

BOARD OF COMMISSIONERS
FOR SOMERSET COUNTY
OCTOBER 27, 2015

SPECIAL SESSION

At 1:00 P.M., the Board of Commissioners for Somerset County met in Special Session with Commissioner President Randy Laird, Commissioner Vice President Charles F. Fisher, Commissioner Jerry S. Boston, Commissioner Craig N. Mathies and Commissioner Rex Simpkins in attendance. County Administrator-Clerk Ralph D. Taylor and Executive Secretary Shannon L. Evans were also present.

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

Mr. Taylor presented the Board with minutes from the Special Session held on October 13, 2015 for the Board's approval. A motion was made by Commissioner Boston, seconded by Commissioner Fisher, and carried 4-0-1, with Commissioner Simpkins abstaining, to approve the minutes as presented.

Mr. Taylor began by inviting Mr. Gary Pusey, Director of Technical and Community Services, to come forward. Mr. Pusey presented the Board with the Maryland Community Block Grant (CDBG) Agreement for Grant No. MD-14-DR Phase #3 of Hurricane Sandy Recovery for the President's signature. Mr. Pusey explained that Phase #3 of this grant is for the amount of \$2.94 million and was previously approved by the Board in June.

A motion was made by Commissioner Fisher, seconded by Commissioner Boston, and carried unanimously to authorize President Laird's signature on the CDBG Agreement for Grant No. MD-14-DR Phase #3.

Next, Mr. Taylor invited Mr. Tony Stockus, General Manager of Somerset County Sanitary District, Inc., and Mr. Robin Cockey of Cockey, Brennan and Maloney, P.C., to come forward to discuss the proposed changes to their annual Front Foot Assessment billing. Mr. Stockus began by explaining that if the Sanitary District does not receive approval to convert their annual billing to the EDU method today, they will proceed with the usual Front Foot Assessment billing as done in prior years. Mr. Stockus provided the Board with a list of accounts and what their projected rates will be if converted to the EDU method noting that all

accounts that have paid off prior projects will only pay the "Shared Facilities" portion which is projected at an annual \$125 per year per EDU assessed. Mr. Stockus continued by explaining that any proposed development such as in the North Princess Anne area will now pay for the amount of EDU's requested.

Commissioner Simpkins asked what the projected debt shortfall will be if the Front Foot Assessment method remains. Mr. Stockus replied that he expects the debt shortfall to be \$125,000. Commissioner Simpkins asked Mr. Cockey if the status has changed with the current lawsuit. Mr. Cockey replied that the status remained the same at this time.

After a brief discussion regarding how this proposed EDU method will affect the different properties in the Princess Anne area, President Laird questioned if approving this ordinance today would enable the Sanitary District to change the other subdistricts to the EDU method in the future without further Board approval. Mr. Cockey answered that he believed that the Sanitary District would have to come before the Board for approval to change the other subdistricts to the EDU method. Mr. Stockus noted that he does not see the need to change the other subdistricts to the EDU method in the near future.

President Laird then opened the meeting to public input.

Ms. Cynthia Perry of 11951 Robyn Ln., Princess Anne, MD was now before the Board. Ms. Perry discussed the previous projects in the North Princess Anne area with Mr. Stockus. Ms. Perry inquired what affect any future projects to replace and repair failing lines would have on the residents of that area. Mr. Stockus answered that the residents affected would be charged for that project. Mr. Cockey added that this is also true of the present Front Foot Assessment method. Ms. Perry asked if the projected EDU charge of \$125 would be in addition to the Front Foot Assessment bill and asked that Mr. Stockus provide a rate chart for the annual billing as they have for the water and sewer billing. Mr. Stockus advised that the projected \$125 would be billed in place of the current Front Foot Assessment bill that they currently receive. Mr. Stockus informed Ms. Perry that he would work on getting a rate chart posted to the County Website after a decision is made and rates are set.

Mr. Steve Walls of 11911 Crisfield Lane, Princess Anne, MD was now before the Board. Mr. Walls inquired on the comparison between the current Front Foot Assessment and the proposed EDU rate. Mr. Stockus answered that the two sample accounts given from Crisfield

Lane reflect a reduction to their annual billing. Mr. Walls continued by discussing those accounts currently delinquent on their bills and inquired what method the Sanitary District uses to collect funds. Mr. Stockus advised that the law has been amended to allow the Sanitary District to sell those in arrears at the County Tax Sale.

Mr. Linwood McDaniel of 11965 Sherree Lane, Princess Anne, MD was now before the Board to discuss the Westover area users and questioned why they were not included with Princess Anne. Mr. Stockus answered that including Westover users would increase the rates for Princess Anne users. Mr. McDaniel also discussed the developer agreements with Mr. Stockus.

Mr. Sydney Merrill of 11931 Crisfield Lane, Princess Anne, MD discussed a bond that was paid off for his area and noted that he was told that further payments made by the users would go toward maintenance of the lines in the future. Mr. Stockus advised that he was not aware of such an agreement or excess of funds available for this.

Ms. Mildred Muir of Kristwood Way in Princess Anne, MD came before the Board to discuss how the proposed billing method would affect the Somerset Landing area where she resides.

Now before the Board was Ms. Joyce Catlin of 11930 Sherree Ln., Princess Anne, MD. Ms. Catlin asked the Board to deny this proposed billing method and have the Sanitary District notify each customer affected before proceeding.

Ms. Elizabeth Beauchamp of 12045 Jeffrey Ln., Princess Anne, MD asked how the proposed billing method would affect the half lot that she owned next to her residence. Mr. Stockus explained that she would be billed an EDU for each lot and advised her to look into combining those lots together.

Mr. Jacob Shores of 30016 Deanwood Rd., Princess Anne, MD came forward to discuss the \$125,000 debt shortfall previously mentioned as well as how new projects would affect the residents. Mr. Shores also noted that he feels the Sanitary District should charge impact fees to the developers.

Ms. Janet Taylor of 30449 Prince William St., Princess Anne, MD asked for a map to be provided showing exactly which areas will be affected.

Mr. John Collier of 30725 Peggy Ln., Princess Anne, MD explained that he is satisfied with the current method of calculation and would like for the Sanitary District to continue with the Front Foot Assessment method of calculation.

Commissioner Simpkins explained that based on the previous statements from Mr. Stockus and Mr. Cockey regarding the status of the current lawsuit facing the Sanitary District, Commissioner Simpkins made a motion to table this for now until an outcome is reached in the current court case. The motion was seconded by Commissioner Fisher, and carried unanimously.

Commissioner Mathies stated that he commends Mr. Stockus for his efforts noting that this presentation was much fairer to the citizens than previous presentations.

President Laird explained to those in attendance that if the Sanitary District defaults on their debt as projected this will be paid for by the taxpayers.

Mr. Stockus and Mr. Cockey were excused from the meeting at this time.

Mr. Taylor presented the Board with correspondence from Mr. Daryl Webster, Facility Administrator at ECI, regarding a request for inmate labor from Rock Creek United Methodist Church to clean up the church hall following repairs. A motion was made by Commissioner Fisher, seconded by Commissioner Boston, and carried unanimously to approve the request for inmate labor from Rock Creek United Methodist Church.

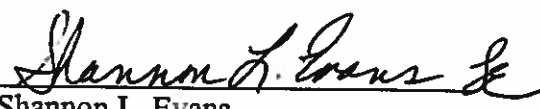
At 2:15 P.M., a motion was made by Commissioner Boston, seconded by Commissioner Fisher, and carried unanimously to enter into Closed Session by Authority of State Government Article of the Annotated Code of Maryland Section 10-508 (a)(1)(i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction. With no further business, the Special and Closed Sessions were adjourned at 2:37 p.m.

Approved By:



Board of Commissioners
For Somerset County

Respectfully Submitted:



Shannon L. Evans
Executive Secretary