

Minutes of the County Commissioners of Worcester County, Maryland

March 1, 2011

James C. Church, President
James L. Purnell, Jr., Vice President
Judith O. Boggs
Madison J. Bunting, Jr.
Louise L. Gulyas (Absent)
Merrill W. Lockfaw, Jr.
Virgil L. Shockley

Following a motion by Commissioner Purnell, seconded by Commissioner Shockley, with Commissioner Gulyas absent, the Commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 10-508(a)(1), (4), and (7) of the State Government Article of the Annotated Code of Maryland and to perform administrative functions. Also present at the closed session were Gerald T. Mason, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Sonny Bloxom, County Attorney; Kathy Whited, Budget Officer; Kim Moses, Public Information Officer; George Bradley, Director of Human Resources; Warden Ira F. "Buck" Shockley; and Health Officer Debbie Goeller. Topics discussed and actions taken included: hiring several safety sensitive positions, including Gregory Smith as a Communications Clerk Trainee in Emergency Services; promoting Captain Bendetta Blake to Assistant Warden, Classification and Services, at the County Jail; approving hiring Robyn Zenzinger as Assistant State's Attorney and Steve Rakow as grant funded Drug Court Attorney for the State's Attorney; nominating Christina Welch and Arlene Page for appointment to the Wor-Wic Community College Local Advisory Council, appointing Roy Case to the Board of Electrical Examiners and Arlette Bright to the Social Services Board; reappointing Dean Ennis to the Agricultural Reconciliation Board; receiving legal advice from counsel; and performing administrative functions.

Commissioner Gulyas was absent from the meeting.

After the closed session, the Commissioners reconvened in open session. Commissioner Church called the meeting to order and announced the topics discussed during the morning closed session.

The Commissioners reviewed and approved the minutes of their February 15, 2011 meeting, as presented.

The Commissioners met with Chief Administrative Officer Gerald T. Mason to receive public comment on the proposal to dispose of a 1991 Chevrolet cube van, previously used by the Sheriff's Tactical Armed Response Team (STAR) as surplus property to be used for another public purpose by conveyance to the Berlin Police Department for use as a tactical vehicle. Mr.

Mason advised that the proposed disposal was advertised in the local newspapers inviting objection to this proposal; however, no objections had been submitted.

Commissioner Church opened the floor for any objection to the proposed disposal.

There being no objection, Commissioner Church closed the public hearing.

Upon a motion by Commissioner Purnell, the Commissioners unanimously declared the above described property to be surplus property and resolved to dispose of said property by conveyance to the Berlin Police Department at no cost.

The Commissioners presented Worcester County Commission for Women (CFW) Chair Diane McGraw with a proclamation recognizing March as Women's History Month and encouraged citizens to recognize that women of every race, class and ethnic background have made significant contributions to the growth and strength of Worcester County and the nation. Ms. McGraw invited the Commissioners to attend the annual Women's History Month luncheon on March 23, 2011 at 11:00 a.m. at the Clarion Resort Fontainebleau in Ocean City.

The Commissioners presented a proclamation to Red Cross of the Lower Eastern Shore Executive Director John Culp and volunteers Tom Wise and Emma Klein recognizing March 2011 as National Red Cross Month. Mr. Culp presented the Commissioners with a Red Cross flag to be displayed throughout the month. He thanked community members and local government organizations for their financial support, which was used to assist nearly 1,800 people involved in 239 emergencies last year.

Pursuant to the recommendation of Public Works Director John Tustin and upon a motion by Commissioner Shockley, the Commissioners unanimously declared the proposed list of County equipment and vehicles, with the possible exception of the 2004 Ford Crown Victoria, to be surplus property and agreed to notify the public of their intent to dispose of the surplus property by auction on GovDeals.com. The Commissioners further agreed to charge a 7.5% Administrative Fee or a minimum of \$5.00 to the winning bidder to cover fees charged by GovDeals. In response to a question by Commissioner Shockley, Fleet Manager William Powell advised that he believes the transmission in the 2004 Crown Victoria needs to be replaced. Commissioner Shockley advised that the cost to replace the transmission would be far less than the cost to replace this low-mileage vehicle. The Commissioners concurred and directed staff to investigate the full cost of repairing the vehicle. In response to a question by Commissioner Bunting, Mr. Tustin advised that the surplus tires are used, not new tires.

Pursuant to the request of Emergency Services Director Teresa Owens and upon a motion by Commissioner Shockley, the Commissioners unanimously authorized Commission President Church to sign the Addendum to Memorandum of Understanding (MOU) Between the Maryland Department of the Environment (MDE) and the Worcester County Local Emergency Planning Committee (LEPC) for a grant to the LEPC in the amount of \$8,850. Ms. Owens explained that this is an addendum to the annual agreement between the LEPC and MDE for Community Right-to-Know (CRTK) funds, which are used for planning and training activities.

Pursuant to the recommendation of Grants Administrator Kim Johnson and a request from Mary Beth Quillen, Assistant Director of Administration within Social Services, and upon

a motion by Commissioner Shockley, the Commissioners unanimously authorized Commission President Church to sign the FY2011 Rental Allowance Program Grant Application for a grant of \$40,000. Ms. Johnson advised that anticipated grant funds increased by \$10,000 from the prior year.

Pursuant to the request of Economic Development Director Jerry Redden and upon a motion by Commissioner Shockley, the Commissioners unanimously approved a 15-month extension until March 31, 2012 to the original Maryland Community Development Block Grant (CDBG) Subrecipient Agreement between the County Commissioners (Recipient) and the City of Pocomoke (Subrecipient), for the development of a restaurant at the Delmarva Discovery Center in Pocomoke.

The Commissioners reviewed the draft of the County Commissioners' 2011 Strategic Plan, which includes the following top 5 issues in order of rank: Snow Hill High School renovation and addition; Liquor Control Board; Economic Development - Job Creation Initiative and Promote Industry; Transportation - Rail and Roads (US Rt. 113); and Agricultural Protection Campaign/Show of Support. Chief Administrative Officer Gerald T. Mason advised those in attendance that these issues represent the Commissioners' order of priorities, agreed upon by consensus, to receive priority attention during their current term in office. He advised that these priorities are subject to funding availability and could be altered as time goes by. Upon a motion by Commissioner Purnell, the Commissioners unanimously adopted their 2011 Strategic Plan.

The Commissioners met with Development Review and Permitting Director Ed Tudor to review their letter to the Eastern Shore Delegation requesting the introduction and support of draft legislation that would restore the following two provisions to the Forest Conservation Act, which were amended by Senate Bill 666 that took effect October 1, 2009: restoring the threshold for cutting, clearing or grading forest from 20,000 square feet to 40,000 square feet; and restoring grandchildren to the list of allowable intra-family transfers. Mr. Tudor advised that the proposed legislation was introduced as House Bill 1224 - Natural Resources - Forest Conservation Act - Alterations to Exceptions, with a hearing date as yet to be determined. He advised that staff will continue to monitor and provide updates on the proposed bill as more details become available. Commissioner Bunting thanked Delegates Conway, McDermott and Otto for introducing the bill and agreed to testify in favor of the bill at the hearing.

The Commissioners met with representatives from each municipality and reviewed a letter from the Ocean Pines Association (OPA) regarding their Fiscal Year 2012 grant requests from the County.

The Commissioners met with Pocomoke City Council member Diane Downing and Manager Russ Blake. Mr. Blake thanked the Commissioners for their past support and expressed hope that they would be able to preserve the same level of funding to Pocomoke City. He also hoped that the County would continue to partner with the Town to support regional attractions, such as the MarVa Theater and Delmarva Discovery Center even in these trying economic times. Mr. Blake then referred the Commissioners to his letter specifically asking for continued categorical funding as follows: \$400,000 for Economic Development; Liquor License Fees; 50%

of the profits from the Pocomoke Dispensary; 15% credit against tipping fees for recycling efforts; financial corporation tax loss payment; support for the city's ambulance services based on the County formula; fire department funding; and marketing/promotional assistance of \$4,500. Grant requests also included special projects which have regional benefit and interest as follows: \$30,000 in additional reimbursements for ambulance service following the City's takeover of operations in July 2007; industrial development in the form of continued support for the proposed Delmarva Science and Technology Enterprise Park; and support and assistance for tourism and cultural attractions, including the Marva Theater, Delmarva Discovery Center, Sturgis One-Room African-American School House, and Costen House. Commissioner Boggs pointed out that events at both the Marva Theater and Delmarva Discovery Center are well attended by residents from the northern end of the County and stated that non-profits must strive to develop new areas of funding to maintain services in this difficult economy.

The Commissioners met with Town of Snow Hill Mayor Stephen Mathews, who thanked the Commissioners for awarding the Town a \$400,000 grant in FY11 and expressed hope that this level of funding would be granted in FY12 as well to help maintain current services and implement revitalization efforts. He stated that the Town continues to be extremely appreciative of the support offered by the County, not only with regard to funding, but also with town growth and planning.

The Commissioners met with Berlin Mayor Wm. Gee Williams, III, who thanked the Commissioners for their grant of \$400,000 for FY11 and expressed his hope that the Commissioners could maintain this level of funding for FY12 if possible. He advised that these grant partnerships allow the Town to complete vital projects that enhance the quality of life within the community. He stated that funds have been used to install sidewalks, refurbish basketball and tennis courts at community parks, plant trees and address ongoing stormwater management needs. Commissioner Boggs commended Town officials for their successful marketing of local artists and other creative initiatives to boost tourism and the local economy. Commissioner Church stated that the County is proud to partner with the Town, and pointed out that just this morning the Commissioners transferred ownership of a 1991 Chevrolet cube van, previously used by the Sheriff's Tactical Armed Response Team (STAR), to the Berlin Police Department for use as a tactical vehicle at no cost.

The Commissioners met with Ocean City Mayor Rick Meehan. Mayor Meehan stated that in response to difficult economic times the Town eliminated their construction and recycling divisions and are continuing to implement a two-year hiring freeze. He stated that in 2009 the Commissioners increased the level of grants to Ocean City; however, in 2010 and 2011 this amount was reduced by 10%. Mayor Meehan asked that funding be restored to the 2009 level plus 5%. He then referred the Commissioners to his letter specifically asking for \$4,335,484 in grant funds as follows: \$1,107,784 for ambulance; \$130,200 for the Ocean City Volunteer Fire Company; \$105,000 for recreation; \$315,000 for tourism; \$52,500 for the convention bureau; \$105,000 for the Ocean City Development Corporation; and \$2,520,000 in an undesignated grant. He stated that the town sends \$76 million to the County annually and is only asking for 6% of those revenues to be returned in the form of these requested grants. He stated that grant funds are needed to help address many challenges, including a 35% increase in demand for fire and ambulance service in West Ocean City (WOC). In response to a question by Commissioner Shockley, Mayor Meehan provided a detailed report outlining fire and ambulance services in

WOC. Commissioner Church commended Ocean City officials for their efforts to construct a new fire station in WOC.

The Commissioners reviewed a letter from OPA General Manager Bob Thompson requesting police funding of \$524,897 as well as funding of \$500,000 to address flooding on Beauchamp Road. In his letter, Mr. Thompson pointed out that Ocean Pines is home to more 12,000 full-time residents, with the properties valued at almost 19% of the total assessed value of Worcester County.

On behalf of the Commissioners, Commissioner Church extended his thanks to representatives from each of the towns for meeting with them.

The Commissioners met with Development Review and Permitting (DRP) Director Ed Tudor to review and discuss House Bill 1107 and Senate Bill 846 - Sustainable Growth and Agricultural Preservation Act of 2011. Mr. Tudor advised that all of the provisions of HB1107/SB 846 seek to modify various portions of Sections 9-501 and 9-512 of the Environment Article of the Annotated Code of Maryland, and this bill has caused a great deal of controversy Statewide, especially with regard to its implications to development in rural counties. Mr. Tudor explained that the most notable provisions of the bill are those that establish a requirement that after July 1, 2011 all major subdivisions must be served by either a publicly-owned sewerage system or a community sewerage system, shared facility or a multi-use sewerage system. He stated that the bill would place additional limitations on minor subdivisions, specifically by prohibiting any future minor subdivision of a parcel after an initial subdivision occurring after July 1, 2011.

Mr. Tudor explained that if an individual created a single lot from a parcel after July 1, 2011, that individual would never be able to re-subdivide the parent parcel (or the lot) to get the additional lots to which he or she is entitled. Therefore, all of the available lots would have to be created at the same time to avoid foregoing that subdivision right. He stated that the hearing on HB 1107 is scheduled for March 11, 2011 at 1:00 p.m., and the Maryland Association of Counties (MACo) has asked the County to comment on two specific questions: does your county restrict the use of septic systems in new major developments (5 or more lots, plats, building sites or other divisions of land) or other circumstances, and if so how and what geographic area of the County does the restriction apply; and if this bill passed, what impact would it have on your county. To these questions, Mr. Tudor noted that the County does not prohibit the use of septic systems for any size or type of subdivision. Rather, the Comprehensive Plan establishes a general guideline that "community scale" development (over 100 units) be served by public services. He stated that the impact of the legislation, if passed, would be substantial. First and foremost, the cost of subdividing even a single lot would increase with the pre-treatment requirement for all minor subdivision lots. Also, there would be a possibility of increasing sprawl if individuals elect to create a series of minor subdivisions on adjacent or nearby parcels to avoid the requirements of being a major subdivision, a move that is in direct conflict with the many techniques incorporated in the Zoning Ordinance and new zoning maps that consolidate or cluster development that otherwise would have been spread out over several parcels.

Commissioner Shockley stated that this is one of the worst bills ever written, as it would destroy farming and wipe out the goals the Commissioners set forth in the Comprehensive Plan. In response to a question by Commissioner Church, Mr. Tudor stated that under this bill a minor

subdivision would be defined as four lots or less. Commissioner Boggs stated that Worcester County is not alone in opposing this bill; rather, every rural county in Maryland stands opposed to the bill. In response to a question by Commissioner Boggs, Mr. Tudor stated that he has spoken at length with State officials and expects to see some substantial amendments added to the bill to protect subdivision rights from being extinguished, as such a move would be counterintuitive to smart growth. He stated that this bill wrongly attempts to use sewer to regulate smart growth. Commissioner Church stated that this is the worst piece of legislation he has ever seen and advised that the County should team up with other government and private entities, such as the Coastal Association of Realtors, to present a united front in opposing this bill.

The Commissioners met with Assistant Finance Officer Phil Thompson to discuss a request for a tax abatement on property to be purchased by the Ocean City Development Corporation (OCDC) for a period of three years pending a planned redevelopment project in Ocean City. Mr. Thompson advised that the OCDC plans to purchase three parcels for a new mixed-use project. He advised that the existing structures are being demolished and the assessed values for the vacant properties and subsequent County taxes are as follows: \$259,250 for 110 Dorchester Street, with a tax of \$1,815; \$420,000 for 109 Talbot Street, with a tax of \$2,940; and \$525,000 for 107 Talbot Street, with a tax of \$3,675. He stated that these properties represent a total assessed value of \$1,204,250 and will generate property taxes of \$8,430 annually. He advised that the OCDC is requesting reimbursement for the property taxes that will be paid on these properties for the next three years, a short-term tax abatement that OCDC staff feel will be easily offset by a future development paying much higher property taxes. It was noted that prior to redevelopment the parcels will be used to provide seasonal parking. Commissioner Bunting pointed out that it would be premature to grant the tax abatement request until it is determined whether the properties in question will be generating revenue for the OCDC. Following some discussion, the Commissioners agreed to temporarily table the issue while awaiting further information regarding parking revenues.

The Commissioners met with Dr. Jon Andes, Superintendent of Schools, and Board of Education (BOE) President Bob Hulburd and members Garry Mumford, Sara Thompson and Doug Dryden to review and discuss the BOE's FY12 requested budget. Mr. Hulburd thanked the Commissioners for their past and continued support, noting that while times are tough, they must work together to continue to make Worcester County the best school system in the State.

Dr. Andes stated that the proposed FY12 Maintenance of Effort (MOE) budget is \$71,939,828, with fixed business cost increases of approximately \$665,328. He stated that the BOE remains committed to the seven budget goals tied to the mandates of "No Child Left Behind" and the initiatives of the "Race to the Top" program as follows: maintain small class sizes; recruit, hire and retain highly qualified teachers and staff; provide educational services to support students and staff; provide materials, textbooks, and equipment required to support instructional programs; provide and maintain safe, efficient, and clean school buildings, adequate playgrounds and athletic fields; and provide employees with ongoing training to improve teaching and learning. He then reviewed a PowerPoint entitled "FY2012 - The Faces of Excellence," which highlighted the accomplishments of the school system overall. He stated that

the Worcester County ranks third in the State overall for the percentage of students scoring proficient/advanced on the 2010 Maryland School Assessment (MSA), ranking first in mathematics and sixth in reading for Grades 3-8, with student scores ranking above the State in each grade level. He advised that Worcester County also has the third lowest drop-out rate and fourth highest graduation rate in Maryland. He advised that 81% of the 2010-2011 graduating class plan to attend college, 12% plan to enter the employment arena, and the remaining 7% plan to enter the military. He then reviewed ongoing challenges to the school system as follows: closing the achievement gap; and meeting High School Assessment (HSA) graduation requirements. Dr. Andes advised that all 14 public schools are accredited by the Middle States Association of Colleges and Schools, an accomplishment achieved by only two other Maryland school systems; 8 out of 12 eligible schools are Maryland Blue Ribbon Schools of Excellence; and 4 schools are National Blue Ribbon Schools. He advised that ongoing goals include improving student achievement for all students by eliminating gaps that exist for African American and special education students and maintaining small class sizes; recruiting, hiring and retaining high-quality staff; enhancing safe learning environments; increasing the percentage of students who graduate on-time and continuing to reduce the dropout rate; increasing access to technology; improving school facilities; and increasing parent and community involvement. Lastly, Dr. Andes reviewed financial issues as follows: Sources of Funding for FY11, consisting of 73.5% County Funding; 17.6% State Funding; 8.1% Federal Funding; and 0.8% Other Funding; How Funding is Used in FY11, with 81% of funding being spent in the classroom; over one-third of students come from households of poverty, which is higher than the State average; State aid per pupil, which is the second lowest in the State at only \$2,767; and Cost Saving Measures that have been implemented to develop a Maintenance of Effort (MOE) budget. Dr. Andes advised that the MOE Budget accommodates federal reductions of over \$950,000 to Special Education programs, with the MOE increase of \$600,000 (due to an increase of 53 students) to be used to help offset those reductions; and no change in State aid is anticipated. He further advised that the proposed budget includes no salary increases for the third consecutive year; and eliminates 12 positions (for an anticipated savings of about \$389,000). He then reviewed future challenges.

In response to a question by Commissioner Shockley, Dr. Andes agreed to provide information regarding the amount of State funding provided for student transportation and the cost to implement the Race to the Top program when BOE officials meet with the Commissioners on Tuesday, March 8, 2011 during their Budget Work Session.

Commissioner Church thanked Dr. Andes and acknowledged the outstanding efforts of the BOE, faculty, teachers and students to maintain one of the best school systems in the State and nation. He lamented that the US has fallen from 1st to 12th in the world in education and expressed his desire to do what he can to continue educating our kids.

The Commissioners met with Dr. Andes to discuss the proposed transfer of 10 portable classrooms from Pocomoke High School (PHS), where they were used to provide temporary instructional space during a portion of the ongoing renovation and addition project, to Snow Hill High School (SHHS) in anticipation of the future renovation and addition project. Dr. Andes advised that the PHS project is in the final phase of construction, with an anticipated completion date of June 15, 2011. However, before the project can be completed, the portable classrooms must be moved. He advised that it would cost approximately \$230,000 to complete the task and

consist of the following costs: \$60,000 to breakdown at PHS; \$60,000 to provide electrical service at SHHS; \$65,000 to provide data/communications/alarm wiring; \$10,000 to disconnect and cap existing electrical, data, communication and alarm wiring at PHS; \$15,000 sitework preparation at SHHS; and \$20,000 to provide asphalt sidewalks from the building to the portables at SHHS. In contrast, Dr. Andes stated that if the BOE sells the portables and buys new portables for SHHS later, the total net cost is estimated to be \$410,000. In response to a question by Commissioner Shockley, Dr. Andes advised that the portables were purchased new for use during the PHS project and remain in good condition. BOE Facilities Manager Joe Price advised that the PHS project is currently on budget, but it is unlikely that there would be funds remaining in the project contingency fund to cover the \$60,000 cost to breakdown the portables at PHS. Chief Administrative Officer Gerald T. Mason advised that funds should be available in the contingency fund to cover these costs, as removal of the portables is part of the project; however, in the interim, funds are immediately available within the SHHS design fund budget for this expense. Following some discussion and upon a motion by Commissioner Purnell, the Commissioners unanimously committed to relocating the existing portables to SHHS and agreed to fund the project with at least partial funds from the PHS contingency fund, if available, and the remaining funds from the SHHS design budget and/or other sources.

Coastal Hospice President Alane Capen and Development Director Maureen McNeill met with the Commissioners to garner their support for a project to construct a hospice residence in northern Worcester County. Ms. McNeill presented a PowerPoint to the Commissioners entitled "Coastal Hospice at the Ocean - A Hospice Residence," which outlined the Coastal Hospice Mission to promote dignity and quality of life for patients and families who face life-limiting conditions; Continuum of Care; The Patient-Centered Team; Services Provided; Admission Criteria; Patient Illnesses; Levels of Hospice Care; Hospice Reimbursement; Average Daily Census, and Length of Stay; Where Coastal Hospice Care Takes Place; Why Expand Service; The Need Is Growing, especially in Worcester; Senior Population Concentrated in two Counties - Wicomico and Worcester; Coastal Hospice at the Lake; and Coastal Hospice at the Ocean. Ms. Capen presented design renderings of the proposed 17,000 square-foot facility to be equipped with six patient rooms to be constructed at a cost of approximately \$4.8 million. She outlined the proposed use of the facility and the economic benefits, which include the creation of 24 new jobs at Coastal Hospice & Palliative Care.

Commissioner Boggs commended Ms. Capen on the proposed design, which she felt would mesh well with the existing development in the community. In response to a question by Commissioner Boggs, Ms. McNeill advised that while one of the criteria for admission to hospice care is the diagnosis of a terminal illness with a one-year prognosis; and, though the average length of care is 50 days, with a median of 14 days, Coastal Hospice has provided care to clients who have lived for two or more years as their symptoms were controlled. In response to a question by Commissioner Bunting, Ms. Capen advised that Coastal Hospice officials are negotiating the purchase of a six-acre property in the Berlin area to serve as the site of the proposed Coastal Hospice at the Ocean. Commissioner Bunting stated that the building is beautiful, but such elaborate architecture adds expenses. Ms. Capen advised that a great deal of engineering has gone into the design of the facility to meet the medical needs of patients while

maintaining a homey environment. She explained that they are trying hard not to create a nursing home type of environment, and that the intent is to make it more homelike.

In response to a question by Commissioner Lockfaw, Ms. McNeill advised that Coastal Hospice chose the Berlin area to serve as the site for their new facility, since the majority of Worcester County residents requiring palliative care reside in the northern end of the County. In response to a question by Commissioner Church, Ms. McNeill stated that Coastal Hospice staff would eventually like the Commissioners to provide them with a letter of support for the project, as they work to raise interest and awareness of the project in the community. Commissioner Shockley recognized the excellent care that Coastal Hospice staff provided to his family when his mother was ill. Following some discussion, the Commissioners voiced their support of the proposed project and wished Ms. Capen and Ms. McNeill well as they move on to the next phase of the project.

The Commissioners answered questions from the press, after which they adjourned to attend a luncheon meeting with the Board of Education and Colonel James Lenard, with Region 6 of the Marine Corps Junior Reserve Officer Training Corps (JROTC) Program based out of Quantico, Virginia.

After lunch, Dr. Andes explained that the BOE had recently been advised that the MJROTC programs at Snow Hill High School (SHHS) and Pocomoke High School (PHS) were on a list of potential programs to be cancelled or consolidated. He stated that the BOE and Commissioners appreciated the opportunity to meet with Colonel Lenard to express their strong support for the continuation of these two programs.

Colonel Lenard stated that the Marine Corps must either eliminate or consolidate various programs throughout the country to address budget constraints, and the purpose of his visit to Worcester County was to personally inspect and provide recommendations to his superiors on whether or not to continue these two programs. He reviewed the details of his tour of PHS earlier that morning, noting that he was very impressed by the phenomenal facility designed to house the program as well as the program itself, and stated that he expected to find a similarly outstanding program waiting for him when he visits SHHS later that afternoon. He stated that based on the ongoing success of the programs and particularly the support from the BOE and the Commissioners, he would recommend both programs be allowed to continue. However, the final decision on whether to close the programs is not his to make. He advised that approximately 75 students or 15% of those enrolled at each school participate in the program, thereby exceeding the minimum 10% enrollment requirement outlined in existing legislation. However, the Marine Corps must reorganize and expand their ranks within the next 10 years, and the only way to do so would be to eliminate or consolidate smaller programs that were not meeting the minimum enrollment standards and add larger schools with a minimum enrollment of 100 students in the MJROTC program. In closing, Colonel Lenard recognized that both programs perform well above the minimum program standards and agreed to advocate for their continuation.

Dr. Andes thanked Colonel Lenard for his support, advising that students who participate in the JROTC programs go out and do great things in their communities, and those who remain in JROTC for the full two-year program go on to graduate from high school.

BOE members Sara Thompson, Bob Rothermel and Bob Hulburd also thanked Colonel Lenard for his support of these outstanding programs. Commissioner Shockley stated that he has witnessed many high school students go through the JROTC programs, students who likely would have followed much different paths had the JROTC programs not so dramatically impacted their lives for the good. He expressed his full support of the programs.

After lunch, the Commissioners met in closed session.

Following a motion by Commissioner Purnell, seconded by Commissioner Shockley, with Commissioner Gulyas absent, the Commissioners unanimously voted to meet in closed session at 1:25 p.m. in the Commissioners' Meeting Room to discuss legal and personnel matters permitted under the provisions of Section 10-508(a)(4) and (7) of the State Government Article of the Annotated Code of Maryland and to perform administrative functions. Also present at the closed session were Gerald T. Mason, Chief Administrative Officer; Kelly Shannahan, Assistant Chief Administrative Officer; Sonny Bloxom, County Attorney; Kim Moses, Public Information Officer; and Economic Development Director Jerry Redden. Topics discussed and actions taken included: considering economic development matters involving business location and expansion in the County; receiving legal advice from counsel; and performing administrative functions.

After the closed session, the Commissioners reconvened in open session. Commissioner Church announced the topics discussed during the afternoon closed session.

The board adjourned to meet again on March 15, 2011.