

**ST. MARYS COUNTY
BOARD OF COUNTY COMMISSIONERS MEETING
CHESEAPEAKE BUILDING
Tuesday, December 16, 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)

REMEMBRANCE CELEBRATION

The Board of County Commissioners hosted a remembrance celebration in honor of Denis Canavan, Director, Land Use & Growth Management, who passed away on December 3, 2008.

CALL TO ORDER

Commissioner President Russell called the meeting to order at 10:00 am.

ADDITIONS TO AGENDA

Mr. Savich announced two additions to the County Administrators agenda; i.e., a second Homeland Security grant (Public Safety) and a recap of the December 15, 2008, Budget Work Session.

APPROVAL OF CHECK REGISTER

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register for checks dated December 16, 2008, as submitted. Motion carried 5-0.

Commissioner Raley noted the bills included over \$53,000 for disbursement of the FY08 Energy Tax Refunds.

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners meeting of December 9, 2008, as corrected. Motion carried 5-0.

RECOGNITION

Joined by Dr. Andrew Roper, Supervisor of Instruction for Physical Education, Health, and Athletics, the Board presented commendations to members of the Leonardtown High School Girls Soccer Team and their coaches for winning the Maryland 4A State Championship.

COUNTY ADMINISTRATOR

1. Agenda for Special Meeting on December 24, 2008

12/15/08 Baseline Budget Work Session recap (Elaine Kramer, CFO)

Ms. Kramer provided an overview of the results of the previous days work session on baseline estimates for FY2010. She indicated that with the BOCC directed change to reflect a 5% increase in non-grant expenditures for the Sheriff, the status was as follows:

<i>Initial Revision of FY2010 Baseline for Expenditures:</i>	\$200,653,496
FY2010 Baseline for Revenues: (no change)	\$200,602,075
<i>Shortfall of:</i>	\$51,421

Mr. Savich summarized that, based on the current estimates, either 51k will need to be cut from expenditures or that revenues will need to increase. There was discussion about the potential outcomes of State budgetary determination as well as what is an appropriate increase for some of the agencies.

It was determined that the target for the Board of Education should also be a 5% increase in the recurring funding, and that it *includes* the Evergreen School and maintaining the current percentage of ARC funding.

The BOCC then directed that the baseline be revised to incorporate those targets, resulting in the following:

<i>Revised FY2010 Baseline for Expenditures:</i>	\$199,634,096
FY2010 Baseline for Revenues: (no change)	\$200,602,075
<i>Excess of:</i>	\$967,979

Mr. Savich then reiterated that this difference is theoretically what is available to fund other requests, estimation differences, etc. Additionally, emphasizing that this exercise is principally to develop an outlook, a foundation for setting targets for the Board of Education and the Sheriff, and expectations for others submitting budget requests.

Emphasizing the importance of prioritizing budget request items, Mr. Savich said that he had been in contact with several agencies to convey the numbers, adding that the numbers are planning targets to get the budget process started. The recommendation and approval phases of the budget process in March and May - will deal more specifically with updated revenue estimates, actual budget requests, and need to incorporate whatever comes out of the legislative session in Annapolis.

Commissioner Mattingly moved, seconded by Commissioner Raley, that the Sheriffs Office budget be adjusted to five percent, which will add \$255,000 to the Office of the Sheriffs baseline, and that the Board of Educations target of five percent be inclusive of the \$1.19 million for Evergreen. Motion carried 4-1. Commissioner Jarboe voted no and noted that he was the only dissenting vote at the previous days budget work session.

2. **Dept. of Public Works and Transportation** (*George Erichsen, P.E., Dir.;* *Jackie Fournier, Transportation Mgr.;* and *Mary Ann Coontz, Transportation Supervisor*)

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the State of Maryland Department of Transportation Operating Grant Agreement, in the amount of \$2,147,001, and to sign the six related budget amendments that include increases from the BOCC Emergency Reserve (in the total amount of \$41,998) and decreases with in the departments projects to reduce the amount of County funding. Motion carried 5-0.

3. **Dept. of Public Safety** (*David Zylak, Director*)

(*Michelle Lilly, Mgr., Emergency Mgr. Div.*)

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Memorandum of Agreement with the Maryland Emergency Management Agency for the Federal Fiscal Year 2008 Homeland Security Grant Program, in the amount of \$287,208, and the related Budget Amendment increasing the project budget revenues and expenses by \$82,198 in accordance with the actual agreement/award amount. Motion carried 5-0.

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the budget amendment closing out project MD0940, MIEMSS Radio Maintenance, and returning \$10,000 to Supplemental Reserve. Motion carried 5-0.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize the Public Safety Director to apply for the FY09 Interoperable Emergency Communications Grant in the approximate amount of \$100,000 for the purpose of providing training for personnel and a southern regional exercise,

and to require legal and financial department review of grant documents prior to submission. Motion carried 5-0.

4. **Dept. of Economic and Community Development** (*Bob Schaller, Director; Carolyn Laray, Tourism Mgr.*)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the FY2009 County Cooperative Marketing Grant Agreement with the Maryland Tourism Development Board; and to approve and authorize the Commissioner President to sign the Budget Amendment reflecting an increase in the FY2009 Tourism Marketing Grant, Project Number MD0917, by \$2,341. Motion carried 5-0.

5. **Dept. of Recreation and Parks** (*Phil Rollins, Director*)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Memorandum of Understanding with the Maryland State Highway Administration for FY09 National Recreational Trails Program funding for Phase V of the Three Notch Trail in the total amount of \$30,000. Motion carried 5-0.

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to execute the revised FY09 Program Open Space grant application and project management agreement for Phase V of the Three Notch Trail in the total amount of \$276,408, and to sign the related budget amendment that realigns \$175,000 from the Phase IV A project PA0106 to the Phase V project PA0804. Motion carried 5-0.

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the FY09 Maryland Heritage Areas grant agreement and related assurances in the total amount of \$92,500 for the Piney Point Lighthouse Museum, and the related budget amendment that decrease the project RF0103 by \$7,500 to align the project with the actual grant award. Motion carried 5-0.

**DEPT. OF LAND USE AND GROWTH MANAGEMENT: REQUEST
EXTENSION OF TIME TO CONSIDER PROPOSED ZONING TEXT
AMENDMENT TO ALLOW DIGITAL SIGNS FOR ON-SITE ADVERTISING**

Present: Phil Shire, Acting Director
Yvonne Chaillet, Planner IV

Staff presented the zoning text amendment to the Board of County Commissioners as a first reading on September 9, 2008. On December 8, 2008, the Planning Commission

conducted its public hearing and discussion and a decision is expected at their next meeting on January 12, 2009.

January 12, 2009, is the 125-day deadline for completion of the text amendment established by Resolution 2005-03. Staff requested extending this deadline until March 31, 2009.

Commissioner Dement moved, seconded by Commissioner Mattingly, to extend until March 31, 2009, the deadline imposed by Resolution 2005-03 for approval of a proposed zoning text amendment pertaining to digital signs for on-site advertising. Motion carried 4-1. Commissioner Jarboe voted no and cited concern that this action would be going in the wrong direction, and that his preference would be to do a comprehensive review, rather than piecemeal amendments.

DEPT. OF LAND USE AND GROWTH MANAGEMENT: DECISION ON PROPOSED ZONING TEXT AMENDMENT TO ALLOW SMALL WIND ENERGY SYSTEMS FOR ON-SITE CONSUMPTION

Present: Phil Shire, Acting Director
Yvonne Chaillet, Planner IV

The Board of County Commissioners held its public hearing on November 3, 2008, which was continued to November 18, 2008. Public testimony in support and in opposition was presented. The open record period was in effect until December 9, 2008, to allow the Navy time to respond in writing and to allow the Planning Commission time to hold a work session and make a recommendation.

Commissioners Russell and Raley attended a meeting with representatives from the Patuxent River Naval Air Station on December 5, 2008. As a result of this meeting, building permits will be sent to a representative of the Patuxent River Naval Air Station for review relative to potential interference with military activities.

It was noted that a TEC (Technical Evaluation Committee) review is not required and that the Critical Areas Commission (Mr. Serey) is not looking at requiring variances. It was further noted that although the amendment allows small wind systems in all zoning districts, no structures are allowed on piers.

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and sign the proposed Zoning Ordinance Text Amendment to allow a small wind energy system as an accessory structure in all zoning districts for on-site consumption. Motion carried 5-0.

COMMISSIONERS TIME

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

OPEN HOUSE EVENT

The Commissioners hosted a Christmas Open House for County Employees, held at the Chesapeake Building, beginning at noon.

JOINT BOARD OF COUNTY COMMISSIONERS & BOARD OF EDUCATION MEETING (held at the St. Marys County Public Schools, Division of Supporting Services Training Room, 27190 Loveville Rd.)

Present:

Mr. Bill Mattingly, Chairman, Board of Education

Ms. Cathy Allen, Vice Chair

Ms. Marilyn Crosby, Member

Dr. Sal Raspa, Member

Ms. Mary Washington

Dr. Michael Martirano, Superintendent, SMCPS

Brad Clements, Chief Operating Officer

Linda Dudderar, Chief Academic Officer

Mr. Gregory Nourse, Director of Fiscal Services, SMCPS

Mr. John Savich, County Administrator

Ms. Elaine Kramer, Chief Financial Officer

Donna Gebicke, Recorder

Mr. Savich reviewed the Board of County Commissioners budget work session from the previous day and further discussions from this mornings business meeting. The Board agreed this morning to keep the Board of Educations FY2010 funding target at 5%, but to include the funding for the start up of Evergreen Elementary in the 5%, which is a total increase of \$3,806,910. Budget targets are not commitments, but planning targets. Final funding could be higher based on the request and if funds are available. Requests are due February 6, 2009. There is still a great deal of uncertainty going forward as to state cuts and revenue information.

Dr. Martirano reviewed cost saving measures undertaken by the school system, including closing down over the holidays which will save approximately \$100,000. He also reviewed the demands they are facing in program areas and the opening of Evergreen, as well as the challenges of rising health care costs, the volatility of fuel and energy costs, OPEB, and the possibility of pension costs coming to the counties from the state. The Board of Education will be considering whether to pay off the mortgage on Moakley Street, which is \$525,000 annually and is in year eight of 15.

Mr. Savich agreed to keep the Board of Education informed of any change in circumstances or information from major revenue sources as they occur.

Linda Dudderar reviewed the 2008 Bridge to Excellence Master Plan Annual Update. Under the Bridge to Excellence Act, each school system was required to develop a five-year Master Plan linking funding from federal, state, and local sources to strategies designed to improve student achievement and school performance. Plans are updated annually. The Plan includes an analysis of Master Plan progress, local school system applications for Elementary and Secondary Education Act grants and the State Fine Arts grants, and additional federal and state reporting requirements.

The 2009 joint meetings are scheduled for July 14 and Dec 8.

ADJOURNMENT

The meeting adjourned at 3:28 pm.

Minutes Approved by the Board of County Commissioners on _____

Betty Jean Pasko, Sr. Admin. Coordinator (Recorder)