBG funding request for a Housing Relocation Assistance Program and related Contractors Lead Paint Training to assist residents displaced by Hurricane Sandy in Somerset County. Due to the urgency, the ten day written comment period will be waived. The motion carried unanimously.

At 2:10 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; and Section 10-508 (a)(7) – consult with counsel to obtain legal advice. 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; and County Attorney, Kirk Simpkins.

At the conclusion of the Closed Session, a motion was made by Commissioner Fisher, seconded by Commissioner Boston, to adjourn today's meeting. The motion carried unanimously and the meeting was adjourned at 2:40 p.m.

Respectfully Submitted:



Cynthia R. Ward
Executive Aide

Approved By:



Board of County Commissioners
For Somerset County