

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, January 17, 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 Morgan moved, seconded by Commissioner Jones, to adopt the minutes of January 10, 2012, as written. Motion carried 5-0.

COMMENDATIONS WERE PRESENTED TO ST. MARY'S COUNTY AMERICAN YOUTH FOOTBALL STATE CHAMPIONS- THE PATUXENT RIVER RAIDERS SILVER PEE WEE TEAM

COUNTY ADMINISTRATOR

1. Draft Agenda for January 31, and February 7, 2012. There will be no meeting on January 24, 2012.

2. **Circuit Court** (*Pete Cucinotta, Drug Court Coordinator*)

Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the budget amendment reducing the Supplemental Reserve and creating budget authority in project OT1208, Drug Court Testing, in the amount of \$1,000 on behalf of the Circuit Court. Motion carried 5-0.

3. Orphan's Court (*Linda Dean, Chief Judge; Dalton Wood, Associate Judge for Orphan's Court*)

Commissioner Morris moved, seconded by Commissioner Jones, to approve and authorize Commissioner President Russell to execute the budget amendment giving additional budget authority to fund \$1,885 to the Orphan's Court for replacement furniture. Motion carried 5-0.

4. Sheriff's Office (*CAPT Edward Willenborg; Bonnie Lancaster, Fiscal Specialist*)

Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute Form One of the Police Protection FY11 Actual Expenditures Form – MD1230 to be submitted to the Governor's Office of Crime Control and Prevention on behalf of the Sheriff's Office. Motion carried 5-0.

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

Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the Permanent and Temporary Easement Agreement for the Lexington Park Volunteer Ambulance and Rescue Squad to construct and maintain a proposed stormwater management area and storm drain outfall on the County Commissioners' property located at the Lexington Park Library site. Motion carried 5-0.

6. Department of Aging and Human Services (*Lori Jennings Harris, Director; Cynthia Brown, Division Manager, Human Services*)

Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Homeless Women – Crisis Shelter Home Program Inter-Governmental Agreement, MD1257, from the Maryland Department of Human Resources on behalf of the Department of Aging and Human Services in the amount of \$67,240.73 per year for the next three consecutive years and the related Sub-recipient Agreement between the County and Three Oaks Center. Motion carried 5-0.

7. Office of the County Attorney (*George Sparling, County Attorney*)

Commissioner Jones moved, seconded by Commissioner Morgan, to authorize Commissioner President Russell to execute assignments of the Certificates of Sale issued to the Board of County Commissioners by the St. Mary's County Treasurer for 49850 Hays Beach Road in the First Election District, Account No. 01-021443, and 40429 Old Breton Beach Road in the Third Election District, Account No. 03-026299, and that the assignments be made and delivered to James Dale Blackwell, Jr. upon receipt of the sum of \$17,776.29. Motion carried 5-0.

8. Department of Finance (Elaine Kramer, CFO; *Bob Kelly, Director, Dept. of Public Safety and Information Technology*)

Commissioner Jones moved, seconded by Commissioner Morris to

(1) approve and authorize Commissioner President Russell to execute the budget amendment transferring funds in the amount of \$1,000,000 from NEXTGEN Maintenance Budget Funds for FY2012 to the BOCC Emergency Appropriation Reserves due to not requiring this funding in FY2012; and,

(2) authorize the Finance Department to proceed with a Public Hearing on January 31, 2012 for a FY2012 Supplemental Appropriation of \$125,000 to fund the Emergency Services Support Fund for costs related to narrowbanding of existing pagers for Fire Departments and Rescue Squads, to meet the FCC regulations.
Motion carried 5-0.

DEPT. OF FINANCE: DISCUSS MARYLAND STATE MAINTENANCE OF EFFORT REQUIREMENTS

Present: Elaine Kramer, CFO

Maintenance of Effort (MOE) requires a county to appropriate to the local school system an amount not less than the highest amount provided in the prior year on a per pupil basis. Ms. Kramer explained the key elements and formula used in calculating Maintenance of Effort. She provided data on the State's mandated MOE for St. Mary's County from FY2010-FY2012, the County's actual allocations, and the amount the County paid above the State mandated MOE. The Board of Education's budget is due to Commissioners on March 1, 2012, and the County will use the same Maintenance of Effort calculations they have always used as a starting point for the Board of Education funding.

Dr. Martirano complimented Ms. Kramer on her presentation and noted that St. Mary's County is one of only a few growing counties in the state. School expenses are constantly increasing, especially fuel and energy costs. The state flat lined the per pupil funding formula in 2008 resulting in no inflationary increases. St. Mary's County has an OPEB balance of between \$19M and \$20M, making them one of the top contributors in the State. Collaboration between the Board of County Commissioners and the Board of Education is essential as there are many unresolved issues at the state level that may impact this year's budget.

DEPT. OF FINANCE: PRESENT FOR DISCUSSION PROPOSED PROCUREMENT POLICY CHANGES INVOLVING THE SOLICITATION THRESHOLD AND LOCAL VENDOR PREFERENCE AND REQUEST AUTHORIZATION TO SCHEDULE A PUBLIC HEARING ON THESE CHANGES

Present: Elaine Kramer, CFO
Randy Burns, Procurement Manager, Dept. of Finance

Ms. Kramer presented an overview of the current procurement process and introduced recommendations that would change the thresholds for competition and provide local vendor preference. The first proposed Resolution would adopt Procedures for Purchases for Less than \$25,000, including a simplified Request for Quotation Procedure for Small Purchases (procurement actions between \$15,000 and \$25,000) and exemption of procurement actions for less than \$15,000 from competition requirements. The second proposed Resolution would create a Local Vendor Preference defining a "Local Vendor;" and providing that Small Purchases and procurement actions based on sealed bids be awarded to the lowest Responsible and Responsive Local Vendor Bidder; and other provisions. Ms. Kramer explained how the preference point would be applied, how the policy changes would be implemented, and noted that if grants or other rules by "funders" are in conflict, the County will comply with the more restrictive provisions. A public hearing was requested to address the proposed changes.

Commissioner Morgan moved, seconded by Commissioner Morris, to authorize the scheduling of a public hearing on January 31, 2012, on the proposed changes to the procurement policy addressing the solicitation thresholds as well as a local vendor preference based on the draft resolutions presented and discussed today. Motion carried 5-0.

DEPT. OF RECREATION AND PARKS: PRESENTATION OF WICOMICO SHORES GOLF COURSE DEFICIT REDUCTION RECOMMENDATIONS

Present: Phil Rollins, Director, Dept. Recreation and Parks
Bob Richardson, Chairperson, Wicomico Shores Golf Course Advisory Board

Mr. Rollins provided the 25-year history of the Wicomico Shores Golf Course under County operation and the significant events he believes led to the deficit incurred over the past 3 years. Although the Golf Course is showing a deficit, it still has a cash balance of \$184,000 in the Enterprise Fund.

Mr. Rollins and the Golf Course Advisory Board highly recommend against the County privatizing the Golf Course. Mr. Rollins, in collaboration with the Golf Course Advisory Board, provided the following recommendations to resolve the deficit issues.

A. Immediate actions that could be taken are: (1) refinance the Clubhouse loan; (2) replace the vacant hourly Assistant Golf Manager with a lower paid, hourly Attendant; and (3) refund Admissions and Amusement Taxes collected from 1991-2010.

B. FY2013 Budget considerations include: (1) eliminating administrative reimbursement for Recreation and Parks Director and Administrative staff; and (2) eliminate administrative reimbursement for other departments.

C. 3-5 year considerations include: (1) creating a new Golf Enterprise Fund Personnel Category; and (2) eliminating two of the three full-time groundskeeper positions and replacing them with hourly employees with no benefits.

Commissioner Jones requested additional information on various rate increases imposed at the golf course during the 2008-2011 timeframe.

Commissioner Jarboe suggested that the Department of Economic and Community Development get involved to assist Recreation and Parks and the Golf Advisory Committee to develop a Business Plan.

Commissioner Jarboe moved, seconded by Commissioner Morris, to set in motion the process to refinance the Golf Course Clubhouse to obtain a lower interest rate. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Morris, to begin the solicitation process to issue an RFP to privatize the restaurant and banquet facility. Motion failed 1-4.

Commissioners Morgan, Russell, Jones and Morris voted nay.

All other recommendations will be taken into consideration during the budget process.

Mr. Savich noted that the recommendation to replace the vacant hourly Assistant Golf Manager with a lower paid hourly Attendant is something that is in the purview of the County Administrator. All personnel actions are screened through the County Administrator.

COMMISSIONER'S TIME

The Commissioners highlighted events attended over the past week.

DEPT. OF LAND USE AND GROWTH MANAGEMENT: WORK SESSION #1 ON MARYLAND'S WATERSHED IMPLEMENTATION PLAN (WIP) (SEPTIC AND SEWERAGE SECTORS)

Present: Phil Shire, Director, Dept. Land Use and Growth Management
Daryl Calvano, Director Environmental Health Services, St. Mary's County Health Dept.
Jacki Meiser, Director, MetCom
Sue Veith, Environmental Planner, and WIP Coordinator, Dept Land Use and Growth Management

The Watershed Implementation Plan Steering Committee is working on Phase II of the Plan which requires local jurisdictions to develop 2-year milestones and strategies that will address control of Total Maximum Daily Loads for Nitrogen entering into the Bay. The sources of nitrogen in the bay have been broken into five sectors: Air Emissions, Wastewater Treatment Plants, Stormwater, Septic Systems and Agriculture. Discussions today centered on Septic Systems and Wastewater Treatment Plants. Mr. Calvano discussed recommendations for addressing Septic loads (including connection of septic to sewer), retrofitting existing septic systems, estimated implementation costs, and potential strategy options to consider. He provided data depicting financial impact on retrofitting existing individual sewer systems within 500 ft and 1,000 ft on a perennial stream. Ms. Meiser

addressed wastewater load and the impact the septic strategy will have on MetCom. She provided information on potential connection projects being analyzed by MetCom, the locations of potential connections, and the estimated implementation costs. All scenarios are based on standards imposed by Executive Order.

Commissioner Jones questioned the validity of the data provided by the Chesapeake Bay Program stating the Bay Watershed's septic sector load is about 6% of the total Nitrogen load to the Chesapeake Bay. Data presented at a recent "Plan Maryland at the Cross Roads" seminar indicated that erroneous data was used in the analysis that led to the 6%. The conclusion at the end of the seminar was that less than 1% of septic nitrogen load in Maryland ends up in the Bay. She wants to provide information from the seminar for a comparison analysis of the 1% vs. 6% prior to the Commissioners signing a proposed consent letter to the Congressional Delegation concurring with MACo's January 12 letter regarding the challenges for local jurisdictions in developing their WIPs.

Commissioner Morgan noted that obviously there is a disparity in the numbers being presented, and the Commissioners have to be careful not to pick one size fits all. He agreed with Commissioner Jones that decisions should be based on an objective analysis of the 6% and 1% is warranted.

Ms. Meiser said her understanding is that counties are being encouraged to respond to the state with justifications of why they think the information provided to them is not accurate, what assumptions the counties feel are not correct, and how this approach raises more issues and questions.

Mr. Savich noted the County can approach their submission one of two ways, either here is what you wanted, or here is what we believe you wanted.

Ms. Veith will provide commissioners with background data used in the assumptions presented today based on the 6%.

ADJOURNMENT

Commissioner Russell adjourned the Board of County Commissioners meeting at approximately 2:43 pm.

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)