

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, May 1, 2012**

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 9:00 am in the Chesapeake Building meeting room, Governmental Center.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Morgan, to adopt the minutes of April 24, 2012, as amended. Motion carried 5-0.

PROCLAMATION WAS PRESENTED TO MAYOR J. HARRY ("CHIP") NORRIS, III

EMPLOYEE OF THE YEAR AWARDS

Present: Sue Sabo, Director, Human Resources
June Robrecht, Deputy Director, Human Resources

Ms. Sabo thanked all County employees for their service and commitment to the citizens of the County and introduced the nominees for this year's Employee of the Year award. Employee of the Year recipients were:

Administrative – Brandy Tulley, Dept. of Aging and Human Services

Non-Administrative – Mike Herbert, Dept. of Public Works and Transportation

Manager – Christina Barbour, Dept. of Recreation and Parks

People's Choice Award – MaryAnn Gardiner, Dept. of Public Safety and Information Technology

PROCLAMATIONS WERE PRESENTED FOR NATIONAL *WOMEN BUILD* WEEK AND SMALL BUSINESS MONTH

COUNTY ADMINISTRATOR

1. Draft Agendas for May 8 and 15, 2012.

2. Department of Economic and Community Development (*Donna Sasscer, Agriculture & Seafood Manager*)

(George Trossbach, Barry Roach, Home Grown Farm Market, LLC)

Commissioner Jones moved, seconded by Commissioner Morgan, approve and authorize Commissioner President Russell to execute the Agreement that establishes the terms and conditions with the Home Grown Farm Market, LLC for the Mattapany Farmers Market Project which entails constructing the required entrance improvement as specified by the State Highway Administration, and the commercial kitchen and restroom. Motion carried 5-0.

(Sue Veith, Environmental Planner, Dept. of Land Use and Growth Management)

Commissioner Jones moved, seconded by Commissioner Morgan, to approve and sign the consent letter and submit Chapter 4 of the St. Mary's County Land Preservation Parks and Recreation Plan to the Maryland Agriculture Land Preservation Foundation and the Maryland Office of State Planning for recertification of the Maryland Agriculture Land Preservation Foundation Program. Motion carried 5-0.

3. Department of Finance (*Jeannett Cudmore, Deputy Director of Finance*)

Commissioner Jones moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute a budget amendment realigning \$50,000 from the Emergency Appropriations Reserve to the Unemployment Compensation Expense account to cover projected general fund Unemployment Compensation Costs for FY12. Motion carried 5-0.

4. County Attorney (*George Sparling, County Attorney; Brandy McKelvey, Paralegal*)

Commissioner Jones moved, seconded by Commissioner Morris, to authorize Commissioner President Russell to execute an assignment of the Certificate of Sale issued to the Board of County Commissioners by the St. Mary's County Treasurer for Lot 23, containing 4.7 acres, St. Joseph's Welfare Club, in the Sixth Election District, Account No. 06-021476, and that the assignment be made and delivered to Clara Scriber upon receipt of the sum of \$5,456.23. Motion carried 5-0.

Commissioner Morris moved, seconded by Commissioner Jarboe, to authorize Commissioner President Russell to execute an assignment of the Certificate of Sale issued to the Board of County Commissioners by the St. Mary's County Treasurer for 48071 Beachville Road, in the First Election District, Account No. 01-014943, and that the assignment be made and delivered to Janice A. Ridgell upon receipt of the sum of \$9,127.45; and, I further move to authorize Commissioner President Russell to execute an assignment of the Certificate of Sale issued to the Board of County Commissioners by the St. Mary's County Treasurer for Lots 13 & 14, Block 19, Point Blackistone, in the Seventh Election District, Account No. 07-028458, and that the assignment be made and delivered to Marie Thompson upon receipt of the sum of \$778.75. Motion carried 5-0.

5. Department of Public Works and Transportation (*Jackie Fournier, Transportation Manager*)

Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the budget amendment reducing the unspent balance from the snow removal accounts to the BOCC Emergency Appropriations in the amount of \$92,552; and, the budget amendment decreasing the BOCC Emergency Appropriations and increasing the ADA Paratransit grant with additional county funding in the amount of \$45,000. Motion Carried 5-0.

PROPOSED ZONING TEXT AMENDMENT TO REDUCE THE REQUIRED PERCENTAGE OF UNDEVELOPED OPEN SPACE IN THE RH, RL AND RMX DISTRICTS PURSUANT TO SCHEDULE 32.1 OF THE COMPREHENSIVE ZONING ORDINANCE AND TO DELETE SECTION 32.3.4 OF THE ORDINANCE

Present: Phil Shire, Director, Dept. of Land Use and Growth Management

The purpose of the proposed text amendment to Schedule 32.1 is to reduce the required undeveloped open space from 50 percent to 30 percent in order to encourage development in the Residential, Low-Density (RL) District, the Residential, High-Density (RH) District, and the Residential Mixed Use (RMX) District. The purpose for the proposed text amendment to Section 32.3.4 of the Ordinance is to delete this section in its entirety.

Commissioner Jones moved, to accept the amendments as proposed for a first-reading, waive the 30-day comment period and second reading, and direct that the Planning Commission proceed With a public hearing and prepare a recommendation to the Board of County Commissioners relating to the proposed amendments. Motion died without a second.

Commissioner Jarboe indicated he was going to vote nay. He requested more information on the history of the proposed amendment expressing concern that an amendment is being

requested to the Zoning Ordinance that was approved only 2 years ago.

Commissioners Morris and Morgan also requested more information.

**Commissioner Morgan moved, seconded by Commissioner Morris, to direct Land Use and Growth Management staff to come back for a second reading in 30 days.
Motion carried 5-0.**

COMMISSIONER'S TIME

The Commissioners highlighted events attended over the past week.

MOTION TO ENTER INTO EXECUTIVE SESSION

Commissioner Morgan moved, seconded by Commissioner Morris, to enter into Executive Session for the purpose of discussing litigation matter.

EXECUTIVE SESSION

Litigation

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
Emily Dan Daneker, Lead Counsel, Whiteford Taylor and Preston LLP
(via conference call)
Donna Gebicke, Administrative Assistant

Authority: Article 24, Section 4-210(a)8
Time Held: 10:43 am – 11:24 am
Subject Discussed: Litigation

RECESS

PUBLIC HEARING ON THE ST. MARY'S COUNTY RECOMMENDED FY 2013 BUDGET

Present: John Savich, County Administrator
Tony Jones,, Public Information Officer

Elaine Kramer, Chief Financial Officer
Jeannett Cudmore, Deputy Financial Officer

Commissioner President Russell provided welcoming remarks and commented on the budget process to date. The final adoption of the FY 2013 Budget is scheduled for May 29, 2012. Any additional written comments relative to the FY 2013 Budget must be submitted by May 11, 2012. There was no Constant Yield Rate hearing because the County is not increasing the property tax to match the Constant Yield Rate.

Recommended FY2013 Budget

Ms. Kramer provided an overview of the Recommended FY2013 Budget. When preparing the budget, the focus was on efficient and effective core government services, limited out-year revenue growth, CIP operating impacts, and the use of fund balance to reduce liabilities that in turn reduce future annual costs. Consideration was also given to the potential impact other budgets (state/federal) will have on the County. The shifting teacher pension funding to the county, the Watershed Implementation Plan, along with the general economy were areas of concern to be considered. The Commissioners identified funding to position the county for a BRAC infrastructure project. The recommended General Fund Budget is \$211.4M, which is \$18.9M more than the approved FY2012 budget. This is comprised of revenue totaling \$200.8M, a 1% increase of FY2012, as well as the application of \$10.6M in fund balance. Income tax and energy tax rates are proposed to stay the same as the previous year.

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

Marguerite Morris

- Representing Leah's House
- Requested funding to help support mission of Leah's House which provides shelter, food, and clothing to homeless women and children
- Compared Leah's House to other agencies receiving County funding
- Commented that homeless individuals from St. Mary's County are being sent to other counties and funded by St. Mary's

Belinda Adams

- Volunteer at Leah's House
- Read names of a number of individuals and companies who provide financial support to Leah's House

Doris Day

- Works at Leah's House

- Read names of many individuals who have invested time and money in Leah's House

Dr. Joseph Urgo, President SMCM

- Spoke on behalf of the River Concert Series hosted by the college each summer
- The River Council raised over \$400,000 - the County's contribution is small in comparison
- The River Concert Series is an established cultural event for the County
- Provides tourism to the County
- Urged restoration of the County's full \$10,000 investment for River Concert Series

Jeff Silberschlag

- Maestro for River Concert Series
- Asked Commissioners to invest in cultural activities for the County
- Regarding funds for BRAC -- if you invest in tourism and culture activities you could create a second industry so if base activities leave you won't have a massive exodus
- Requested fully funding request for River Concert Series

Laura Joyce

- Representing St. Mary's Center for Family Advocacy which deals with domestic violence
- BOCC is looking to cut or decrease funding to most non-county agencies
- United State spends \$6.2billion per year on domestic violence - \$2billion a year on after effects of violence
- Cutting services cost more in the long run - when you cut funding you spend triple that amount down the board
- You are cutting funding to the most vulnerable citizens in the County
- Suggested Board look at other sources to reduce costs
- Other sources cover 80% of costs for St. Mary's Center for Family Advocacy - the County needs to cover 20%

Diana Donahue

- Speaking on behalf of St. Mary's Center for Family Advocacy
- The Center provides legal advise to domestic violence victims
- Children in domestic violence situations grow up to become abusers if situations are not stopped
- We intervene to stop the process of domestic violence. - 130 cases last year
- The Center gives people a chance to get back on their feet
- We need your funding to help continue services

Omiyc Avege

- Leah's House provides food, shelter and clothing for homeless in St. Mary's County
- We were under foreclosure but someone stepped up and paid for the mortgage
- We need help

Sheriff Tim Cameron

- Thanked Commissioners for their support and collaboration during the budget cycle this year and for establishing funding and allowing the Sheriff's Office to prioritize their needs

Terri Butt

- President Collective Bargaining Unit
- Thanked for past support of budget
- What we do now to education our children impacts the future of the county
- Invest in St. Mary's County Schools - support the Board of Education budget

Virginia Richardson

- Mother of 3rd grader and substitute teacher – teach computer class
- Need more Special Education teachers in the County
- Increasing the school's budget is step in right direction
- Children must be our primary focus

Dr. Michael Martirano, Superintendent of St. Mary's County Public Schools

- Representing St. Mary's County Public Schools and the Board of Education
- Expressed gratitude for the way the County shifted the culture of how business is done and how that has impacted the way we do business in school system
- Allocation was proactive - allowed agreement with employee bargaining groups
- Thanked Commissioner for allocation beyond maintenance of Effort
- Thanked Commissioners for awareness to put money aside for OPEB
- BOE developed a budget and is pleased with where we are
- Fastest growing school system in state means an increase in students and the need for increase in staff to meet their needs
- Want to ensure a high quality of education in the County

Anna M. Laughlin

- Representing the Education Association for Saint Mary's County.
- Personal funds spent to buy classroom supplies
- Still waiting for textbooks
- Need more special education teachers
- Schools are being short-changed
- Several services do more for less while funds sit in the bank

Wanda Twigg

- President, Education Association for Saint Mary's County
- Thanked Commissioners for additional money that will be invested in children
- St. Mary's County is the 14 wealthiest county in the Country and has a premier school system – asking that you fund it
- Consider offering a creative plan to fund the school budget at 50%

Paula Perry

- Leah's House provides safety net for women and children and provides skills needed to get back into society

- Was in abusive situation – Leah’s House provided shelter
- Leah’s House welcomes all, cares for all. We need your help.

Tasha J

- Leah’s House opened door for me and my 2 children
- Leah’s House needs your help, please help

Bob Schaller

- Representing the Small Business Community.
- Thanked the Commissioners for recognizing the local small business community with a Proclamation. 2,000 small businesses serve this County every day.
- Provided an overview of types of small businesses in the County.
- Suggested: (1) fully fund DECD, including continuing the annual grant to Small Business Development Center, now co-located within the Department; (2) continue local vendor preference policy in procurement and encourage its use by other organizations that receive County funding; (3) fully fund Capital Improvement Project for FDR Blvd, Lexington Park Redevelopment and other areas where small businesses could flourish; (4) simplify and expedite permitting and licensing processes; (5) consider land use incentives in zoning, and use of County-owned property and other assets to encourage small business formation; (6) encourage College of Southern Maryland, Southern Maryland Higher Education Center, and St. Mary’s public schools to advance curriculum in small business education; and (7) encourage the community at large including lenders, tax accountants/lawyers, successful business owners, to train and mentor prospective entrepreneurs.

Glenn Weder

- Representing Summerseat Farm Inc., a non-profit organization dedicated to preserving a working farm that is accessible to the general public and educating visitors on various aspects of life in the 18th and 19th centuries
- 100% supported by volunteers who donated 9,200 hours last year
- Hosts local groups such as Business After Hours, the County Wine Society, and Master Gardeners
- Works with organizations such as Center for Life enrichment, local Boy and Girl Scout organizations, 4-H, local high schools, ARC of Southern Maryland, and the Charlotte Hall Veterans Home
- Helps tourism in the County
- Reconsider decision to only fund agencies which they previously funded.

James Bershon

- Representing St. Mary’s Caring, Inc., a non-profit soup kitchen that is a safety net for those less fortunate
- Meals served in 2010 was 14,000; 2011-17,000 and in the first 2 months of 2012 the numbers were up 26% over last year
- Thanked Commissioners for the grant they had last year
- Don’t like the use of the term non-county – we are part of the county
- Fund amount requested for this year

Barbara Bershon

- St. Mary's County Arts Council member
- Asked Commissioners to continue funding \$2,000 to support the St. Mary's Arts Council
- The Arts Council provides citizens with high quality cultural experiences and brings tourists into the area
- Defense contractors and businesses in the county report that the arts programs like the River Concert Series are vital to the recruitment and retention of their highly educated workforce living in rural Maryland

Nancy Easterling

- Representing Historic Sotterley Plantation
- One of the three most important visitor attractions in the County
- Volunteers provided 15,000 hrs of service and over \$300,000 in donations was received last year
- Over 6,000 visitors each year
- Teaches history to younger generations
- The County's reduction will ultimately have an impact on services and programs - requested restoration of funds.

Robert Jarboe

- Retired Farmer, Farm Bureau member and long-time supporter of agriculture needs in St. Mary's County.
- Asked Commissioners to look at surplus funds for 2013 Budget and provide funds that will complete the build-out of the space the County owns in the Agriculture Building for Cooperative Extension Service and Agriculture, Seafood and Forestry Division of County Government
- Requested Commissioners allocate additional funds to the Agriculture Land Preservation Program from the budget surplus and allocate it to the Purchase of Development Rights Program.

Bruce Young

- Representing Southern Maryland Resource Conservation and Development Board, Inc. (RC&D)
- Cooperative Agreement with all three counties
- Counties support salary of the Office Associate position to assist in day-to-day operations for the work going on in all three Southern Maryland counties
- Explained merits of many programs they support
- Exempt the RC&D from budget cuts to non-county agencies

Mike Brown

- Vice President for Unified Committee for Afro-American Contributions (UCAC)
- Non-county organization provides great programs for the County
- Requested full funding support for Juneteenth
- Unified Committee for Afro-American Contributions offers citizens a better community life

- Trying to bring hope to Lexington Park -want children in that area to have the same opportunities as others in the County
- You are contemplating using funds to expand the Jail – the jail has been expanded twice – spending money on functions like Juneteenth will help keep people out of jail

Janice Walthour

- Requested continued support for all non-profits
- Want to continue to build the quality of life that the non-profits bring to the community
- Non-profits can act faster than government to get things accomplished
- Unified Committee for Afro-American Juneteenth celebration explains history

Phil Dorsey

- Thanked Commissioners for funding infrastructure like FDR Boulevard
- St. Mary's County's farmland and our rural heritage is an important part of who we are as a community
- Rural Legacy program is flourishing
- Continue support for rural preservation
- Citizens will preserve farmland if given an incentive
- Requested an additional funding commitment from Commissioners to continue the vision of preserving our rural heritage.

John Parlett

- Chairman of Agriculture, Seafood and Forestry Board
- Land values have decreased significantly - now is time to buy and preserve agriculture land
- Allocate additional monies to the Agriculture Land Preservation Program and reauthorize the Purchase Development Rights program adopted by previous BOCC
- Requested funding to purchase 8 properties totaling 816.61 acres.
- Need to have land available to support agriculture in St. Mary's County.

Kathleen Reif

- Director of St. Mary's County Libraries representing Library Board
- Library runs a cost effective organization
- Public libraries are essential to education in the County
- Thanked Commissioners for money allocated to Library

JD Hogg

- Asked Commissioners to consider merit increases for the Sheriff's Office
- Funding is available to create new officers but you also need to keep experienced officers
- Support funding for non county programs
- Revisit BRAC funding and see if there is a way to fund some of these non-profit projects

Nathaniel Scroggins

- President, Unified Commission for Afro-American Contributions
- Disturbed that the County is concerned with what they get for their money

- We donated \$225,000 for a monument to dedicate to St. Mary's County
- Imperative that the County support Juneteenth program – took 150 years before we recognized the history of African Americans and that we had three Medal of Honor recipients
- Requested support for Juneteenth celebration.
- Using 14.1% for minority population -- you are only giving 2 cents per person

Teri Branch

- Citizen, taxpayer, and volunteer in county
- Requested County continue supporting Juneteenth program
- Keep funding \$5,000

Tim Dicus

- Summerseat Farm provides 234 years of Maryland History and provides experiences you cannot find in textbook
- Culturally and historically significant
- We currently do not get funding from the County
- Requested funding

Natalie Himes

- President of Hollywood Volunteer Rescue Squad
- Advocating for anyone who has a medical emergency
- Growth in County over years has increased number of calls
- Equipment aging and building deteriorating
- Requested support

Barbara Wible

- Assistant Chief of Hollywood Volunteer Rescue Squad
- Squad is 100% volunteers
- Aging ambulances – concerned for patients and drivers
- Provide best emergency services possible.
- Request assistance to bring equipment up to standard

Robert Randall

- Representing Greenwell Foundation
- Described programs provided at the park and state participation in upgrades to the facilities at park
- Want continued partnership with the County
- Requested you hold funding at the current level for Greenwell Foundation.

Julie Randall

- Representing all providers in the Human Services Community – services considered non-county agencies

- County is the 14 wealthiest county in the nation – we can and we must provide support to all citizens, especially those who cannot help themselves
- Funding for some non-profits is at 2001 level
- Need to review budget and look at human services needs
- Need to commit to Human Services needs and prioritize those as you do other county core services

Dawn Pipkin

- Addressed quality of life and fiscal responsibility
- Shouldn't cut departments, agencies, volunteer groups and non-county agencies who take care of the quality of life for our community (elderly, homeless, children)
- Listen to non-county groups
- Listen to all who spoke tonight and consider it

Edward Evans

- President of Fraternal Order of Police - Sheriff's Office
- Thanked Commissioners for allocation of funds for Sheriff's Office
- Asked for reconsideration of rank increases in the department
- Important you take care of officers we have

David Triantos

- Concerned with outlook for non-profit in St. Mary's
- Asked if any money in cable franchise tax or BRAC that could be used for Leah's House

ADJOURNMENT

Commissioner Russell closed the Budget Hearing and adjourned the Board of County Commissioners meeting at approximately 9:40 pm.

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)