

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, April 10, 2012**

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

CALL TO ORDER

Commissioner President Russell called the business meeting to order at 9:00 am in the Chesapeake Building meeting room, Governmental Center.

ADDITIONS/DELETIONS TO AGENDA

APPROVAL OF MINUTES

Commissioner Morris moved, seconded by Commissioner Jones, to adopt the minutes of March 27, 2012, as amended. Motion carried 5-0.

PROCLAMATIONS WERE PRESENTED FOR NATIONAL FAIR HOUSING MONTH AND NATIONAL COUNTY GOVERNMENT MONTH

COUNTY ADMINISTRATOR

1. Draft Agendas for April 17 and 24, 2012.
2. **Department of Economic and Community Development** (*Dennis Nicholson, Executive Director; Crystal Wojciechowski, Acting Program Manager, Housing Authority for St. Mary's County*)

(Robert Gant, Jr., Joan Gelrud, Stephanie Proctor, Housing Authority Board Members)

Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and authorize the Board to execute the Support Resolution on behalf of St. Mary's

County's FY2012 Sustainable Community Application, designated Priority Funding Areas as Sustainable Communities, therefore, meeting requirements of the Maryland's Sustainable Communities Act of 2010. Motion carried 3-2.

Commissioner Jones and Morris voted nay.

3. Department of Finance (Elaine Kramer, CFO)

(Brad Clements, Chief Operating Officer, St. Mary's County Public Schools)

Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and sign the letter to Dr. Lever that confirms that our Recommended Budget for FY2013 is consistent with the support for State funded public schools projects that we indicated in our previous letter dated September 27, 2011. Motion carried 5-0.

4. Sheriff's Office (Captain Black; Captain Willenborg)

Commissioner Morris moved, seconded by Commissioner Morgan, to authorize the Sheriff's Office staff to submit the grant application documents electronically for the School Bus Safety Enforcement Grant, Project MD1323, from the Governor's Office of Crime Control and Prevention in the amount of \$20,000 and to approve and authorize Commissioner President Russell to execute the hard copy of said grant application subsequent to the electronic filing. Motion carried 5-0.

Commissioner Jones moved, seconded by Commissioner Jarboe, to authorize the Sheriff's Office staff to submit the grant application documents electronically for the Sex Offender Compliance Enforcement Grant, Project MD1324, from the Governor's Office of Crime Control and Prevention in the amount of \$16,067 and to approve and authorize Commissioner President Russell to execute the hard copy of said Grant Application subsequent to the electronic filing. Motion carried 5-0.

5. Department of Aging and Human Services (Lori Jennings-Harris, Director; Cynthia Brown, Human Services Manager; Peggy Maio, Financial Supervisor)

Commissioner Jones moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the FY2012 Core Service Agency (CSA) MOU Modification #1 documents related to Project #s MD1282, MD1284 through 1286, MD1290, MD1292, and MD1253, from the Maryland Department of Health and Mental Hygiene on behalf of the St. Mary's County Department of Aging and Human Services for funding of CSA administrative costs and program services in the amount of \$354,137, and the related budget amendments to decrease the budget by \$656. Motion carried 5-0.

Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the Emergency Solutions Supplemental Grant Application, US1256, from the Maryland Department of Housing and Community Development on behalf of the Department of Aging and Human Services in the amount of \$40,000 to support homeless shelters and services for St. Mary's County residents. Motion carried 5-0.

6. Department of Land Use and Growth Management (*Phil Shire, Director; Sue Vieth, Environmental Planner*)

Commissioner Jones moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the FY2013 Critical Area grant agreement, Project MD1327, from Maryland Department of Natural Resources (Critical Area Commission) on behalf of the Department of Land Use and Growth Management in the amount of \$11,000 for reimbursement of a portion of the salaries of county staff who perform review of Critical Area permits and development applications. Motion carried 5-0.

7. County Administrator (*John Savich*)

Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the employment contract for Mr. Brian M. Loewe for the position of Director, Department of Recreation and Parks. Motion carried 5-0.

PUBLIC HEARING (TEFRA): REQUEST TO ISSUE ECONOMIC DEVELOPMENT REVENUE BONDS ON BEHALF OF LUNDEBERG MARYLAND SEAMANSHIP SCHOOL, INC.

Commissioner Russell opened the Public Hearing at 10:04 am.

Present: Elaine Kramer, CFO
Jim Cumbie, County Bond Counsel, Venable
Don Nolan, Lundeberg School

Ms. Kramer noted that about a month ago she came before the Commissioners and presented a project that Lundeberg Maryland Seamanship School is undertaking to improve and renovate the waterfront at their Piney Point Maryland campus. The IRS allows special categories to be determined for certain types of bonds and this falls under the category that allows, by virtue of the County, issuance of bonds on behalf of the Lundeberg School, better terms and conditions and is a way the county can help development within the county. The \$6M would be issued by the County on behalf of the Lundeberg School, will not count

against the County's debt capacity or authority, all costs of issuance, debt service, etc. are borne by Lundeberg, and they will reimburse the County's bond counsel costs.

Commissioner Russell opened the Public Hearing for public comments.

There were no public comments.

Commissioner Russell closed the Public Hearing at 10:10 am.

Commissioner Morgan moved, seconded by Commissioner Jones, to approve and sign the Resolution and authorize Commissioner President Russell and County Administrator to execute the necessary documents for the issuance of Economic Development Revenue Bonds of \$6 million on behalf of Lundeberg Maryland Seamanship School, Inc. Motion carried 5-0.

ST. MARY'S COUNTY METROPOLITAN COMMISSION: PRESENTATION OF FY 2013-2018 CAPITAL IMPROVEMENT PLAN AND FY 2013 CAPITAL IMPROVEMENT BUDGET

Present: Jacquelyn Meiser, Director, Metropolitan Commission
Daniel Ichniowski, Asst. Director,
Rebecca Shick, CFO
Mike Sullivan, Facilities and Operations Director
David Elberti, Chief Engineer

Ms. Meiser presented the FY 2013-2018 Capital Improvement Plan for the St. Mary's County Metropolitan Commission. She provided detailed information on water and sewer projects scheduled in FY13 Capital Improvement Budget.

Commissioner Morgan moved, seconded by Commissioner Jones, to authorize the St. Mary's County Metropolitan Commission to proceed with a Public Hearing on May 7, 2012, on their FY2013 Capital Improvement Budget and Plan. Motion carried 5-0.

PROPOSED REVISION OF CHAPTER 267-66 OF THE CODE OF ST. MARY'S COUNTY (PROPERTY TAX CREDIT FOR SENIOR CITIZENS)

Present: George Sparling, County Attorney
Jannette Norris, St. Mary's County Treasurer

The recommended revised provisions of the Code of St. Mary's County clarify the provisions and effect four procedural changes: (1) change the application deadline from July 1 to September 1; (2) provide for a "one-time" application, combined with a legal obligation to forego the credit in any year in which the individual may be temporarily ineligible; (3) delete

the requirement that the “base year” be reset after any year in which an individual cannot, or neglects to, claim the credit; and (4) simplify the definition of “principle residence” by “piggybacking” on the Homestead Tax Credit, or alternatively, adopting the more objective and familiar standard in the Internal Revenue Code.

Commissioner Morgan moved, seconded by Commissioner Jarboe, to adopt the proposed Ordinance repealing Chapter 267-66 through 267-70 and re-enacting Chapter 267-66 through 267-69 of the Code of St. Mary’s County thereby revising the provisions concerning the deadline for application for the Property Tax Credit for Senior Citizens, the procedure for determining eligibility, and annual re-application. Motion carried 5-0.

INDEMNITY AGREEMENTS FOR WICOMICO SHORES GOLF COURSE ALCOHOL BEVERAGE LICENSEES

Present: George Sparling, County Attorney

John W. Savich, County Administrator, Elaine M. Kramer, Chief Financial Officer, and Susan L. Sabo, Director, Human Resources were designated to hold the alcohol beverage license as designees of the Board of County Commissioners for use at Wicomico Shores Golf Course following the retirement of the previous designee Phil Rollins. Mr. Sparling prepared agreements indemnifying the County officials listed above who are undertaking such obligations on behalf of the County that are above and beyond their customary duties because individuals holding a license on behalf of a corporation have significant obligations, with significant consequences for non-compliance with respect to both regulatory and revenue laws governing license.

Commissioner Jarboe moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute Indemnity Agreements with John W. Savich, Elaine M. Kramer and Susan L. Sabo regarding their designation as officers to hold an Alcohol Beverage License on behalf of the Commissioners of St. Mary’s County for Wicomico Shores Golf Course. Motion carried 5-0.

COMMISSIONER’S TIME

The Commissioners highlighted events attended over the past week.

RECESS

PUBLIC FORUM

Commissioner President Russell opened the Public Forum for public comments at 6:30 pm at the Hollywood Volunteer Rescue Squad, 43256 Rescue Lane, Hollywood, MD.

Public Comments. *(Comments as noted below are intended as highlights of testimony given and are not verbatim.)*

Natalie Himes, Post Office Box 254, Leonardtown, MD

- Presented history of Hollywood Volunteer Rescue Squad
- Call volume has increased 11% and county continues to grow
- 60% of calls are out of area
- 2 ambulances past life span – needs replaced
- Building needs remodeling
- Living quarters structurally unsound, needs rebuilding
- Membership is an asset to county that asks for nothing in return

Elfreda Mathis, Great Mills, MD

- Harry Lundeberg School – you owe the public an explanation why we incur no debt but give authority to borrow at County's rate
- Marcey House privatization - why remove from County - Group taking over gets county support of \$340,000 - premium program shut down to save \$176,000 – was a one stop shop
- Budget for non profit entities - not for profit groups is not non-county - these are people from our County
- Don't understand decision that people who work for you have contract for 1 year with 90 day notice
- Support the rescue squads for what they need to do – everyone volunteers

Tom Rocheleau, 43248 Whiskey Ct., Hollywood, MD

- Asked commissioners to help reverse recent change to MetCom's rules which no longer allow snowbirds or vacationers to suspend their water service during the time their residence is unoccupied
- Concerned that you must continue to pay for 18,000 gal of water per month when zero gallons are being used
- MetCom continually complains about high water usage by residents but offer no incentive to those who use less than the minimum water/sewer each billing period
- Should be some fairness to how residents are billed – should be billed by direct billing for actual usage – setting a per-gallon rate throughout the County would put everyone on even playing field
- Full copy of testimony was provided

Jim Hodges, 42325 Merville Dean Rd, Hollywood, MD

- Concerned for safety at intersection of Rt. 235 and St. Johns Rd.
- Petition being forwarded to Commissioners asking for your help with the state to put a stop sign at the intersection

Susan Bonnel, 26965 Three Notch Road, Mechanicsville, MD

- Former employee of Marcey House – worked with Larry Harvey for 8 years – Larry did a wonderful job
- Addiction is a big problem in St. Mary's County
- Marcey House served St. Mary's County for years and was the model halfway house for the State
- Walden has programs but did you look at the statistics
- Do you understand a halfway house is a house where you stay 4-6 months after completing 28 days of rehab, you are provided shelter, psychiatric services, doctors, dentists and also assisted in finding employment and housing

ADJOURNMENT

Commissioner Russell closed the Public Forum and adjourned the Board of County Commissioners meeting at approximately 7:00 pm.

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)