

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, October 25, 2011**

Present: Commissioner President Francis Jack Russell
Commissioner Lawrence D. Jarboe
Commissioner Cynthia L. Jones
Commissioner Daniel L. Morris
Commissioner Todd B. Morgan
John Savich, County Administrator
Sharon Ferris (Recorder)

CALL TO ORDER

Commissioner President Russell called the business meeting to order at 9:02 am in the Chesapeake Building meeting room, Governmental Center.

ADDITIONS/DELETIONS TO AGENDA

Addition: Discussion on Plan Maryland requested by Commissioner Jones.
Deletion: Item 8B on County Administrator time – FY2012 ADAA Grant Award

APPROVAL OF MINUTES

Commissioner Jones moved, seconded by Commissioner Jarboe, to adopt the minutes of October 18, 2011, as presented. Motion carried 5-0.

**PROCLAMATIONS WERE PRESENTED FOR ECONOMIC DEVELOPMENT WEEK
AND NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH**

COMMISSION FOR PEOPLE WITH DISABILITIES: ANNUAL AWARDS CEREMONY

Present: Lori Jennings Harris, Director,
Susan Erichsen, Chair, Commission for People with Disabilities
Cynthia Brown, Division Manager, Human Services
Christina Bishop, ADA Coordinator
Members of Commission for People with Disabilities

Awards were presented to **Tall Timbers Optimist Club** (Volunteer Award), **College of Southern Maryland** (Facility Accessibility Award), **McKays** (Notable Employer Award) and **Scott Lefevre** (Vicky Brown Award formerly the Outstanding Person with Disability Award)

INTRODUCTION OF NEW RECREATION DIVISION MANAGER, DEPT. OF RECREATION AND PARKS: JESSICA HALE

COUNTY ADMINISTRATOR

1. Draft Agenda for November 1 and 8, 2011.

2. **County Administrator** (*John Savich*)

Commissioner Jarboe moved, seconded by Commissioner Morgan, to change the date for the FY2013 Budget Public Hearing currently approved as April 24, 2012, to May 1, 2012. Motion carried 5-0.

3. **Department of Recreation and Parks** (*Phil Rollins, Director*)

Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Southern Maryland Heritage Area Consortium 2011 Mini-Grant agreement for printing the Three Notch Trail brochure in the total amount of \$1,000 and the related budget amendment. Motion carried 5-0.

4. **St. Mary's County Public Schools** (*Dr. Michael Martirano, Superintendent of Schools; Gregory V. Nourse, Chief of Fiscal Services and Human Resources*)

Commissioner Morgan moved, seconded by Commissioner Morris, to:

(1) Approve the Board of Education's (BOE) request for FY2012 supplemental appropriation using BOE FY2011 available fund balance to reinstate the reduction costs of three-furlough days for all applicable salaried employees, as was approved by the BOE on October 12, 2011; and

(2) Direct BOE to follow up with an additional FY2012 budget action for the amount of the remaining balance of the insurance refund, after the employee contribution is calculated, for the purpose of making a payment to the OPEB Trust; and

(3) Sign the consent letter stating the above actions. Motion carried 5-0.

5. **Alcohol Beverage Board** (*Tamara Hildebrand, Administrator*)

Commissioner Jarboe moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the Highway Safety – Better Business Practices to Promote Responsible Alcohol Service grant agreement/award, project #US1285, from the Maryland Highway Safety Office on behalf of the Alcohol Beverage Board for continuation of the Tippy Taxi program and implementation of the Responsible Alcohol Service Training, and the related budget amendment to set-up the \$4,000 project budget. Motion carried 5-0.

6. Department of Public Works and Transportation (*George Erichsen, Director*)

Commissioner Jones moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the budget amendment reducing the Carter State Office Building Maintenance and Repair project PF-1002 by \$210,000 and returning these state funds to the FIN12 Capital Reserve, as an unobligated funding source. Motion carried 5-0.

7. Department of Economic and Community Development (*Bob Schaller, Director*)

(Dennis Nicholson, Executive Director; Crystal Wojciechowski, Acting Program Manager; Sandra Johnson, Resource/Service Coordinator, Housing Authority of St. Mary's County; Stephanie Proctor and Darlene Johnson, Housing Authority Board Members

Commissioner Jones moved, seconded by Commissioner Morris to approve and authorize Commissioner President Russell to execute the “Letter of Intent” to the Maryland Department of Housing and Community Development, Community Development Administration, allowing St. Mary's County to participate in the FY2012 Maryland Housing Rehabilitation Program, and naming the Housing Authority of St. Mary's County as the Level II Local Administrator. Motion carried 5-0.

8. Department of Aging and Human Services (*Lori, Director; Peggy Maio, Fiscal Supervisor*)

Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Revised #3 Notification of Grant Award (NGA) for the FY2011 Title III Federal Grants from the Maryland Department of Aging on behalf of the St. Mary's County Department of Aging to provide various programs and services to the seniors of St. Mary's County in the total amount of \$319,224 and a related budget amendment to realign budgets based on the revised Notification of Grant Award. Motion carried 5-0.

(Kelsey Bush, Program Coordinator, Local Management Board)

Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Departmental staff to execute the Notice of Award, from the Governor's

Office for Children on behalf of the Department of Aging and Human Services in the amount of \$171,988.72 for the St. Mary's County Local Management Board's Earned Reinvestment Fund and direct staff to return to BOCC to approve any projects and obtain budget authority, prior to expenditures. Motion carried 5-0.

**DEPT OF FINANCE: REFUNDING RESOLUTIONS FOR 2002 AND 2003
BOND ISSUES**

Present: Elaine Kramer, CFO
Jeanette Cudmore, Deputy Finance Director
Jim Cumbie, Bond Council, Venable LLC

The County's investment advisors of Davenport & Co. LLC recommended the County refund its outstanding bond issues from 2002 and 2003 to take advantage of the current lower interest rates. The Resolutions before Commissioners today authorize the refunding of the Consolidated Public Refunding Bonds of 2002 for \$16,270,000 and the Public Facilities Refunding Bonds of 2003 for \$15,615,000. Although the outstanding principle will increase, with the reduced interest rates, it is anticipated this transaction will generate an estimated savings of over \$1,400,000. The County will not be forced to sell the refunding transactions if the interest rate markets have risen and the estimated savings have fallen below the County's acceptable levels.

Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and sign resolution 2011-41, to authorize the refunding of consolidated public refunding bonds of 2002 not to exceed \$18 million and to approve and sign resolution 2011-42, to authorize the refunding of the public facilities and refunding bonds of 2003 not to exceed \$18 million, and to authorize the county commissioner president, county administrator and chief financial officer to execute the necessary documents. Motion carried 5-0.

OFFICE OF THE COUNTY ATTORNEY: 2012 LEGISLATIVE PROPOSALS

Present: George Sparling, County Attorney
David Weiskopf, Deputy County Attorney

Staff presented the following 2012 legislative proposals that have been submitted to the Commissioners from various sources for inclusion in the 2012 St. Mary's County Legislative Package.

- (1) To revise the membership requirements for the St. Mary's County Agricultural Advisory Committee to those who are actively pursuing the production of agricultural products for a profit. Currently, members are required to earn 50% of their income from farming.
- (2) To permit the sale of locally produced Class 4 winery wines at MDA farmers' markets in St. Mary's County.

- (3) Bond Bill in the amount of \$323,513 to complete the State Highway requirements for the Home Grown Farm Market and for the installation of bathrooms and a commercial kitchen.
Commissioner
- (4) To clarify when the Redistricting Board is to be appointed.
- (5) To give St. Mary's County the authority to create a Property Tax Credit for disabled veterans or a surviving spouse.
- (6) To allow the Building Trades Foundation, an affiliate of the St. Mary's County Public School System, to save on the cost of building a house by exempting them from the building impact fee of \$4,500.
- (7) To reduce the taxable income of a physician with military experience who relocates to St. Mary's County and treats honorably discharged veterans and their families.
- (8) To increase the public accommodations tax (hotel rental tax) rate from 5% to 7.5% to increase revenue in the County.
- (9) To exempt St. Mary's County from the requirement that real property taxes be paid in advance when real property is transferred to the County.
- (10) To allow St. Mary's County to collect a sales and use tax on short-term vehicle rentals to increase revenue in the County.

A joint Board of County Commissioners and St. Mary's County Delegation public meeting will be held on December 6, 2011, at 7:00 pm in the Commissioners meeting room to receive a briefing from staff on the proposals and comments from the public.

BOARD OF TRUSTEES, MUSEUM DIVISION, DEPT. OF RECREATION AND PARKS: ANNUAL REPORT

Present: Phil Rollins, Director, Dept. Recreation and Parks
Debra Pence, Museum Div. Manager, Dept. Recreation and Parks
Steve Dunlap, Board of Trustees of Museum Div.

Mr. Dunlap presented the Museum Board's annual report, which included the Board's concerns about the impact County budget decisions will have on their ability to serve the number of visitors at the museums. The loss of an employee and the hiring freeze has impacted the strategic plan and reorganization, as well as daily operations of the museum facilities. Plans for CY2011 include continuing: (1) oversight of museum operations; (2) support of the museum manager's grant applications; (3) the monitoring of progress against the strategic plan with emphasis on staffing, (4) and educating county leadership on the benefit and return-on-investment of the museum division.

PLANMARYLAND DISCUSSION

Commissioners discussed their concerns with the State's second draft of PlanMaryland (Plan). There is an overall concern with the State's attempt to create a one-size-fits-all plan that doesn't consider the plight of smaller counties and the level of control the State will exert over land-use policies and regulations that are traditionally and/or legally within local authority, such as the authority to determine their own Priority Funding Areas. It was agreed to forward the Commissioners' detailed comments on the Plan to the Maryland Department of Planning, as presented today for signature, with the addition of a request that the Plan ensure the right to appeal the Subcabinet's decisions by including a formal appeals process.

COMMISSIONER'S TIME

The Commissioners highlighted events attended over the past week.

Commissioner Jarboe said during the Marina/Campgrounds deliberations it was called to the Commissioners attention that the St. Mary's Yachting Center and Campground Marina in Drayden was also mapped incorrectly. He asked Mr. Jackman (LUGM) if anything is being done to correct the error and requested that any mapping errors be corrected promptly.

CALL FOR MOTION

Commissioner Morgan moved, seconded by Commissioner Jones, to enter into Executive Session for the purpose of discussing Real Property Acquisition. Motion carried 5-0.

EXECUTIVE SESSION

Real Property Acquisition

Present: Commissioner Francis Jack Russell, President
Commissioner Lawrence D. Jarboe
Commissioner Cynthia L. Jones
Commissioner Daniel L. Morris
Commissioner Todd B. Morgan
John Savich, County Administrator
George Sparling, County Attorney
Phil Rollins, Director, Recreation and Parks
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)11
Time Held: 11:46 am – 12:14 pm
Subject Discussed: Potential Real Property Acquisition (*Recreation and Parks*)

ADJOURNMENT

Commissioner Russell adjourned the Board of County Commissioners meeting at 12:14 pm.

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)