

**ST. MARYS COUNTY**  
**BOARD OF COUNTY COMMISSIONERS MEETING**

**CHESEAPEAKE BUILDING**  
**Tuesday, October 28, 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)  
Jada Stuckert, Sr. Admin. Coord. (LU&GM Public Hearing 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 October 28, 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 October 21, 2008, as presented. Motion carried 5-0.**

**Public Safety: Winners of the Emergency Preparedness Essay & Coloring Contest**

Present: Dave Zylak, Director

Michelle Lilly, Emergency Manager

Jaclyn Shaw, Emergency Planner

In conjunction with Emergency Preparedness Month, the Department of Public Safety hosted four competitions for elementary school age children promoting emergency preparedness.

Pet Preparedness Essay Contest, "How can I prepare my pet for emergencies?"  
winner: **Haley Orr**, age 9

Coloring Contest, winner: **Rebecca Allen**, age 5

Emergency Preparedness Essay Contest, "Why is it important to be prepared for emergencies and what can you do to help your family prepare?" winners: **Camryn Rhodes**, age 7; and **Kelon Funyak**, age 11

### **Introduce Historic St. Marys City commission new Executive Director, Dr. Regina Faden**

Present: Dr. Regina Faden

Roger Hill, Chief Operating Officer

Dr. Faden was introduced to the Board and provided a brief overview of her background and experience.

### **County Administrator**

1. Draft Agendas for November 3 and 10, 2008 (both dates are Mondays)
2. **Office of the Sheriff** (*Sheriff Timothy Cameron; Erin Shoemaker, Fiscal Mgr.*)

**Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the budget amendment reflecting the decrease of \$18,572 in project revenues and expenses and increase in supplemental reserve accounts, aligning the project budget with the actual grant award; and to approve and accept the Sex Offender Registry Award from the Governors Office of Crime Control and Prevention. Motion carried 5-0.**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and accept the BARM New/Replacement Body Armor Grant from the Governors Office of Crime Control and Prevention; and to approve and authorize the Commissioner President to sign the budget amendment, in the total amount of \$18,241, that reflects the decrease in the revenues and expenses for the BARM New/Replacement Body Armor Grant and increase in the Supplemental Accounts and the BOCC Emergency Appropriations Account. Motion carried 5-0.**

*(Karen Russell, St. Marys Health Dept.)*

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and accept the Tobacco Use Prevention and Cessation Program Agreement from the St. Marys Health Department, and to approve and authorize the Commissioner President to sign the budget amendment, in the amount of \$1,375, that will increase the project budget revenues and expenses and decrease the Supplemental Reserve Accounts, aligning the project budget with the grant award. Motion carried 5-0.**

*(Bob Kelly, Director, IT)*

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the MDT Hoyer Grant from the U. S. Department of Justice for 35 Mobile Data Browsers. Motion carried 5-0.**

**3. Dept. Land Use & Growth Mgmt. and Metropolitan Commission**  
(Phil Shire, Deputy Dir., LU&GM; Steve King, Director, MetCom; and

*Kathleen Werner, Chairperson, MetCom)*

**Commissioner Raley moved, seconded by Commissioner Dement, in the matter of a proposal to share costs with the St. Marys County Metropolitan Commission for preparation of a Water and Sewer Facilities Feasibility Plan for the 5<sup>th</sup> and 8th Sanitary Districts, I move that the Board of County Commissioners approve the memorandum of understanding between the Board of County Commissioners and the Metropolitan Commission, as presented, and authorize the Commissioner President to sign the memorandum on behalf of the Board. Motion carried 5-0.**

*A network shop is scheduled for Thursday, November 6, 2008.*

*The draft facilities plan will be presented to Planning Commission, then to the public and the Board of County Commissioners.*

*Another MOU will be forthcoming for the other sanitary districts.*

*Water and Sewer Plan must be in compliance with HB 1141 by September, 2009.*

**4. Dept. of Economic and Community Dev. and Dept. of Land Use & Growth Mgmt. (Bob Schaller, Dir., DECD and Phil Shire, Deputy Dir., LU&GM)**

**Commissioner Jarboe moved, seconded by Commissioner Raley, to approve the annual fee in lieu value for the Open Lands Trust Fund, in the amount of \$20,000 for fiscal year 2009. Motion carried 4-1 (Commissioner Mattingly voted no).**

*The Fee-in-lieu shall be 120% of the average fair market value*

*Total of 10 TDRs / average \$15,050 (applying 120% to this average would put the Fee-in-lieu at \$18,060).*

*52 TDRs were "lifted" by the owners (48 are lots of five acres or more)*

*The BOCC has the right to increase or decrease within 30 days.*

**5. Dept. of Recreation and Parks (Phil Rollins, Dir.; David Guyther, Parks Mgr.)**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the lease agreement for the Bushwood Wharf overflow parking area. Motion carried 5-0.**

**6. Dept. of Finance (Elaine Kramer, CFO)**

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the budget amendment realigning \$713 in unused exempt financing proceeds from the Department of Public Safety Animal Control project and the Department of Public Works and Transportation Vehicle Maintenance project to the Department of Public Safety Emergency Communications project; and to approve and authorize the Commissioner President to sign the budget amendment realigning \$1,300 in unused exempt financing proceeds from the Department of Public Works and Transportation Solid Waste project to the Department of Agings project. Motion carried 4-0. (Commissioner Dement was absent for the vote).**

**7. Dept. of Aging** (*Lori Jennings-Harris, Dir.; Peggy Maio, Fiscal Specialist*)

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to sign the Notification of Grant Award for the Senior Medicare Patrol Program, and the related budget amendment, reflecting an overall decrease of \$408 in revenues and expenses. Motion carried 4-0. (Commissioner Dement was absent for the vote).

**8. Dept. of Works and Transportation** (*George Erichsen, P.E., Dir.*)

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President Russell to sign the Public Works Agreement Addendum for Leonardtown Farms Subdivision, Section 1, located in the 3rd Election District with an Expiration Date of November 1, 2009. Motion carried 5-0.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize Commissioner President Russell to sign the Public Works Agreement Addendum for Grandview Haven Subdivision, Section 1, located in the 4th Election District with an Expiration Date of November 1, 2009. Motion carried 4-1 (Commissioner Jarboe voted no).

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to sign the Public Works Agreement Addendum for Broadcreek Subdivision, Section 1, located in the 6th Election District with an Expiration Date of September 1, 2009. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize Commissioner President Russell to sign the Public Works Agreement for Pembroke Subdivision, Phases 3 and 4, located in the 8th Election District with an Expiration Date of August 1, 2010. Motion carried 5-0.

**9. Dept. of Human Services** (*Bennett Connelly, Dir.; Dr. Kathleen O'Brien, Dir., Walden Sierra*)

Commissioner Dement moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to execute the revised Maryland Department of Health and Mental Hygiene Standard MOU between the Alcohol and Drug Abuse Administration and St. Marys County and the related Human Services Contract Proposal (DHMH 432 form), amendments to the three related Sub-Recipient Agreements and the four related budget amendments. Motion carried 5-0.

*Motion pertains specifically to the following budget amendments:*

*DHMH Anchor Intermediate Care Grant, Project #MD0997 for increase of \$216,736*

*DHMH Intermediate Care Grant, Project #MD0995 for increase of \$83,264*

*DHMH Juvenile Drug Court, Project #MD0994 for increase of \$80,161*

*To decrease funding budgeted for LMB Program Services by \$380,161*

**10. Dept. of Economic and Community Development** (*Bob Schaller, Dir.;*

*Dennis Nicholson, Exec. Dir., Housing Authority*)

Commissioner Dement moved, seconded by Commissioner Raley, to approve and sign the Resolution, with an effective date of November 11, 2008, supporting the acquisition and rehabilitation of the Indian Bridge Apartments by the Housing Authority of St. Marys County via Maryland's Department of Housing and Community Development, including an intent to establish a Payment in Lieu of Property Taxes Agreement for said apartments. Motion carried 5-0.

**11. Dept. of Public Works and Transportation** (*George Erichsen, Dir.;*  
*Jackie Fournier, Transportation Mgr.; Cathy Zumbun, Assist. Dir., Social Services; Jennifer Irvin, Mobility Manager*)

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the MTA FY2010 and FY2011 Section 5317 New Freedom and 5316 JARC Grant Application for the Mobility Coordinator grant, related position and GPS Tracking System. Motion carried 4-1** (Commissioner Raley voted no).

**Decision on Board of Education Capital Improvements Program**

Present: Dr. Michael Martirano, Superintendent of Schools

Brad Clements, Chief Financial Officer

Kimberly Howe, Coordinating Supv. of Capital Planning and Construction

The revised FY2010 through 2015 State and local Capital Improvements Program was presented to the BOCC on October 21, 2008. The document presented at today's meeting was updated and annotated as "Revised 10-24-08," but was still lacking demographic information and trend analysis data on the Leonardtown Development District.

**Commissioner Mattingly moved, seconded by Commissioner Raley, that the Board of County Commissioners sign and forward to the Public School Construction Program Office, the letter of support for the FY2010 State Capital Improvements Program, which was updated with demographic information and trend analysis data annotated as Revised, October 24, 2008; with the inclusion of demographic data and trend analysis provided by the County after consultation with the town of Leonardtown. Motion carried 5-0.**

**Dept. of Human Resources Personnel Policy and Procedures Manual Changes**

Present: Sue Sabo, Director, Dept. of Human Resources

Since the HR Departments August 5, 2008, presentation to the Board of County Commissioners, employees were provided with the proposed changes to the Personnel Manual and asked for their comments. The HR Director also met with several departments to review the changes.

Ms. Sabo clarified the following: five days is a *minimum* time for the advertising of internal jobs; the issue of "buying back comp time" is being considered (i.e., for positions that work extensive overtime, making it difficult to take all of the accumulated leave) and that HR may look at flagging jobs that should receive compensation, such as those that are essential and regularly work overtime in support of weather events.

**Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and sign the resolution adopting Change 3 to the St. Marys County Manual of Personnel Policies and Procedures, to become effective December 1, 2008. Motion carried 5-0.**

**Dept. of Land Use & Growth Management: Public Hearing: Expedite Orders for Critical Area Variances**

Present: Yvonne Chaillet, Planner

The public hearing commenced at 11:45 am and was held in the meeting room of the Chesapeake Building. Ms. Chaillet noted for the record that the public hearing was advertised in the October 10 and 15, 2008, editions of the Enterprise newspaper.

The purpose of the public hearing was to receive testimony on a proposed text amendment to reduce the time from 60 days to 30 days for the Board of Appeals to render its written decisions on cases within the jurisdiction of the Critical Area Commission.

Ms. Chaillet added that most decisions are turned around within 30 days and that the Board of Appeals will have the authority to extend the time to a maximum of 60 days, such as for complex cases. In compliance with HB 1253, building permits may not be issued during the 30 day appeal period. The Planning Commission voted unanimously in support of the proposed amendment.

Commissioner President Russell opened the hearing for public comment at 11:50 am. There were no names on the sign-in sheet and no one present wishing to speak. Commissioner President Russell closed the hearing for public testimony at 11:50 am and set the ten day open record period.

#### **Commissioners Time**

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

#### **Motion to Enter into Executive Session**

**Commissioner Raley moved, seconded by Commissioner Mattingly, to enter into Executive Session for the purpose of discussing Real Property, specifically potential property acquisition for public facilities. Motion carried 5-0.**

#### **EXECUTIVE SESSION**

##### Real Property

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

Phil Rollins, Director, Recreation and Parks

Liz Passarelli, Real Property Manager

Dr. Michael Martirano, Superintendent of SMCPs

Bradley J. Clements, COO, SMCPs

Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)11

Time Held: 12 noon 12:45 pm

Subject Discussed: Potential public facilities properties.

**Continuation of THE Public HearingS on DRARA #07-146-001 and PUD #06-145-004, St. Marys Crossing**

The public hearings commenced at 2:00 pm and were held in the meeting room at the Chesapeake Building, 41770 Baldrige St., Gov. Center Campus.

This portion of the minutes was taken by Jada Stuckert.

All Commissioners were present. LUGM staff present was Phil Shire, Deputy Director; Bob Bowles, Planner IV; and Jada Stuckert, Recording Secretary. County Attorney Christy Holt-Chesser and Deputy County Attorney David Weiskopf were also present, as was John Groeger, Department of Public Works and Transportation Deputy Director.

Commissioner President Russell stated this is a continuance of the public hearings held on September 9, September 16, and October 7, 2008 on the requested rezoning for the proposed St. Marys Crossing PUD and DRARA. Commissioner President Russell stated we will continue where we left off on October 7, 2008.

Mr. Bob Bowles stated we left off just after discussing the 25 conditions. Mr. Bowles stated staff feels there are 6 conditions that warrant further discussion being the installation of the signal light, right turn lane west bound onto Route 4, disclosure of landfill location, school site dedication, and TDR requirements if required. Mr. Bowles stated staff received additional information from the applicant on Monday and still need time to analyze this information for the next meeting.

Mr. John Norris III stated based on the comments at the last public hearing and work session we went back to the Board of Education to look at additional lands to warrant a signal light. Mr. Norris stated the owners have willingly agreed to place a stop light at the intersection of Hunt Club Road and St. Andrews Church Road with the first phase of development. Mr. John Norris Jr. gave an overview stating the boundary lines and density of the project have not changed however the size of the school site and the housing types has changed. Mr. Norris Jr. stated the school site acreage has been raised from 26 acres to 56 acres with a developable acreage of 45 to 50 acres. Mr. Norris Jr. stated Johnson Pond Lane where it meets with St. Andrews Church Road will remain an emergency access. Commissioner Raley asked if the developer owns Johnson Pond Lane all the way to Route 4. Mr. Norris Jr. stated yes the project has a fee simple title to this access.

Commissioner Mattingly asked if the developer has adequate right-of-way on Route 4 for the acceleration and deceleration lanes. Mr. Norris Jr. stated yes, however the traffic light is the key. Mr. Norris III stated the design aspects will be reviewed as each phases comes in for approval and there will be more engineering that will have to be done. Mr. Norris stated this is a 10 year build-out and additional lands may need to be acquired in the future. Commissioner Mattingly asked if the plan as proposed has been approved by State Highway Administration (SHA). Mr. Norris Jr. stated SHA has approved the plan up to 350 units. Commissioner Mattingly asked if SHA would require additional design beyond the 350 units. Mr. Norris Jr. stated yes additional standards will have to be met beyond the 350 units.

Commissioner President Russell stated he is concerned about the signal light not being installed until after the development has begun. Mr. Norris III stated the owner has agreed to install the 4 way traffic signal with the commencement of phase 1 of the development. Mr. Norris III stated we would not be generating trips from this property without the traffic light being installed.

Mr. Norris III stated switching the school site allows for Johnson Pond Road to be made a full use emergency access as well as adding acreage for the school site. Mr. Norris III also stated with the opportunity to construct the school buildings facing south-east the school can get green building credits. Mr. Norris III stated also with this being a campus school site the Board of Education will be able to co-locate parking, ball fields, etc.

Commissioner Raley asked if the new location of the school will have affect on the pond and storm water management. Mr. Norris III stated yes, however with the proper placement of storm water management there should not be an issue considering the softball and soccer fields will be in-between the school and the pond.

Mr. Norris III stated the owner has agreed to the following:

1. The Owner will pay the County Impact fee of \$4,500 per lot and an additional fee of \$2,008 per lot, both to be paid at time of building permit issuance. The \$2,008 is to be used at the Commissioners discretion.

2. The owner has agreed to provide at least 30% of the front faade of any structure will be brick, stone, stucco or cement board.
3. The owner does not agree to notify future purchasers of the location of the landfill.
4. The owner will amend the development plan to adopt the requested phasing plan.
5. The owner will construct a replacement dam and crossing of the pond as environmentally safe as possible.
6. The owner will commence construction of the Community Center within the first phase.
7. The owner accepts the 17.3% requirement for workforce housing as long as the owners fee structure is accepted.
8. The owner accepts the requirement to submit an annual report yearly or after each phase.
9. The owner agrees with the requirement to finish 75% of the first phase prior to constructing the second phase.

Commissioner Raley stated he is appreciative of the new layout and the two access points. Commissioner Raley stated if something were to happen with the dam the properties located towards the rear of the development still have no means of secondary access.

Commissioner Raley asked when exactly the signal light would be installed on Hunt Club Road. Mr. Norris III stated the application would go in with the application to build the first house. Commissioner Raley asked what would happen if SHA did not grant approval of the signal light at the intersection of Route 4 and Hunt Club Road. Mr. Norris III stated if this were the case, nothing would be built. Mr. Norris III stated as long as the Commissioners support the application the owner if confident SHA will approve the signal light. Commissioner Raley stated the owner could develop under the regular RL zoning. Mr. Norris III stated yes, with the base RL zoning the owner could build 350 homes.

Mr. Shire stated due to the revisions of the plan staff needs to seek further input from the TEC agencies. Commissioner Mattingly asked what improvements would be made to the rear access. Mr. Norris III stated the road would be upgraded to public standards but would remain a private road.

Mr. Groeger stated the removal of condition #15 may be necessary as the new storm water management regulations do not allow the pond to be used for storm water management. Mr. Groeger gave a brief overview of the traffic design mitigation efforts. Commissioner Mattingly stated the signal light will address his concerns regarding the sight distance.

Commissioner President Russell opened the hearing to public comment. Mr. Michael Barnes stated he is still concerned with the secondary access. Mr. Barnes stated the owner would be transferring liability to the County. Commissioner Mattingly asked if Mr. Barnes had an appraisal done of the right-of-way. Mr. Barnes stated it is worth \$250,000 and stated no offers have been made for purchase of the property by the owner.

Mary Ruth-Horton stated she is still concerned with traffic safety. Ms. Horton stated now there will be two schools on the property which will bring more buses and more cars for use of the ball fields. Ms. Horton asked that the stipulation remain that not one house should be built on the property until SHA agrees to allow the signal light at the intersection of route 4 and Hunt Club Road.

Commissioner President Russell closed the hearing to public comment for this meeting. Commissioner Mattingly stated TDRs still need to be discussed and recommended staff brings the Planning Commission TDR calculations to the next meeting for review.

**Commissioner Raley made a motion in the matter of DRARA #07-146-001 and PUD #06-145-004, St. Marys Crossing that the hearing be continued to November 18, 2008 at 2:00 p.m. in the Commissioners Meeting Room of the Chesapeake Building and Commissioner Mattingly seconded. The motion passed by a 5-0 vote.**

**PUBLIC MEETING Presentation of 2009 LEGISLATIVE PROPOSALS**

Present: David Weiskopf, Deputy County Attorney

Also in attendance: Delegate John Bohanan

Delegate Anthony ODonnell

Delegate John F. Wood, Jr.

The purpose of the Joint Public Meeting was to provide an opportunity for the Commissioners, the Delegation, and public to hear presentations and provide comments on the 2009 Legislative Proposals.

The meeting commenced at 6:30 pm. Ten proposals were submitted for 2009 and sign-up sheets were available for anyone wishing to speak to any of the proposals. Mr. Weiskopf reviewed the proposal descriptions and introduced the presenter(s) for each.

Presentations and comments were made by persons as noted.

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| <b>Proposal #</b> | <b>1</b> | <b>Proposed by:</b> | Mike Thompson |
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Proposal  
Description

To modify or augment the current solar hot water and solar photo voltaic Maryland Energy Administration Grant Program to be funded with state and local tax credits approximately equivalent to the grant program; to clarify that capital costs of such systems not be added to the property tax assessment when applying state and local property taxes.

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| <b>Proposal #</b> | <b>2</b> | <b>Proposed by:</b> | Mike Thompson |
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Proposal  
Description

To provide a \$50 tax credit incentive to perform what should be routine maintenance pump-out of residential and business septic tanks on a 5 to 10 year basis.

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| <b>Proposal #</b> | <b>3</b> | <b>Proposed by:</b> | Mike Thompson |
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Proposal  
Description

To provide a 10% tax credit incentive to add storm water/rainwater cisterns at business and personal properties.

Mr. Weiskopf review proposal number 1, 2, and 3 and noted that due to another commitment, Mr. Thompson could not be in attendance.

For the record, Mr. Weiskopf read an email (text follows) that was sent to the BOCC by Mr. Thompson in support of his proposals.

Commissioners,

I will not be available to present my three proposals at the legislative proposal hearing next week. Barbara and I are going on a week-long vacation to see in-laws and Barbaras sister in New York.

The septic tank pump-out tax credit and the cistern tax credit were submitted with the hope of bringing the two topics to light. Anything to help the Bay should be implemented as it is stressed from many sources and does not seem to be improving. It

is my understanding that septic systems in the South River drainage area contribute up to 25% of that rivers nitrogen content. While the overall nitrogen contribution from septic systems is approximately 5% and routine maintenance will improve other aspects more than the nitrogen contribution, proper maintenance needs to be encouraged.

Regarding the solar tax credit, it may be difficult in the present (hopefully temporary) financial climate to secure any tax credits, but this is a pressing item and the present grant system is problematic. Talking to a solar contractor, it is my understanding the MEA solar grant personnel are understaffed, have had turnover and do not visit sites anyway. It sounds like we have a thought-out, bureaucratic grant program, but it is not being fully applied in a uniform, systematic manner. What concerns me at this point is there apparently has been a large pot of available grant money now made available from the recent MD sale of carbon credits. Does the state have the personnel in place to administer the solar money responsibly? Wouldnt a simple state tax credit be much easier to administer?

Working the numbers, applying the recently passed federal tax credit of 30% plus the possible MD grant of up to \$10k per installation, the payback is about even. Looking at a 5kW system for our home will cost approximately \$50k. That reduces the cost to \$28k and will save approximately \$650 per year, or a 3% return before taxes. Figuring the installation will be worn out, outdated and removed in 30 years effectively makes the investment a break even.

Anything to make all this time, effort and expenditure more attractive will be most helpful.

Keep up the good work.

Mike Thompson

There were no signatures on the sign-in sheets for Proposals 1, 2, and 3 and no public comments were presented regarding these proposals. Del. Bohanan noted that the proposals are statewide and not unique to St. Marys County.

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| <b>Proposal #</b> | <b>4</b> | <b>Proposed by:</b> | St. Marys County Soil Conservation District |
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**Proposal Description** Bond Bill in the amount of \$500,000 to assist in the design and construction of an Agriculture Services Center for St. Marys County.

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| <b>Presenters</b> | <b><u>Bruce Young and Stanley Booth</u></b> , representing St. Marys County Soil Conservation District |
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Potential site near St. Marys Fairgrounds; preliminarily approved by the Fair Board.

The Agriculture Services Center would combine all five of the County agricultural agencies into one location/building; i.e., Soil Conservation District, Natural Resources Conservation Services, Maryland Dept. of Agriculture, Farm Service Agency, and the Maryland Cooperative Extension Service.

Cost estimate: 1.5 2 million (have \$500k on hand).

Timeframe: hope to PERC this winter and construct next year (2009).

Plans to move forward if cannot get the bond bill, will have to borrow more.

There were no signatures on the sign-in sheet for Proposal 4 and no additional public comments were presented regarding this proposal.

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| <b>Proposal #</b> | <b>5</b> | <b>Proposed by:</b> | Pathways, Inc. |
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Proposal Description Bond Bill in the amount of \$175,000 to assist in the renovation of facilities to improve access to mental health services as well as the ability to deliver them to adolescent and adult citizens of Southern Maryland.

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| Presenters | <b><u>Gerry McGloin and Donald Barber</u></b> , representing Pathways, Inc. |
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Will do renovations in phases; based on available funding. First phase would be internal renovations.

Theres more demand for mental health services during difficult economic time. An average of 40 people use program services each day, with as many as 60 during peak times. There are five employees. Space is open and not conducive to program services. Existing building is in poor condition (rust, poorly insulated).

Need an STS "pass through", difficult for STS bus maneuverability, twice hourly STS bus visits (one to pick-up and one to drop-off).

There were no additional signatures on the sign-in sheet for Proposal 5 and no additional public comments were presented regarding this proposal.

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| Proposal # | 6 | Proposed by: | St. Marys County Sheriffs Office |
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Proposal Description To require that only a deputy sheriff who holds the two (2) preceding permanent ranks in the St. Marys County Sheriffs Office is eligible for appointment to Assistant Sheriff. Currently, only a deputy sheriff who holds the permanent rank of Sergeant or Lieutenant in the St. Marys County Sheriffs Office is eligible for appointment to Assistant Sheriff.

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| Presenter | <b><u>Capt. John Horne</u></b> , St. Marys County Sheriffs Office |
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Proposal was presented in conjunction with last years proposal, which was approved. As a result of a clerical error, wording was not included in the Bill. Del. Bohanan said this would be considered administrative.

There were no signatures on the sign-in sheet for Proposal 6 and no additional public comments were presented regarding this proposal.

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| Proposal # | 7 | Proposed by: | St. Marys County Metropolitan Commission |
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Proposal Description To correct typographical errors, inconsistencies and ambiguities resulting from the Commissions rate restructuring in October, 2007; to delete archaic sections of the Commissions Code; to correct long-standing general inaccuracies within the Code.

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| Presenters | <b><u>Steve King, Kathleen Werner (Chairperson), and Jacki Meiser (General Legal Counsel)</u></b> , St. Marys County Metropolitan Commission |
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Mr. King handed out a copy of the proposal high-lighted with color-coded changes; i.e. yellow representing typos and inconsistencies, blue representing deleted archaic sections, no longer applicable or accurate, and green representing corrections to general inaccuracies.

Sec. 113-26 removed by the Treasurer of St. Marys County (pertaining to work reimbursement).

Commissioner Mattingly asked for examples of other Capital Contribution Charges (Sec. 113.12) that could be created (without BOCC approval). Mr. King responded agricultural and industrial (property classifications). Was in previous code and taken out; i.e., Benefit Assessment Charge, the Capital Charge did not exist.

Sec. 113-19 addresses issue that occurred at Wildewood.

Sec. 113-22 Church properties; exemptions based on EDUs not footage;  
3 EDUs at 50 ft. per EDU (150 ft.)

Mr. King clarified the change to Sec. 113-29 on the first page was just to make the text in agreement with text on the following page.

There were additional signatures on the sign-in sheet for Proposal 7 and no additional public comments were presented regarding this proposal.

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| <b>Proposal #</b> | <b>8</b> | <b>Proposed by:</b> | Alcohol Beverage Board of St. Marys County, Maryland |
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**Proposal Description** To increase fine for alcoholic beverage sales violations from \$500 to \$1,000.

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| <b>Presenters</b> | <b><u>Joann Wood, Attorney for the Alcohol Beverage Board and Moses P. Saldaa Jr., Chairman</u></b> |
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Third or fourth time presenting this proposal

Del ODonnell said last year, presented strong testimony and the Bill passed in the House, but calls were received in opposition. Need to ensure the industry is in support of the proposal (consider getting a letter of support). Ms. Wood said the Licensing Beverage Association has been invited to attend Board meetings, and she was not aware of any objections.

There were no additional signatures on the sign-in sheet for Proposal 8 and no additional public comments were presented regarding this proposal.

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| <b>Proposal #</b> | <b>9</b> | <b>Proposed by:</b> | Department of Finance |
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**Proposal Description** To request legislative authority to issue bond financing in the amount of \$80 million to finance a major renovation/addition/upgrade at St. Marys Hospital, which will result in a better interest rate on the hospitals debt.

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| <b>Presenters</b> | <b><u>Elaine Kramer, CFO, St. Marys County Government; Christine Wray, and Richard Braam, VP, Finance, St. Marys Hospital</u></b> |
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County had done previously, but lower amount (\$20 million/20 years, issued in 2002). This will be 30 years, and there will be overlap.

65+ (years of age) make up 9.5% of the population; 37 38% of the hospital services dedicated to 65+. From 2005 to 2025, its estimated the 65+ population will double. 65+ use five times the amount of hospital service than younger population.

Renovation is more conservative than the States estimate of growth (bed growth/shell space). Major project infrastructure will support hospital for the next two to three decades. There will be smaller scale projects. Needed to "grow existing services".

Del. Bohanan questioned factoring in "anticipated reductions" (job loss that may result in insurance coverage loss). Ms. Wray said that with loss in health insurance coverage, emergency room visits spike.

Del. ODonnell questioned why "due diligence" is not done prior to asking legislative authority. Ms. Kramer responded cost (consultation costs could be \$30 - \$50k) and relative to conditions when close to sell. Due diligence is a continuous process.

Can "model" (project) impact on hospital to wait one year until possibly the economy is more stable. **ACTION:** Ms. Wray was tasked with evaluating and preparing impact data for two options; i.e. "no build" and "delay".

There were no signatures on the sign-in sheet for Proposal 9 and no additional public comments were presented regarding this proposal.

*Del. Bohanan later summarized that this (proposal #9) is a complex proposal and "hard to cast an opinion". Will need work through the details by the first of March to get a Bill drafted. Del. Wood suggested the delegation and commissioners meet in mid-February to discuss (after the Hospital Board meeting).*

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| <b>Proposal #</b> | <b>10</b> | Proposed by: | Joseph B. Bush |
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Proposal Description To make an amendment for addition of a psychologist to the membership of the Adult Public Guardianship Review Board of St. Marys County.

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| Presenters | <b><u>Joe Bush and Kathleen Werner</u></b> |
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Both presenters provided comments in support of the proposal. There is no cost associated to this proposal.

On behalf of Chris Longmore, Mr. Weiskopf provided a document summarizing the positions of the St. Marys Chamber of Commerce Governmental Affairs Committee.

The BOCC meeting concluded at 8:40 pm.

Minutes Approved by the Board of County Commissioners on \_\_\_\_\_

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| Betty Jean Pasko, Sr. Admin. Coordinator<br><br>(Recorder) | Jada Stuckert, Sr. Admin. Coordinator<br><br>(Public Hearing Recorder) |