

**5ST. MARYS COUNTY
BOARD OF COUNTY COMMISSIONERS MEETING
GOVERNMENTAL CENTER
Tuesday, March 4, 2008**

Present: Commissioner President Francis Jack Russell
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
John Savich, County Administrator
Betty Jean Pasko, Sr. Administrative Coordinator (Recorder)

CALL TO ORDER

Commissioner President Russell called the meeting to order at 9:00 AM.

APPROVAL OF CHECK REGISTER

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register for checks dated March 4, 2008, as submitted. Motion carried 5-0.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners meeting of February 26, 2008, as presented. Motion carried 5-0.

PROCLAMATIONS

Proclamations were presented to:

- Mike Zabko, CEO, Southern Maryland Chapter of the American Red Cross, recognizing March as American Red Cross Month.
- Marta Kelsey, Chairperson, Commission for Women, recognizing March as Womens History Month.

COUNTY ADMINISTRATOR

1. Draft Agenda for March 11, 2008

There will be no BOCC meeting on Tuesday, March 18, 2007. There will be an all day Budget Work Session on Monday, March 17, 2008.

2. **Dept. of Recreation, Parks, and Community Services** (*Phil Rollins, Director*)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize Commissioner President Russell to sign the MOU between the Maryland State Highway Administration and the Board of County Commissioners for FY08 National Recreations Trails Program funding for Phase V of the Three Notch Trail, in the amount of \$30,000, and to sign the related Budget Amendment. Motion carried 5-0.

3. **Board Appointment** (*John Savich, Co. Administrator*)

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to appoint Claudia McWilliams McAuliffe to the Board of Trustees, Museum Division, St. Marys County Department of Recreation and Parks, term to expire 12/31/2012. Motion carried 5-0.

COMMISSIONERS TIME

The Commissioners highlighted events attended over the past week and personal interest items.

SENIOR PROPERTY TAX CREDIT PROGRAM REVIEW COMMITTEE REPORT

Present: Sandra Wheeler, Chair
Barne Wheeler
Bernard Goldsborough
Dalton Wood

Ms. Wheeler provided a briefing on the St. Marys County Senior Property Tax Credit Review Committee tasks and findings. The basic program participation requirements are must be at least 70 years of age and receive a yearly income of less than \$80,000. The Committees two primary tasks were to review the programs financial impact on the County and determine if it is meeting its goals and objectives.

The program was enacted in 2005. For the first three years (2005, 2006, and 2007), 868 seniors participated in the program, saving a combined total of \$149,025 in property tax, (resulting in a loss of approximately \$50,000 per year in County revenues). The committee determined that the program is meeting its goals by providing some tax relief for senior citizens. Referencing page 5 of the report, an example was reviewed that hypothesized a senior that applied for the credit program at age 70. As property tax increased over the years, the senior continued to pay the base tax amount, i.e., the tax

amount when first enrolled in the credit program. After 12 years, a cumulative total of \$9,872 was saved.

Program participants must reapply every year. Reminders will be sent out in March to current participants only. Individuals may contact the Treasurers Office regarding program specifics.

Mr. Wheeler presented additional data, including conceptual participant and program cost information. Based on the average case scenario, the number of applicants increase by 14.2% each year and the average County tax starts at \$1,763. It is projected for the year 2010 that there will be 1293 applicants and a revenue loss of \$858,623. For that same scenario, it is projected that in 2015 there will be 2511 applicants, resulting in a revenue loss of \$2,001,308.

Mr. Wheeler offered the following conclusions:

- The Senior Property Tax Credit Program is providing real estate tax relief for seniors
- Current legislation provides adequate program management provisions
- Revenue loss projections do not appear unmanageable
- Program reassessment in three years is warranted

Ms. Jannette Norris, County Treasurer, clarified the following as actual program data:

For the Year:	Number of Participants:	Costs:
2005	899	\$55,500
2006	1,037	\$87,200
2007	1,164	\$150,000

RECESS

The Board took a brief recess at 10:40 AM and resumed at 10:50 AM.

MOTION TO ENTER INTO EXECUTIVE SESSION

Commissioner Jarboe moved, seconded by Commissioner Dement, to enter into Executive Session for the purpose of discussing Real Property Acquisition, specifically a discussion of preparation for potential disposition of property re Fenwick property and update of Lexington Manor Redevelopment Project; and Litigation, specifically a discussion of Truitt and Zimer vs. the Board of County Commissioners and SMECO, and discussion of a potential appeal of the Rice permit. Motion carried 5-0.

BUDGET WORK SESSION

The FY2009 Budget Work Session, Part I, was held from approximately 10:15 AM to 12:00 noon.

EXECUTIVE SESSION

Real Property Acquisition

Present: Commissioner Francis Jack Russell, President
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
John Savich, County Administrator
Christy Chesser, County Attorney
Bob Schaller, Director, DECD
Donna Sasscer, Agriculture Manager, DECD
Liz Passarelli, Real Property Manager
Phil Shire, Deputy Director, LUGM
Sabrina Hecht, Chief of Staff
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)11
Time Held: 12:09 pm 12:30 pm
Subject Discussed: Discussion of preparation for potential disposition of property (Fenwick property)

Real Property Acquisition

Present: Commissioner Francis Jack Russell, President
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
John Savich, County Administrator
Christy Chesser, County Attorney
Bob Schaller, Director, DECD
Liz Passarelli, Real Property Manager
Sabrina Hecht, Chief of Staff
Robin Finnacom, CEO, CDC
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)11
Time Held: 12:31 pm 12:45 pm
Subject Discussed: Lexington Manor Redevelopment Project

Litigation

Present: Commissioner Francis Jack Russell, President
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
John Savich, County Administrator
Christy Chesser, County Attorney
Liz Passarelli, Real Property Manager
Sabrina Hecht, Chief of Staff
Donna Gebicke, Recorder
Authority: Article 24, Section 4-210(a)8
Time Held: 12:47 pm 12:56 pm
Subject Discussed: Truitt and Zimer vs. the Board of County Commissioners and SMECO

Litigation

Present: Commissioner Francis Jack Russell, President
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
John Savich, County Administrator
Christy Chesser, County Attorney
Denis Canavan, Director, LUGM
Sabrina Hecht, Chief of Staff
Donna Gebicke, Recorder
Authority: Article 24, Section 4-210(a)8
Time Held: 12:57 pm 1:25 pm
Subject Discussed: Potential appeal of Rice permit.

BUDGET WORK SESSION

The FY2009 Budget Work Session, Part II, was held from 1:30 PM to 6:00 PM.

ACTION FROM EXECUTIVE SESSION (Motions taken during budget work session)

Commissioner Mattingly moved, seconded by Commissioner Raley, to authorize the Commissioner President to sign all documents necessary to move forward with the subdivision of the Fenwick Property. Motion carried 5-0.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign Consent Order #08-134, Sawyer vs. BOCC and SMECO. Motion carried 5-0.

Commissioner Mattingly moved, seconded by Commissioner Raley, to authorize the Director of Land Use and Growth Management to appeal the Board of Appeals decision of 2/28/08 regarding the Mr. and Mrs. Rice case. The vote was tied and the motion was lost. Commissioners Russell and Mattingly voted in the affirmative; Commissioners Jarboe and Raley voted in the negative; and Commissioner Dement abstained.

Minutes Approved by the Board of County Commissioners on _____

Betty Jean Pasko, Sr. Admin. Coordinator