

ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
GOVERNMENTAL CENTER
Tuesday, March 21, 2006

Present: Commissioner President Thomas F. McKay

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly, Sr.

Commissioner Daniel H. Raley

George G. Forrest, County Administrator

Donna Gebicke, Administrative Assistant (Recorder)

CALL TO ORDER

The meeting was called to order at 9:08 am.

AGENDA

At the request of Commissioner Mattingly, the Board agreed to add a discussion of the Senior Property Tax Credit program to the agenda.

APPROVAL OF MINUTES

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve the minutes of the Commissioners' meeting of March 14, 2006, as amended. Motion carried 5-0.

APPROVAL OF CHECK REGISTER

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to authorize the Commissioner President to sign the Check Register dated March 21, 2006, as presented. Motion carried 5-0.

PROCLAMATION

Present: Reverend Roderick McClanahan, Pastor; Ministers Randy Legette and Beatrice Meredith; and church members Adrienne Broadnax, Marie Butler, Bernard Conley, Jesse Hansley, Lillie Lane,

Mayetta Moore, Ceandra Scott, Danielle Williams, Dawn Williams, Wilford Williams, and

Delores Wilson. (Not in attendance but recognized for their importance to the program were

Florence Grayson and Rosa Curry.)

The Commissioners presented a proclamation to the First Missionary Baptist Church of Lexington Park in recognition of the church's Tutoring and Activity Night that is open to all county students. The program offers tutoring in all academic areas, as well as management of funds, communication and interviewing

skills, and other college preparation needs. It was initiated as a community/church response to the concerns of the school system regarding low Maryland School Assessment and High School Assessment test scores.

HISTORIC ST. MARY'S CITY (HSMC) UPDATE

Present: Roger Hill, Chief Operating Officer, Historic St. Mary's City Commission

Mr. Hill announced that the House Committee recently approved of all of the HSMC capital projects that are forthcoming, including: a major new exhibit complex at St. John's, reconstruction of the printing house, and construction of an ADA accessible walkway from the overlook by Farthings Ordinary down to the waterfront and *Maryland Dove*. With the assistance of Congressman Hoyer, an additional \$500,000 grant was obtained to complete the brick walls and roof for the chapel project. School tours are booked for the season and plans are in the works to develop a museum studies curriculum at the college. Maryland Day celebrations will take place at St. Mary's City on March 25th.

ST. MARY'S COLLEGE FACILITIES UPDATE

Present: Salvatore Meringolo, Vice President for Development

Charles (Chip) Jackson, Asst. Vice President, Facilities

Mr. Meringolo thanked the Board for their support of the college, and in particular, for the River Concert series and scholarships for students. Mr. Hill brought the Commissioners up to date on capital projects in progress and future building plans, which include: a pedestrian bridge over Rt. 5, new auditorium, additional residential housing, new Anne Arundel Hall, amphitheater, sailing and recreation center, and shoreline improvements. An anthropology and archeological research program and new interpretive center are also in the works.

COMMISSIONER'S TIME

Commissioner Dement

Attended the Volunteer Dinner for Boards, Committees, and Commissions, sponsored by the Commissioners. It was well-attended. I'd like to once again thank all the volunteers for their contributions to the community.

Apologize to the 7th District Rescue Squad as I was unable to attend their ribbon cutting due to a prior commitment.

Want to wish John Norris and Heidi Dudderar all the best and thank them for their good service to the County and welcome the new County Attorney Christy Holt Chesser.

Commissioner Mattingly

Congratulations to the 7th District Volunteer Rescue Squad on their renovation and expansion project. They are understandably proud of their achievement and appreciative of the strong community support. It's a wonderful facility that will serve them well for many years.

Also want to thank John Norris and Heidi Dudderar for their service and welcome the new County Attorney Christy Holt Chesser.

Commissioner Jarboe

Congratulations to the 7th District Rescue Squad. They had an excellent dedication ceremony for their new building.

Presented a proclamation on behalf of the Commissioners at Sacred Heart to Margaret B. Hill in recognition of her 80th Birthday. She also received birthday best wishes from Delegates Wood and Bohanan, Congressman Hoyer, and President Bush.

Commissioner Raley

Nothing to add at this time.

Commissioner McKay

We started meeting as a Board at the State House in St. Mary's City four years ago to celebrate Maryland Day. It was a novel idea at the time to celebrate the history of our County this way, and I think it highlights the importance of Maryland Day to us and to the citizens. I'm proud of your participation and your role playing each year. I hope that all four of you are back here next year. I encourage you to keep coming to St. Mary's City at this time each year.

Thanks to St. Mary's City and the St. Mary's College for having us.

Also want to welcome Christy Holt Chesser.

SCHOOL PRESENTATIONS

Present: Jessica Dutra, 4th Grade teacher, and 4th and 5th grade students from Little Flower

Mr. McQuillan, 4th grade teacher, and his students from St. Michael's

The 4th and 5th grade students from Little Flower School recited their reports on colonial plantation life and St. Michael's 4th grade students sang the Maryland state song.

SENIOR TAX CREDIT PROGRAM

Commissioner Mattingly updated the Board on his efforts to alleviate senior citizens' concerns resulting from opinions expressed by Ms. Kirkland, Asst. Attorney General, and Mr. Lyons, Maryland Dept. of Assessments and Taxation Attorney, that questioned the constitutionality of the St. Mary's County Senior Tax Credit program legislation. Commissioner Mattingly and a representative from the Commission on Aging and the National Active and Retired Federal Employees Association (NARFE) met with

Ms. Kirkland, Mr. Lyons, Delegates Bohanan and Wood, Senator Dyson's representative, and two other attorneys, to discuss alternatives to the action taken by the Commissioners on February 28th that directed staff to request an opinion from the Circuit Court on the constitutionality issue.

Ms. Kirkland and Mr. Lyons offered to work with the County Attorney on re-wording, as yet undefined, of the current Senior Tax Credit legislation to address the perceived constitutionality issues and provide for the removal of the sunset provision. In addition, the Attorney General's Office

recommended that the Board revise the program to provide for a determination of the senior tax credit annually by establishing a percentage during the budget process.

Commissioner Mattingly requested that the Board authorize the County Attorney to contact the senior citizen representatives that were at the meeting for their confirmation of the issues discussed, and to then contact Mr. Lyons, Dept. of Assessments and Taxation attorney, to discuss possible rewording of the current legislation that would address the opinions expressed regarding constitutionality and provide for an annual determination of the tax credit amount.

The Commissioners agreed to place on their agenda in two weeks a review of the options available regarding the constitutionality questions (to include information on Carroll County's legislation) and consideration of any possible formal action on this matter.

COUNTY ADMINISTRATOR

1. Draft Agendas for March 28, 2006, and April 4, 2006

2. County Administrator (*George Forrest; Elaine Kramer*)

Commissioner Dement moved, seconded by Commissioner Raley, to approve and authorize Commissioner President to sign the Public School Property Transfer Agreement for Old Carver Elementary School and the Budget Amendment which adds \$14,042 to debt service to provide needed funding for FY06 payments due under the Agreement. Motion carried 4-1. Commissioner Mattingly voted no.

3. Department of Finance (*Elaine Kramer, Chief Financial Officer*)

(*George Erichsen, Director, DPW&T; and Phil Rollins, Director, RP&CS*)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the nine Budget Amendments which will close or reduce the listed Capital Projects and return remaining funds to the FIN06 CIP Reserve. Motion carried 5-0.

(*Phil Rollins*)

Commissioner Jarboe moved, seconded by Commissioner Dement, to authorize the Commissioner President to sign the Budget Amendment to transfer \$35,000 from the FIN06 to the Wicomico Shores Tennis Court Replacement. Motion carried 5-0.

4. St. Mary's County Public Schools (*Dr. Michael J. Martirano, Superintendent; J. Bradley Clements, Chief Operating Officer; and Kimberly Howe, Supvr. of Capital Planning*)

Commissioner Dement moved, seconded by Commissioner Mattingly, to authorize the Commissioner President to sign the Budget Amendment in the amount of \$172,356 from completed public school capital projects to the Board of County Commissioners Capital Improvements Program Reserve, as were approved by the Board of Education on March 8, 2006, and to sign the letter to the Board of Education advising of this action. Motion carried 5-0.

Commissioner Mattingly moved, seconded by Commissioner Dement, to authorize the Commissioner President to sign the Budget Amendment in the amount of \$235,000 from the FY 2006 funds for the

Leonardtowntown Elementary School Addition/Renovation project to fund the purchase of two double classroom relocatables required to be in place for August 2006, as approved by the Board of Education on February 8, 2006, and to sign the letter to the Board of Education indicating approval of the reallocation. The FY 2007 funding detail sheets for both projects will be revised to reflect \$235,000 in additional funding for the Leonardtown Elementary School Addition/Renovation project and \$235,000 less in funding for the State Eligible Relocatable Classroom project. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to: 1) sign the Budget Amendment in the amount of \$90,130 from the BOCC Capital Improvements Program Reserve to fund the full cost of the project, which will allow the Board of Education to award a contract for the Town Creek Elementary School Kindergarten addition, as approved by the Board of Education on March 8, 2006; (2) sign the Budget Amendment in the amount of \$75,379 from the BOCC Capital Improvements Program Reserve to fund the full cost of the project, which will allow the Board of Education to award a contract for the Piney Point Elementary School Kindergarten addition, as approved by the Board of Education on March 8, 2006; and (3) sign the letter to the Board of Education indicating approval of the budget amendments. Motion carried 5-0.

5. County Attorney (*Christy Holt Chesser*)

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve the removal of

John B. Norris, III, as Resident Agent for the Board of County Commissioners for St. Mary's County and appoint and designate Christy Holt Chesser as Resident Agent for the Board of County Commissioners for St. Mary's County, Maryland as set forth in the attendant Resolution. Motion carried 5-0.

The Commissioners departed St. Mary's City and reconvened at the Governmental Center for an FY2007 Budget Work Session.

ADJOURNMENT

The meeting was adjourned at 7:15 pm.

Minutes approved by the Board of County Commissioners on _____

Donna Gebicke, Administrative Assistant