



AGENDA
February 5, 2019
BOARD OF COUNTY COMMISSIONERS
FOR SOMERSET COUNTY
11916 Somerset Avenue
Room 111/Meeting Room
Princess Anne, MD 21853
2:00 p.m.

Appointments:

- * 2:00 p.m. - Mr. Gary Pusey, DTCS
 - Lien Release Request
- * 2:05 p.m. - Mr. Charles Cavanaugh, Solid Waste and Maintenance
 - Transfer Station/Landfill/Smith Island Fee for Waste Disposal

Correspondence:

Received

Ms. Heather Davis-Jenkins, FEMA re: Community Assistance Visit
Charter Communications re: Price and Package Changes

Sent

Maryland Rural Legacy Program re: Dividing Creek Rural Legacy Area & Expansion
Ms. Penny Nicholson, Chair re: Crisfield High School Field Lights

Discussion:

- * 1. Surplus Property Purchase Request (11)
- * 2. Workforce Development Board Vacancy (3)
- * 3. Social Services Board Vacancy (1)
- * 4. Ethics Commission Vacancy (1)
- * 5. Agricultural Reconciliation Board Vacancy (1)
- * 6. Adult Guardianship Review Board Vacancy (2)
- * 7. Eastern Shore Area Health Education Center BOD (1)

Public Comments (5 minute time limit to speak)

- * **2:30 p.m. – Closed Session, Mr. Ralph Taylor, Mr. Gary Pusey, Ms. Kristen Tremblay, Ms. Erica Yeager, Mr. Kirk Simpkins**
Authority of the General Provisions Article of the Annotated Code of Maryland § 3-305 (b)(1) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction and; (7) consult with counsel to obtain legal advice.

* Denotes Action Item

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FOR SOMERSET COUNTY
February 5, 2019

At 2:00 p.m., President Mathies called the Board of County Commissioners for Somerset County to open in Regular Session. Present for the meeting were Commissioner President Craig N. Mathies, Sr., Commissioner Vice President Charles Laird, Commissioner Randy Laird and Commissioner Eldon Willing. Commissioner Rex Simpkins was absent at this time.

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

President Mathies asked Commissioner Willing to lead those present in Prayer and the Pledge of Allegiance. Commissioner Willing first read a passage from the Bible; after which the Lord's Prayer and Pledge of Allegiance was recited.

Commissioner Simpkins joined the meeting at this time.

Closed Session Summary Report February 5, 2019

On February 5, 2019, at 2:27 p.m. until 3:10 p.m., at 11916 Somerset Avenue, Room 111, upon a motion made by Commissioner Randy Laird and seconded by Vice President Charles Laird, it carried unanimously to enter into Closed Session by Authority of the General Provisions Article of the Annotated Code of Maryland §3-305 (b)(1) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; and (7) consult with counsel to obtain legal advice.

Present for the Closed Session Meeting were President Craig N. Mathies Sr., Vice President Charles Laird, Commissioner Rex Simpkins, Commissioner Randy Laird, and Commissioner Eldon Willing.

Also present were County Administrator Ralph D. Taylor, Executive Aide Lory Ebron, DTCS Director Gary Pusey, Assistant Director Kristen Tremblay, HR Director Erica Yeager and Attorney Kirk Simpkins. Topics discussed were: (1) Hiring of Planner I (2) Employee Resignation (3) Hiring of Deputy Health Officer (4) Solar Projects. Actions taken during closed session: (1) Hiring of Planner I (2) Approval to proceed with Attorney recommendation regarding Solar Project.

Meeting minutes were presented for approval regarding the Commissioner and Closed Session meetings held on January 22, 2019. Commissioner Randy Laird made a motion to

approve the minutes as presented. Vice President Charles Laird seconded the motion. The motion carried unanimously.

Mr. Pusey presented a Release of Lien for the Boards consideration for approval. He explained that on June 13, 2017, the Commissioners approved a lien release for 23168 Edelen Webster Road in the amount of \$3,800.00 for roofing and ceiling repairs. The release presented at that time contained a typographical error in that the Folio was listed as 19 and should have been 1019. In order for the correction to be made a new release must be approved. Mr. Pusey then requested the Boards approval for a Release of Lien for 23168 Edelen Webster Road, Liber 518 Folio 1019 in the amount of \$3,800.00.

A motion was made by Commissioner Randy Laird and seconded by Commissioner Willing to approve the amended Release of Lien for 23168 Edelen Webster Road, Deal Island, Liber 518 Folio 1019 in the amount of \$3,800.00. The motion carried unanimously.

Mr. Charles Cavanaugh, Director of Solid Waste and Maintenance, came forward at this time to discuss Transfer Station Permit Fees, Tipping Fees and the Smith Island Waste Fee. He first advised that \$16,500.00 was collected yearly from Smith Island residents for waste incineration. The current transfer station fee of \$60.00, increased from \$56.00 for fiscal year 2018. Projections for increases were then provided in \$4.00 increments (to \$64.00 and \$68.00) for consideration. Mr. Cavanaugh then discussed the commercial tipping fee revenue, based on receiving 17,000 tons of billable trash per year. The current tipping fee of \$66.00 was enacted for fiscal year 2016, and projections were provided if fees were to be increased to \$68.00 and \$70.00. He noted that historically, the County has normally allowed the two Municipalities and the Sanitary District to pay the previous year's fee for the upcoming year so that it can be budgeted should an increase be implemented. Mr. Cavanaugh next discussed the current Smith Island Waste fee of \$48.00, established approximately 15 years ago. The fee had been intended to be based on the county transfer permit fee, but has not been raised over the years. Mr. Cavanaugh stated that the Smith Island incinerator is costly to run, an expense of approximately \$170,000 a year. Also provided for comparison purposes, Mr. Cavanaugh showed the amount of tipping and permit fees historically charged from FY11 through FY19 for comparison purposes, and advised that Wicomico County charges \$60.00 and Worcester \$70.00 for their transfer station fees and both counties have indicated that they do not intend to increase their fees at this time.

Following the discussion, upon a motion made by Commissioner Simpkins and seconded by Vice President Charles Laird, it carried unanimously to table the discussion regarding Transfer Station Permits, Tipping Fees and the Smith Island Fee until the next scheduled commissioner meeting.

Mr. Taylor continued with correspondence and discussion items.

A letter was received from Ms. Heather Davis-Jenkins, FEMA Mitigation Planning Specialist which explained an upcoming meeting with our Planning and Zoning Department to discuss community participation in the National Flood Insurance Program and address any questions. An audit will also be performed regarding floodplain permitting, development and variance activity. It was noted that this process is necessary in order for Somerset County to work towards qualifying for the Community Rating System. The Board was invited to attend the meeting scheduled for March 4, 2019 at 9:00 am at our Planning and Zoning Office located at 11916 Somerset Avenue, Room 211.

The Board was presented with a request to purchase the remaining surplus properties listed on the county website at half-deed price. Mr. Wayne Langston, of Coast2Coast Group LLC has presented an offer to purchase the properties for \$200.00 each plus closing costs. Commissioner Randy Laird noted that two of the properties presented were approved to be sold at last week's meeting.

Therefore, upon a motion made by Commissioner Simpkins and seconded by Vice President Charles Laird, it carried unanimously to accept the offer made by Mr. Langston to purchase the following surplus properties, subject to the availability of the two properties in question:

- 05-080398 (Map 0008 Parcel 0122) \$200.00 plus closing costs
- 07-116365 (Map 0102 Parcel 0720) \$200.00 plus closing costs
- 07-118937 (Map 0101 Parcel 0386) \$200.00 plus closing costs
- 07-120354 (Map 0101 Parcel 1269) \$200.00 plus closing costs
- 07-122330 (Map 0101 Parcel 1351) \$200.00 plus closing costs
- 07-124732 (Map 0101 Parcel 0780) \$200.00 plus closing costs
- 12-004435 (Map 0072 Parcel 0673) \$200.00 plus closing costs
- 12-005954 (Map 0072 Parcel 0183) \$200.00 plus closing costs
- 15-000635 (Map 0203 Parcel 0038A) \$200.00 plus closing costs

Total cost to purchase these nine properties is \$1,800.00 plus closing costs.

The following two properties were withdrawn from Mr. Langston's offer and not included because they had been previously sold:

- 12-009151 3254 Sackerton Road
- 14-005811 .50 Ac Ford Road

Mr. Taylor reviewed the following list of board and commission vacancies needed to be filled:

- Workforce Development Board – three vacancies
- Social Services Board – one vacancy
- Ethics Commission – one vacancy
- Agricultural Reconciliation Board one vacancy
- Adult Guardianship Review Board- two vacancies
- Eastern Shore Area Health Education Center BOD – one vacancy

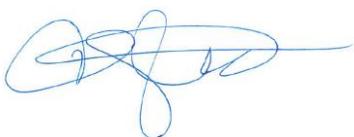
The Reverend Charles Bagley, present in the audience today asked to address the Board. Reverend Bagley noted the discussion held regarding increases for the Transfer Station Permit Fees, stating he understands the need after hearing about the cost to run the Smith Island incinerator. He stated he didn't know if it is posted to make the public aware of the discussion, but he was glad to hear that the decision was tabled to allow time to think about it. He noted the increases made over the years, and hearing what Worcester and Wicomico charge, Somerset may soon be asking for \$70.00. He stated that if the fees move up too fast people may look for secret locations to dump their trash rather than pay the fees.

It was noted that public hearings are not held on tipping fees; however the matter is discussed during open session meetings and advertised on the posted meeting agenda.

With no further business, at 2:27 p.m. the Board was advised of the need to enter Closed Session by Authority of the General Provisions Article of the Annotated Code of Maryland Section Subtitle 3-305 (b) (1) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; and (7) consult counsel to obtain legal advice.

The Commissioner and Closed Session meetings adjourned at 3:10 p.m. upon a motion made by Commissioner Simpkins and seconded by Vice President Charles Laird. The motion carried unanimously.

Approved by:



Board of County Commissioners
For Somerset County

Respectfully Submitted:



Lory E. Ebron
Executive Aide