



Southern Maryland Agricultural Development Commission
Special Meeting Monday, December 6, 2021, at 8 a.m.
Minutes

Voting Members: Senator Jack Bailey, Joan Bearden, Corinthia Briscoe, Dan Donohue Edward Goodman, Bill Hitte, Guy Kilpatric, Deana Tice, Lucille Walker, and Mary Wood.

Staff: Craig Sewell, Shelby Watson-Hampton, Susan McQuilkin.

A special meeting was called for voting members to discuss revisions to the Memorandum of Understanding (MOU) between the Southern Maryland Agricultural Development Commission of the Tri-County Council for Southern Maryland (SMADC/TCCSMD) and the Commissioners of St. Mary's County for the construction of the Regional Agricultural Center (RAC).

Background

The current MOU terminates on December 23, 2021. A Board consensus and vote are required to ratify a revised MOU as presented and meet a stringent timeline to submit to the TCCSMD Executive Board for final approval by December 7, and if approved to submit to St. Mary's County Government by December 9, to be included in the Agenda for the St. Mary's County Commissioners' meeting on December 14, 2021.

During the SMADC Board Executive Session on December 2, 2021, voting members reviewed the Draft MOU (version November 30, 2021) submitted by St. Mary's County Government and made a recommendation for revisions to the following topics:

- lease terms – to renew with 'tenant's option'
- timeline for completion – fourth quarter 2023, not acceptable
- re-instate all RAC construction details (building space summary)
- 'return' of funds pending premature termination/cancellation of MOU
- omit the audit of SMADC books at Commissioners' request.

A revised MOU with SMADC Board recommendations was submitted to St. Mary's County Commissioners on Friday December 3, 2021. After discussions with SMADC Staff, Director and Chairs, the St. Mary's County Commissioners returned the MOU the same afternoon, with major areas of concern addressed with favorable accommodations:

- RAC building space summary re-instated.
- Audit taken out.
- 'Return of funds' portion was addressed in the following way in two different areas of the document. The clause is as follows:

- a) Termination of Grant Funds: St. Mary's County will utilize the Grant Funds in the development and construction of the RAC. If St. Mary's County fails to perform in a timely and effective manner its duties, responsibilities, and obligations under this MOU, Tri-County Council and/or SMADC reserves the right to immediately terminate this MOU. In the event of such termination, St. Mary's shall return a portion of funds provided by SMADC according to the following:
- i) If less than \$3,000,000 has been expended, the County shall return \$360,000 of SMADC's funds.
 - ii) If \$3,000,000 or more has been expended, the County shall return \$540,000 of SMADC's funds.

Chairwoman Wood and Vice Chair Walker commended Craig Sewell for his tireless efforts over the past years and months to bring about a successful conclusion to the RAC MOU negotiations. SMADC Chairs also extended sincere thanks to Senator Bailey for his leadership and counsel. Senator Bailey assured members of his support and commitment to the RAC project going forward.

Chairwoman Wood affirmed the current MOU (as received) offers terms which are acceptable and recommended consideration to approve the MOU as presented and submit to the TCCSMD Executive Board for ratification on December 7.

Following a discussion, Joan Bearden made a motion to accept the MOU as presented between SMADC/TCCSMD and the Commissioners of St. Mary's County for the construction of the Regional Agriculture Center (RAC). Deana Tice seconded the motion, all approved.

Dan Donohue made a motion to adjourn the meeting. Joan Bearden seconded, all approved.