



**AGENDA**  
**March 7, 2017**  
**BOARD OF COUNTY COMMISSIONERS**  
**FOR SOMERSET COUNTY**  
**11916 Somerset Avenue**  
**Room 111/Meeting Room**  
**Princess Anne, MD 21853**  
**2:00 p.m.**

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**Appointments:**

- 2:00 p.m. - Public Hearing- Mr. Tom Lawton, Mr. Pete Bozick (George, Miles and Buhr) and Mr. Tony Stockus (Sanitary District)
- Amendment To The Somerset County Comprehensive Water and Sewerage Plan
- 2:20 p.m. - Mr. Charles Cavanaugh
- Transfer Station/Landfill Fees

**Correspondence:**

**Received**

Maryland Department of the Environment re: 2016 Amendments to Water and Sewerage Plan  
US Department of Commerce re: Critical Habitat Proposal

**Sent**

The Honorable James N. Mathias, Jr. re: Opposition to SB0266

**Discussion:**

- \* 1. Public Drainage Association- Tax Levy 2017-2018
- \* 2. Proclamation Request – National Athletic Trainers Month

**2:45 p.m. - Closed Session – Ralph D. Taylor**

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 (a) (3) consider the acquisition of real property for a public purpose and matters directly related thereto.

- \* Denotes Action Item

BOARD OF COUNTY COMMISSIONERS  
FOR SOMERSET COUNTY  
TUESDAY MARCH 7, 2017

At 2:00 p.m., the Board of County Commissioners for Somerset County opened in Regular Session. Present for the meeting were Commissioner President Randy Laird, Commissioner Vice President Charles F. Fisher, Commissioner Jerry S. Boston, Commissioner Craig N. Mathies, Sr., and Commissioner Rex Simpkins.

County Administrator-Clerk Ralph D. Taylor and Executive Aide Lory E. Ebron were also present.

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

Meeting minutes were presented for the Boards approval. Upon a motion made by Commissioner Boston, and seconded by Commissioner Mathies, it carried 5-0 to approve the minutes from the Special and Closed Session meetings held on February 28, 2017 as presented.

At 2:00 p.m., President Laird declared the Public Hearing open with regard to the amendment to the Somerset County Comprehensive Water and Sewerage Plan (Plan). Mr. Taylor read the notice of Public Hearing into record as follows:

PUBLIC HEARING  
AMENDMENT TO THE SOMERSET COUNTY  
COMPREHENSIVE WATER AND SEWERAGE PLAN

BOARD OF COUNTY COMMISSIONERS FOR  
SOMERSET COUNTY

TUESDAY, MARCH 7, 2017

2:00 P.M

SOMERSET COUNTY COMMISSIONERS MEETING ROOM  
ROOM 111

11916 SOMERSET AVENUE, PRINCESS ANNE, MD 21853

"In accordance with Title 9, Subtitle 5, of the Environmental Article of the Annotated Code of Maryland and the Maryland Department of the Environment (MDE) Regulation, COMAR 26.03.01, Somerset County is required to review and submit to MDE a Water and Sewerage Plan to provide for the development of adequate water supply systems and sewerage systems throughout the County in a manner consistent with the County Comprehensive Plan.

The Somerset County Commissioners will hold a public hearing to present to the public an Amendment to the 2008 Somerset County Comprehensive Water and Sewerage Plan. The proposed amendment is available for public review during regular office hours at the Department of Technical and Community Services at 11916 Somerset Avenue, Princess Anne, MD in Room 211.

FAIR SUMMARY

The current Plan was adopted in 2008 and amended in 2016. The purpose of this hearing is to present to the public an amendment to the 2008 Plan revising Chapter Four – Sewer Systems, Section I, Subsection 5. Smith Island Sewerage System. The amendment addresses upgrades to the Smith Island Sewerage System which would shut down the Tylerton Waste

Water Treatment Plant (WWTP) and transmit the Tylerton raw sewage by submarine force main in Rhodes Gut for treatment at a newly constructed Ewell/Rhodes Point WWTP. Also proposed is a service area map revision to show an area served on the westerly end of Ewell. Ralph D. Taylor, County Administrator”.

At this time, Mr. Tom Lawton, Department of Technical and Community Services and Mr. Tony Stockus, Sanitary District came forward. Mr. Lawton explained the deterioration of the Tylerton and Ewell plants, stating that both are in need of replacement. In order to proceed with obtaining grant funding for the project, the Plan must be amended to include the projects. Mr. Stockus explained the reasoning for closing the Tylerton plant and the transmitting of the raw sewage for treatment to a newly constructed Ewell/Rhodes Point facility. He noted that the cost of such a project doubles being that it's on an island, and therefore additional grant funding will be applied for to cover the increased cost. The project is now currently in the design phase, paid for using grant funding. Mr. Stockus closed his comments stating that the Sanitary District will continue to seek funding including utilizing funds from other projects. A short discussion was held regarding funding obligation to the county, noted as \$1 Million. Also discussed was the fee payment impact for the Smith Island residents as well as recent cuts that have been made to the Environmental Protection Agency and the impact those cuts will have on available grant funding.

Upon a motion made by Commissioner Fisher, and seconded by Commissioner Boston, it carried 5-0 to approve the amendment to the Comprehensive Plan to address the upgrades to the Smith Island Sewerage System in order to pursue grant funding. The Public Hearing was declared closed at 2:14 pm.

Mr. Charles Cavanaugh was now before the Board to present projected revenue figures for the Boards consideration and approval regarding FY18 Transfer Station and Landfill Tipping Fees. Mr. Cavanaugh advised that the last increase to \$56.00 for Transfer Station permit fees was in 2013. Projections provided included anticipated revenue should the fee be increased, in \$4.00 increments. Current Tipping Fee revenue, at \$66.00 per ton of billable waste was also reviewed, including increased projected income should this fee be increased. Mr. Cavanaugh noted that historically, if an increase is approved, the county has normally allowed the two municipalities and the Sanitary District to pay the previous year's fee for the upcoming year. If the Board should chose to increase the fee next fiscal year, he questioned if the same practice will be implemented to allow the municipalities and Sanitary District to remain at \$66.00 per ton,

so that he can advise them of the decision so that they can appropriately plan next year's funding. Mr. Cavanaugh also advised that current Transfer Station usage had a slight increase last year. Fees implemented by other local counties were also discussed. At the conclusion of the discussion, the Board decided to defer the decision regarding FY18 fees at this time.

However, upon a motion made by Commissioner Boston, seconded by Commissioner Fisher, it carried 5-0 to approve the current Tipping Fee Rate for the municipalities and the Sanitary District to remain at \$66.00 per billable ton for FY18.

Mr. Taylor continued with correspondence and discussion items at this time.

A letter was received from the Maryland Department of the Environment advising they have completed their review of the 2016 Amendments to the Somerset County Comprehensive Water and Sewerage Plan adopted in July 2016. It was noted that those amendments included updates to the Princess Anne Water System and the Fairmount Water System, which included proposed development to service future area expansions to include Westover, Fairmount and Manokin.

A letter was reviewed from the United States Department of Commerce, National Oceanic and Atmospheric Administration, advising of a federal proposal to designate critical habitat for the Chesapeake Bay Distinct Population Segment of Atlantic sturgeon under the Endangered Species Act. Involved counties were welcomed to submit intentions of providing comments regarding the proposal by March 9, 2017. No action was taken.

A copy of the letter sent to Senator James Mathias stating the Board's opposition to Senate Bill 266 (Environment – On Site Sewage Disposal Systems-Best Available Technology for Nitrogen Removal-Prohibition) was reviewed. It was noted that a decision on this bill has not been made by the General Assembly as of this date.

Next, Mr. Taylor presented Tax Year 2017-2018 Tax Levy Rates for the Public Drainage

Associations as follows:

Upon motion made by Commissioner Fisher, seconded by Commissioner Boston, it was carried 5-0 to approve the request of the Board of Managers of the **Upper Manokin Public Drainage Association** that the Somerset County Tax Collection Office be authorized to levy the Tax Year 2017-2018 Drainage Tax Assessment for the Upper Manokin PDA as follows:

Cropland	\$3.50 per acre
Woodland	\$1.50 per acre
Minimum Billing	\$25.00

Upon motion made by Commissioner Simpkins, seconded by Commissioner Boston, it was carried 5-0 to concur with their recommendation to re-appoint Mr. Jerry Bozman to serve as Manager for another three-year term, with Mr. Buddy Powell and Mr. Tom Pinto continuing on from a previous appointment.

Upon motion made by Commissioner Boston, seconded by Commissioner Fisher, it carried 5-0 to approve the request of the Board of Managers of the **Barkley's Branch Public Drainage Association** that the Somerset County Tax Collection Office be authorized to levy the Tax Year 2017-2018 Drainage Tax Assessment for the Barkley's Branch PDA as follows:

Cropland	\$3.50 per acre
Woodland	\$1.50 per acre
Minimum Billing	\$20.00

Upon motion made by Commissioner Simpkins, seconded by Commissioner Boston, it was carried 5-0 to concur with their recommendation to appoint Ms. Maureen Houlihan for a three-year term as Manager, with Ms. Ingrid Balea and Mr. John Bromley continuing on from a previous appointment.

Upon motion made by Commissioner Boston, seconded by Commissioner Simpkins, it was carried 5-0 to approve the request of the Board of Managers of the **Dividing Creek Public Drainage Association** that the Somerset County Tax Collection Office be authorized to levy the Tax Year 2017-2018 Drainage Tax Assessment for the Barkley's Branch PDA as follows:

Cropland	\$7.00 per acre
Woodland	\$3.50 per acre
Minimum Billing	\$30.00

Upon motion made by Commissioner Boston, seconded by Commissioner Simpkins, it was carried 5-0 to concur with their recommendation to appoint Eric Culver to complete Mr. Donald Culver's 2 year term and Mr. Tommy Johnson complete Mr. Stanley's one-year term as Manager. Mr. Jimmy Johnson was nominated and elected to serve a manger for another three-year term, as well as Roger Richardson. Therefore, there are now four Dividing Creek PDA managers, with two serving 3 years until further notice.

Upon motion made by Commissioner Boston, seconded by Commissioner Simpkins, it was carried 5-0 to approve the request of the Board of Managers of the **Handy Church Public Watershed Association** that the Somerset County Tax Collection Office be authorized to levy the Tax Year 2017-2018 Drainage Tax Assessment for the Handy Church PWA as follows:

Minimum Billing	\$50.00
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Upon motion made by Commissioner Boston, seconded by Commissioner Fisher, it was carried 5-0 to concur with their recommendation to re-appoint Mr. Larry Van Story to serve a three-year term as Manager, with Mr. Thomas Watkins and Mr. Bernard Johnson continuing on from a previous appointment.

Upon motion made by Commissioner Boston, seconded by Commissioner Simpkins, it carried 5-0 to approve the request of the Board of Managers of the **Tony's Branch Public Drainage Association** that the Somerset County Tax Collection Office be authorized to levy the Tax Year 2017-2018 Drainage Tax Assessment for the Tony's Branch PDA as follows:

Cropland	\$3.50 per acre
Woodland	\$1.50 per acre
Minimum Billing	\$25.00

Upon motion made by Commissioner Boston, seconded by Commissioner Simpkins, it carried 5-0 to concur with their recommendation to re-appoint Mr. Tommy Smith III for another three-year term as Manager, with Mr. Lee West and Mr. Gary Rathcamp continuing on from a previous appointment.

Upon motion made by Commissioner Simpkins, seconded by Commissioner Boston, it was carried 5-0 to approve the request of the Board of Managers of the **Passerdyke Public Drainage Association** that the Somerset County Tax Collection Office be authorized to levy the Tax Year 2017-2018 Drainage Tax Assessment for the Tony's Branch PDA as follows:

Cropland	\$4.50 per acre
Woodland	\$1.50 per acre
Minimum Billing	\$20.00

Upon motion made by Commissioner Simpkins, seconded by Commissioner Boston, it was carried 5-0 to concur with their recommendation to re-appoint Mr. Bob Gannon for another three-year term as Manager, with Mr. Gene Donalds (replacing Stevie Stevenson) and Mr. Charles Fleming III continuing on from a previous appointment.

Lastly, Mr. Taylor presented a request for a proclamation appointing March 2017 as National Athletic Trainers Month. Upon a motion made by Commissioner Fisher, and seconded by Commissioner Simpkins, the proclamation was approved as presented. The motion carried 5-0.

With no further business, the Board was advised of the need to enter into Closed Session. Therefore, at 2:33 p.m. upon a motion made by Commissioner Simpkins and seconded by Commissioner Mathies, it carried 5-0 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; and (a) (3) consider the acquisition of real property for a public purpose and matters directly related thereto.

Upon a motion made by Commissioner Simpkins and seconded by Commissioner Mathies, it carried 5-0 to adjourn the Open and Closed Session Meetings at 2:40 p.m.

Respectfully Submitted:



Lory E. Ebron  
Executive Aide



Approved by:  
Board of County Commissioners  
For Somerset County