



The Queen Anne's Chronicle

CELEBRATING QUEEN ANNE'S COUNTY

INFORMING THE CITIZENS

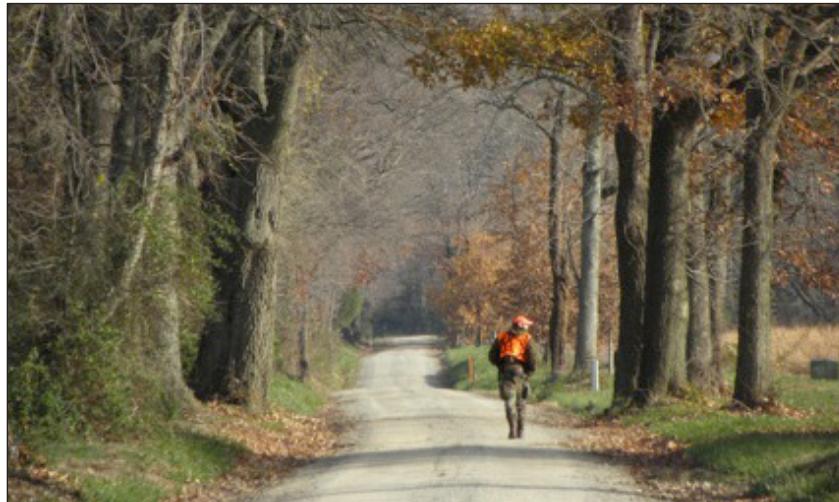
THE VALUE OF SHARING "THE VISION WE SHARE"

By MARY CAMPBELL

All summer long, we saw cars and trucks pulling boats rigged with fishing gear. Now, as we head into fall and winter, we see trucks parked next to a woods, we spot a deer stand in the trees, or notice a hunting blind in a field or on the water. Increasingly, we see cars stopped by the road side, with passengers looking at an eagle or a flock of snow geese, or watching a fox.

Those of us who live here are not the only ones who enjoy our outdoor recreational advantages. Like our wonderful summer farm stands with their just-picked local produce, we have year around what city folks seem to miss and want — the opportunity to enjoy the outdoors, the big skies, the fields and forests, the creeks, the rivers, and the Bay — all of them with a variety of abundant wildlife.

We wondered about the impact on our area of all this hunting, fishing, and wildlife-watching. *The Chronicle* has noted the contributions that our lands and waters make to our economy through agriculture, our County's leading industry, and through commercial fishing and crabbing. But do economic benefits also flow from the recreational uses of our lands and waters? What are the economic benefits from being a beautiful, accessible place for hunting, fishing, biking, boating and



Hunter on Wye Island

Photo Credit —David Godfrey

wildlife-watching?

The TRCP Economic Study

As it turns out, the Theodore Roosevelt Conservation Partnership (TRCP) has recently completed a study of how much the economy of the Delmarva is driven by outdoor enthusiasts and sportsmen and sportswomen (including those who "hunt" with binoculars or cameras). Composed of 34 partner organizations from across the nation, including Ducks Unlimited, the American Sportfishing Association, the Public Lands Foundation, the National Fish and Wildlife Foundation, and the Izaak Walton

League, TRCP pursues a mission to guarantee all Americans quality places to hunt and fish and to enjoy outdoor activities.

The Director of TRCP's Center for Agricultural and Private Lands is Steve Kline, a seventh-generation Marylander who lives right here in Centreville. "As both conservationists and sportsmen, we've really had to change the nature of the conversation. In these times of tight budgets and slow economic growth, we have to make the case for conservation in economic terms. And here on Delmarva, the impact of hunters and anglers on the economy

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BUDGET SURPLUS: FISCAL YEAR 2012 – A VERY GOOD YEAR

At a well-attended special session held by the County Commissioners on August 13, citizens were presented with a daunting financial report. County revenues and expenditures would be at break-even for FY 2012 and FY 2013, but then the forecast was for deficits to begin and grow alarmingly from 2014 through 2016.

Less than one month later, however, in a Financial Review presented to the Commissioners on September 11, the County was reported to be finishing FY 2012, not at break-even, but with a *surplus* of over \$7 million.

Commissioner Simmons noted how remarkable this report was and asked when it would result in a revision of the forecast presented on August 13. The answer was sometime after November.

Awaiting the revised forecast, *the Chronicle* thought it would be useful to take a look at how the surplus emerged and what that might mean for the future.

Fiscal Years and Budgets

The County's 2012 fiscal year began July 1, 2011 and ended June 30, 2012. Thus, the Commissioners adopted the budget for FY 2012

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QUEEN ANNE'S COUNTY, JULY 1, 2011 – JUNE 30, 2012

Revenues: \$111,733,712 – \$5,473,766 above budget

Expenditures: \$104,474,973 – \$1,784,973 below budget

Surplus for the Year: \$7,258,739

Year-end Fund Balance: \$12,881,746 – previous year: \$5,623,007

Sources: September 11, 2012 Financial Review, at <http://www.qac.org/Docs/Finance/Budget/September2012.pdf>; and August 13, 2012 - Workshop Handout, at http://www.qac.org/Docs/Finance/Aug%2013%20Presentation_Finance.pdf



Photo Credit –David Joseph Godfrey

David Godfrey with a rockfish he caught, tagged, and released on a man-made reef in Prospect Bay - a reef he helped establish and then monitored for three years as a volunteer in a DNR program.



Photo Credit –David Godfrey

Here they come! Canada geese arriving in Queen Anne's County in early November. Last year, Canada geese counts were way down in QAC because, many say, the geese remained up in Pennsylvania's fields, feasting on an abundance of unharvested corn. Combines had been unable to harvest Pennsylvania's crop flattened by late summer and early fall storms.

FINDING ANDROMEDA AT TUCKAHOE (OR ANOTHER DARK SPOT IN QAC)

“On a clear moonless night, look directly overhead at the four stars that make up the Great Square of Pegasus -- they are easy to find. Off the northeast corner star, two arms will branch out. Along this branch, just north of the second star out, will be a fuzzy spot which is **our sister galaxy, Andromeda** -- 2.5 million light years away, and the only object outside of our galaxy (the Milky Way) that is visible to the naked eye.

“Tuckahoe is one of the few places where you can still see Andromeda with the naked eye on a moonless night. If you can't see it at first, look away, then back, a couple of times, and you will see it pop into view as you utilize your eyes' rod cells.”

—Jerry Truitt, *Delmarva Stargazers*

The Value of Sharing, continued from Page 1

is profound,” says Kline.

Natural areas, as the TRCP study notes, contribute to local economies in four principal ways: (1) outdoor recreation, (2) nature conservation (ecosystem benefits, visits to natural areas, enhanced property values), (3) commercial fishing, and (4) agricultural production. The TRCP study deals with all these benefits, but in this beautiful fall season, we were most interested in their findings about outdoor recreation.



Photo Credit –David Godfrey

Although TRCP did not specifically break out statistics for Queen Anne's County, the numbers in the study strikingly show the value of the “outdoor recreational economy” of Delmarva, to which our county is widely heralded as the gateway:

- **Camping, biking, and trail-based recreation** in Delmarva has a positive economic impact of \$1.07 billion per year and generates more than 11,000 jobs. Of the \$1.07 billion,
 - \$80 million is in gear retail sales,
 - \$830 million is in trip-related sales, and
 - more than \$150 million is in federal, state and local taxes.
- **Recreational boating** contributes \$1.3 billion in sales and supports 11,000 jobs that pay more than \$400 million in wages.
- **Hunting, fishing and wildlife-watching** engage more than 1.6 million people on the Delmarva who spend \$1.4 billion to enjoy those activities.
 - Fishing: \$510 million
 - Hunting: \$256 million
 - Wildlife-watching: \$626 million
- Combined, **outdoor recreationalists** of all kinds annually spend \$3.8 billion to pursue their interests in the natural areas of the Delmarva, and they support over 27,900 jobs!

As Kline sums it up, “our fields and forests, and of course our Chesapeake and her tributaries, fuel a powerful economic engine. These data make the case that in Queen Anne's County, conservation must be featured prominently in any economic development plan.”

“THE VISION WE SHARE”

The VISION is to continue the ethic that the County remains a quintessential rural community with the overall character of the County preserved as:

- A predominantly rural county with small towns connected by creeks and county roads through fields and forest – **a great place to live;**
- A county that encourages agriculture, seafood and maritime industries, tourism and outdoor sports, small business and high tech enterprise – **a good place to work;**
- A county that is a faithful steward of its natural and cultural heritage – **a good neighbor for the Bay and other Eastern Shore counties;**
- A county in which development does not impair the quality of life enjoyed by all – **a community that protects the expectations and opportunities of all its citizens;**
- A county that supports the **highest quality of education** that seeks to fully prepare its citizens for the future.

(Queen Anne's County 2010 Comprehensive Plan, “Overall Community Vision”, page 2)

CASTING YOUR VOTE ON APFO REVISIONS, BIG BOX: A VOTER'S GUIDE

Here we are at the “Presidential General Election”, with six days of early voting (see below) and then the traditional Election Day itself, November 6. This year on the ballot, after the candidates for the presidency and other offices, there are nine “Questions” presented for us to vote on.

The first seven Questions, numbered consecutively, are State-wide questions, the first three of which deal with minor constitutional amendments, while the last four are “Referendum Petitions” of much more general interest: the Dream Act, Congressional redistricting, gay marriage, and casino gambling.

The last two Questions, identified by the letters A and B, are presented only to the voters in Queen Anne’s County. Both of these Questions are titled “Local Referendum by Petition” (that’s how they got on the ballot). Question A says it deals with “Revisions to the Adequate Public Facilities Ordinance”, and Question B says simply “Maximum Gross Floor Area”.

After a few lines of not very informative small print about each Question, we are invited in bold type to vote **For** or **Against** “**Revisions to the Adequate Public Facilities Ordinance**” and **For** or **Against** “**Elimination of the Gross Floor Area Limitation**”.

These two questions are in the last place on the ballot, but they deserve the careful attention of QAC voters. Here are two instances in which we get to say directly what kind of County we want to live in.

(Full disclosure: Queen Anne’s Conservation Association, publisher of the *Chronicle*, is “against” on both questions.)

Question A: Revisions to the Adequate Public Facilities Ordinance

The County’s existing Adequate Public Facilities Ordinance (“APFO”) can have the effect of delaying new subdivisions and other development projects if they would add to school overcrowding or traffic congestion. The Revisions to APFO that we are voting on would change APFO so that it won’t have this delaying effect.

The Revisions accomplish the goal of smoothing the path for new developments mainly by lowering the “level of service” standards for schools and roads:

- Under existing APFO, a school is over-crowded (i.e. not giving the desired level of service) if its enrollment exceeds 100% of State-rated capacity. Under Revisions to APFO, there’s no issue of over-crowding until enrollment exceeds 120% of State-rated capacity.
- Under existing APFO, the additional vehicles from a new development cannot impact traffic flows to the point that specified levels of service (i.e. how much back-up occurs at intersections)

are not met. Under Revisions to APFO, the specified levels of service are lowered so that more congestion due to development can be tolerated.

So how should you vote on Question A, Revisions to APFO? That depends, of course, on what you believe about the issues presented:

- If you believe that more development in QAC would be a financial benefit to the County and that issues of school crowding and traffic congestion should not stand in the way, then you should vote FOR on Question A.
- On the other hand, if you believe that school crowding and increased traffic congestion are threats to QAC quality of life and that the delay of some new development is a price worth paying to avoid those threats, then you should vote AGAINST on Question A.

Question B: Elimination of the Gross Floor Area Limitation

Question B presents the issue of “Big Box” retail stores. Under present County law, the largest retail store that can be built anywhere in the County is the size of the Kent Island Safeway building, which with its attached retail spaces is just under the 65,000 square foot limit on “gross floor area”. Question B asks voters whether we want to get rid of that (or any other) size limitation -- and, therefore, how we feel about Big Boxes in QAC.

The legislation that is the subject of Question B removes the existing size limitation in only

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Moon Over QAC

Photo Credit—David Godfrey

COURT RULES AGAINST REZONING OF FARMLAND

Reacting to an adverse court ruling, the County Commissioners have dropped their effort to rezone 525 acres of farmland from agricultural to commercial and residential.

Last November, the Commissioners granted landowners’ requests to rezone farmland properties near Wye Mills (Whalou and Foster), Chester (Sattelmaier), and Queen Anne (Sylvester). The vote in favor of each rezoning was 3 to 2, with Dunmyer and Simmons opposing

In August of this year, the Circuit Court issued a final ruling that one of the four rezonings (Whalou) was a plain violation of County zoning law and ruled that the other three rezonings were “prima facie” inconsistent with the County’s Comprehensive Plan and therefore unlawful unless contrary evidence of consistency could be produced.

Three weeks after the court’s decision, the Commissioners decided to give up on trying to argue that the three rezonings

were consistent with the Comprehensive Plan. Accordingly, they instructed their counsel to terminate the litigation by accepting a final judgment that these three rezonings were also unlawful. (See Commissioners’ Meetings, August 28, 2012 elsewhere in this issue.)

What the Court Decided

The *Chronicle* first reported on this litigation in our January/February 2012 issue after nine individuals and four conservation organizations filed a lawsuit, *Bilek v. County Commissioners*, seeking to overturn the rezonings. (Full disclosure: Queen Anne’s Conservation Association, publisher of the *Chronicle*, was one of the conservation organization plaintiffs in the lawsuit.)

As we said at that time, the case was potentially significant because it could result in the first test of a State law passed in 2009 requiring that counties act consistently with their Comprehensive Plans. And that is what happened.

The Circuit Court’s decision, in a nutshell, is that County Commissioners have to “act within their legal boundaries”, and, in the case of land use decisions, one of those boundaries is the County’s Comprehensive Plan.

What’s most interesting about the decision is the guidance it contains for County Commissioners, Planning Commissioners, and other officials trying to make land use decisions that are “consistent with” the Comprehensive Plan. After all, the Comprehensive Plan is a very big document, and it may not always be easy to determine whether a particular land use action – a rezoning, a subdivision approval, whatever – is or is not consistent with it.

What the Court’s Decision Teaches

In answering the question of how you determine whether an action is consistent with the Comprehensive Plan, the Court

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EDITORIAL: COMP PLAN

In this issue of the *Chronicle*, as in earlier issues, there is frequent mention of the 2010 Comprehensive Plan and “The Vision We Share” in the Plan. Especially since State law now requires that County land use decisions must be consistent with the Plan, we thought it would be informative to excerpt a couple of key passages from the Plan that reflect its principal themes. (The bold color type and italics are the Plan’s, not ours.)

First, from the Introduction: “This Plan, as an update to the 2002 Queen Anne’s County Comprehensive Plan, continues to reaffirm our land use ethic to ***maintain the County as a quintessential rural community***. The theme of this update is to ***preserve our connections from the past in order to create the future through sustainability***. A sustainable community consists of strong, attractive and economically thriving neighborhoods supporting all sectors of a community including our agricultural industry, residential neighborhoods, businesses, the government and our natural environment. This Plan builds upon the past ethic to assure the County’s sustainability through enhanced preservation and conservation of agricultural land along with our cultural resources, while also managing growth in order to reduce sprawl by directing growth to locations in existing communities and designated planning areas, promoting economic development and protecting our sensitive natural resources.”

Second, from the Land Use Element: “The Land Use Element emphasizes ***sustainable smart growth management*** in the context of the natural environment while continuing the County’s ethic of ***maintaining a quintessential rural community*** by preserving agricultural lands and environmentally sensitive areas. . . . Land use decisions directly impact all aspects of community preservation and development such as preservation of priority areas and historic and cultural resources, provision of adequate community facilities such as water, sewer, recreation facilities, schools, transportation and other services managed, operated and expanded as needed to support communities as they grow. . . . The ***Overarching Goal for the Land Use Element is to adopt policies, legislation, regulations, enforcement, procedures, incentives and appropriate funding necessary to encourage infrastructure that will protect our waterways, conserve our natural resources and support sustainable and responsible agriculture.***”

Photo Credit – David Godfrey



Photo Credit – David Godfrey

The Queen Anne’s Chronicle

The Queen Anne’s Chronicle is published by Queen Anne’s Conservation Association.

Chris Pupke – Chairman of the Board

Jay Falstad – Executive Director

Mary Campbell – Editor

Queen Anne’s Conservation Association (QACA), a nonprofit 501(c)(3) corporation, is the Eastern Shore’s oldest conservation organization. Its mission is to promote stewardship of Queen Anne’s County’s natural resources and to protect its rural character and small towns while encouraging the management of prudent and sustainable growth.

Queen Anne’s Conservation Association

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4 Back issues of *The Queen Anne’s Chronicle* can be accessed at www.qaca.org

COMMISSIONERS’ MEETINGS

Here are selected items summarized from the approved minutes of the County Commissioners’ meetings.

July 24, 2012. The Commissioners:

- Attended the Matapeake Business Park Ground Breaking.
- Approved the FY 2013 Reorganization Plan, noting that 24 employees have accepted retirement incentives resulting in annual savings of \$1.1 million.
- Approved a resolution to place a lien on a property for the County’s cost of cutting grass that the owner had unlawfully allowed to grow higher than 12 inches on a less than 3 acre-lot in a residential subdivision.
- Awarded a contract for paving 3,150 feet of the Route 18 Park fitness trail.
- Lifted, upon a presentation by Director of Animal Services MacGlashan concerning anticipated State legislation, the current adoption moratorium on pit bull/pit bull mixed breeds.
- Agreed to extend the Tobacco Free Policy to County property generally, to offer employees tobacco cessation opportunities, and to adjust employee health insurance premiums to differentiate between smokers and non-smokers.
- Designated “Respect” as the Character Counts! Pillar of the Month for August.
- Received a report on the progress of fund-raising efforts to keep the Chesapeake College Pool open through March of next year for swim teams and other QAC citizens.
- Heard one person speak at Press and Public Comment.

August 13, 2012. The Commissioners:

- Held a special session to receive, and present to citizens:
 - a Budget Forecast Overview and future growth scenario through 2016 from Budget and Finance Director Jonathan Seeman (see article on page 1 of this issue, *Budget Surplus: Fiscal Year 2012 – A Very Good Year*), and
 - an Overview of Changes in State Law and Policy affecting growth in QAC from Planning & Zoning Director Steven Cohoon.
- Seventeen persons spoke at Press and Public Comment.

August 14, 2012. The Commissioners:

- Discussed, in closed session, “the Sheaffer property, the building that the Department of Planning and Zoning is housed in, and a lot located in the Chesapeake Business Park”.
- Appointed three persons to the Community Partnerships for Children and Families.
- Approved, upon presentation by Chief of

Engineering John Scarborough, a grant agreement securing a half million dollars of State and federal funds for permeable parking spaces at Whitemarsh Park and for bio-retention facilities at the Board of Education Building and Centreville Elementary.

- Agreed, upon presentation by Housing Program Administrator Mickey Lomax, to go forward with renovation and expansion of Our Haven homeless shelter utilizing a grant of \$757,000 from the State.
- Received an update from Mary Margaret Goodwin on signage for the Star Spangled Banner National Historic Trail in QAC and on plans for the new Slippery Hill War of 1812 Memorial Park in Queenstown.
- Received proposed ordinances (1) relaxing documentation requirements for historic structures demolished by developers (No. 12-05, introduced by Commissioner Dumenil), (2) reducing vegetative screening requirements for subdivisions in farm areas (No. 12-09, Commissioner President Arentz), and (3) increasing the number of units allowed in a “minor subdivision” from 5 to 7 (No. 12-14, Commissioner Dumenil).
- Proclaimed, upon presentation by Assistant Director for Child Support Kathy Nolan and others, August 2012 as Child Support Awareness Month in QAC.
- Received a proposal from Green Street Housing, LLC, of Salisbury, MD for a mixed-use development of commercial structures (3-5 building pads) and affordable housing (up to 108 apartments) across the roundabout from the Emergency Center at Route 50 and Nesbit Road.
- Heard five persons speak at Press and Public Comment.

August 28, 2012. The Commissioners:

- In closed session,
 - Discussed “the best format for the follow up meetings to the August 13th meeting . . . and how best to move forward with regard to future projected deficits”; and
 - “[A]greed that expending further legal effort and dollars” to try to uphold earlier rezoning of four farm properties from agricultural to commercial/residential “was not warranted” (see article on page 3, *Court Rules Against Rezoning of Farmland*).
- Reviewed and agreed to sign, Commissioner Olds opposed, agreements extending operation of the Chesapeake College Pool to March 31, 2013.
- Designated “Responsibility” as the Character Counts! Pillar of the Month for September.
- Adopted after a hearing, at which three persons testified, Ordinance No. 12-16, requiring defibrillator devices at public and semi-public swimming pools.

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DEER SEASON

By JANE SCOTT

November is almost upon us, the month the ancient Anglo Saxons called the “wind month.” The woods are pungent with the smell of wet leaves, and the sun that slants through the bare trees is but a pale reminder of last summer’s soggy heat. Only the oaks still hang on to their foliage, now colored deep crimson or bronze.

November is also rutting season for deer. The bucks are on the move, brazenly searching for receptive does and impatiently stamping in the dirt with their small cloven hooves.

Bucks and Does

All summer, they have been in hiding, taking care not to damage their developing antlers. A buck’s rack grows new every year, starting in April or May when the buttons on the top of his head begin to swell. At first they resemble fat thumbs, but as the June days get longer, these stumps gradually elongate and expand into branches. At this point the racks are living tissue, with veins and arteries that carry blood to fuel the growth, but by late August and early September, the picture changes. The hormone testosterone increases, the buck’s neck swells, and as the blood vessels to his antlers constrict and dry out, he rubs against young trees to get rid of the remaining “velvet” and expose the bony structure beneath. Contrary to popular belief, the number of “points” on his new rack seems not to depend on his age but rather on his general health and genetic makeup.

The does, meanwhile, are becoming receptive. This month they will come into heat for a mere twenty-four hours and repeat the process again in December. No wonder the bucks are agitated. Meanwhile, both bucks and does are growing their winter coats, trading the reddish color of summer for a gray brown that perfectly blends with the winter woods. Their winter garb also has hollow guard hairs and a thick undercoat to keep them warm in the coldest weather.

Hunters and Prey

Judging by the pick-up trucks parked along the county’s roads, the hunters are also out in force, a fact one should keep firmly in mind if venturing into the woods. The deer hunters are right when they say they are needed to control deer populations, not only to save our crops and gardens, but also to keep both the herds and the woodlands healthy and thriving. The truth is, if there are too many deer for an area to support, they will not only eat all the shrubs and tree seedlings in the woods, but many

will become debilitated or even die of starvation.

Deer are prey animals and prey animals are especially prolific. Fecundity, in fact, is their evolutionary defense. Think about it: a healthy mature doe has twin fawns every year, and yearling does produce at least one. No wonder the populations explode! In a study done in Michigan, ten deer were enclosed in a 1000-acre preserve and protected from both predators and hunters. In only five years, the population had increased to 20 times the original number. By contrast, in colonial times, it is estimated that the population density of deer in the Eastern woods was only about 10 per square mile.

Of course, what is really needed to solve the deer problem are a few large predators. If coyotes do move into Queen Anne’s county, perhaps they can help, but before the Europeans came, this job was done by cougars and wolves. The Native Americans also hunted them, depending on them for

meat, clothing and tools. Yet by the end of the 19th century, just a little over a hundred years ago, not only had the cougars and wolves disappeared, so had the deer. They had been decimated by over-hunting and the widespread clearing of the woods. Worried game managers first imposed hunting limits on deer in the 1890s and even imported animals in an effort to replenish the vanishing herds. They apparently failed to notice that the sort of brushy undergrowth that deer like best was gradually replacing the original forest. We all know what happened!

Ticks and Deer

People also worry about deer ticks and Lyme disease. Yet, keep in mind that the deer are not entirely responsible. The adult ticks only feed on them in the wintertime, dropping off in the spring to lay their eggs. The newly hatched larvae then attach to field mice, the true carriers of the Lyme

bacteria. During its first year, a newly infected tick larva molts and overwinters without feeding, as a nymph. It is when this tiny nymphal tick begins to feed in the following spring and early summer that it is most likely to transmit the disease to humans and domestic animals.

Despite all these problems, I have to admit, I like having deer around. The sight of a doe and her fawn or a herd crossing a field in the twilight, still gives me a thrill. When we lived in Pennsylvania, we often saw a group of does and yearlings in the woods behind our house. That is when I learned that deer get to their feet like a cow, rear end first, instead of like a horse, front end first. Who knew!

Jane Scott, a writer and illustrator, is the author of Between Ocean and Bay: A Natural History of Delmarva (Centreville, MD: Tidewater Publishers, 1991), and Field and Forest, A Guide to Native Landscapes for Gardeners and Naturalist (Blackburn Press, 2002), as well as other works. She traces her roots in Delaware back to the 1730’s and now lives on the Eastern Shore.



Stand-off in QAC

Photo Credit –David Godfrey

Commissioner’s Meetings, continued from Page 4

- Received proposed ordinance opting out, until January 1, 2016, of State requirements relating to automatic fire sprinkler systems in town houses and one- and two- family dwellings (No. 12-17, introduced by Commissioner President Arentz).
- Heard three persons speak at Press and Public Comment.

September 11, 2012. The Commissioners:

- In closed session, “discussed how best to move forward with regard to the future projected deficit.”
- In closed session, “discussed the building that Planning and Zoning is housed in and the Sheaffer property.”
- Took several actions, upon presentation by Mike Clark, Director of Community Partnerships for Children and Families, relating to State funding of County family assistance and homeless programs.
- Approved, upon submission by Agricultural Specialist Donna K. Landis-Smith, five-year farm leases to the highest bidders on seven county-owned farms (Conquest, Dixon/Crumpton, Gannon, Greenberg, Providence, Round Top/Chino Landing, Sudlersville), for a total rent for the five-year

term of \$588,947.50.

- Re-appointed three members of the Upper Shore Workforce Investment Board.
- Received, from Budget and Finance Director Jonathan Seeman and Budget Analyst Jeff Rank, a financial update including revenues and expenditures for FY 2012 and a work schedule for developing the FY2014 budget (see article on page 1 of this issue, *Budget Surplus: Fiscal Year 2012 – A Very Good Year*).
- Received, from Robbie Gill, YMCA, and Barry Griffith, Lane Engineering, an overview of a Queen Anne’s County YMCA Site & Building Concept for the Sheaffer property.
- Heard a report on school capital needs, from Superintendent Carol Williamson and Board of Education Members, highlighting land acquisition for a Career and Technology Magnet High School that would offer a half-day program alleviating over-crowding both at KIHS (where the 9th grade has for the past 5 years been re-located to the 2d floor of Matapeake Middle) and at QACHS (where there are 250 students in portables “every period, every day”).
- Adopted, after hearing seven persons speak on the subject, a letter and resolution of support for possible State funding of affordable housing in the proposed Village of Slippery Hill mixed use development.
- Heard one person speak at Press and Public Comment.

Our New Library Director



Photo Credit – Dan Tabler

John Warden, the new Executive Director of the Queen Anne's County Free Library, meets with Kim Baklarz, interim Acting Director and currently Assistant Administrator and Head of the Centreville Branch. Mr. Walden comes to Queen Anne's County from Sunapee, New Hampshire where he served as Director of the Abbott Library from 2005 until

the present. Before moving to New Hampshire, he was first Assistant Director (1997-2001) and then Director (Jan. 2002-Dec. 2004) of the East Hampton Library on Long Island.

Our new Library Director holds a Bachelor of Science Degree in Business Administration from Marist College in New York, a Master of Library Science Degree from Queens College, and a Public Libraries Directors Management Institute Certificate from SUNY Stony Brook.

Mr. Walden and his wife, Martha, consider living close the Chesapeake Bay to be a real bonus for them, as they both grew up on the east end of Long Island, a place also known for its rural character and beautiful bays.

The *Chronicle* extends a warm welcome to our new Library Director. We know he will find here a supportive community that recognizes that our libraries are very much a part of what makes Queen Anne's County "a great place to live!"

THE COURT RULES AGAINST, *continued from Page 3*

went straight to the authoritative source: namely, the 2009 State law that for the first time clearly required that land use actions must be consistent with comprehensive plans and that such plans must not be treated as merely "advisory".

As the Court said, quoting the 2009 law, in determining consistency, one must look at whether the action in question "will further, and not be contrary to" seven specified "items in the plan". One of these items is "land uses" – and that made the Court's decision in the case pretty easy: the rezoned properties are all located in areas that the Comprehensive Plan's "Countywide Land Use Map" (emphasis supplied) designates as "Rural Agricultural Areas".

So in Queen Anne's County, if you try to rezone agricultural land for commercial and residential, you're clearly not being consistent with what your Comprehensive Plan says about land use, and under the 2009 State law, you can't do that.

What the Court's Decision Means for QAC Citizens

The QAC 2010 Comprehensive Plan was the result of an "unprecedented" process of collaboration and community involvement (*Plan, Introduction, p. 3*). That there was such a high degree of public participation in creating the Plan is itself quite remarkable. How many citizens have heard long-time County residents complain bitterly about the enormous time and energy they put into previous Comprehensive Plans, only to see them ignored in the years that followed?

Why in 2008 and 2009 did so many QAC citizens still have faith in the comprehensive planning process? Why did they once again participate so robustly in the formation of the 2010 Plan? They could not have known that the result of their labors would be to erect binding "legal boundaries" around the County's land use decisions in the coming years.

But, for whatever reasons, they participated, and they made a difference. Now it's a whole new ball game, because now, like Character, our Comprehensive Plan Counts!

PLANNING COMMISSION

At its September meeting, the Planning Commission deferred action on one text amendment to the zoning code and declined to introduce another.

- Text Amendment (TA) 12-18 would allow specified special events as a conditional use on lands zoned Agricultural and Countryside. While supporting the concept of agritourism, the Commissioners asked for revisions in the text amendment responsive to issues raised during testimony.
- TA 12-19, not introduced, was a staff-proposed text amendment that would have permitted the County to charge citizens a fee for requesting a text amendment.

The Planning Commission approved selected timber harvests on deed-restricted open space in the following locations: north side of Dixon Tavern Road in Barclay; south side of Cox Sawmill Road, south of Clark Corner; and west side of Church Hill Road, north of Centreville.

The Commissioners reviewed a letter from the Maryland Departments of Agriculture and Planning. The letter approved Queen Anne's County's recertification under the Maryland agricultural land preservation program (MALPF) and requested an update on the County's implementation of the 2010 Comprehensive Plan. The Commissioners discussed an appropriate response and decided to invite State planning officials to a meeting of the Planning Commission to provide clarification on the implications for the Comprehensive Plan of State legislation limiting development on septic systems.

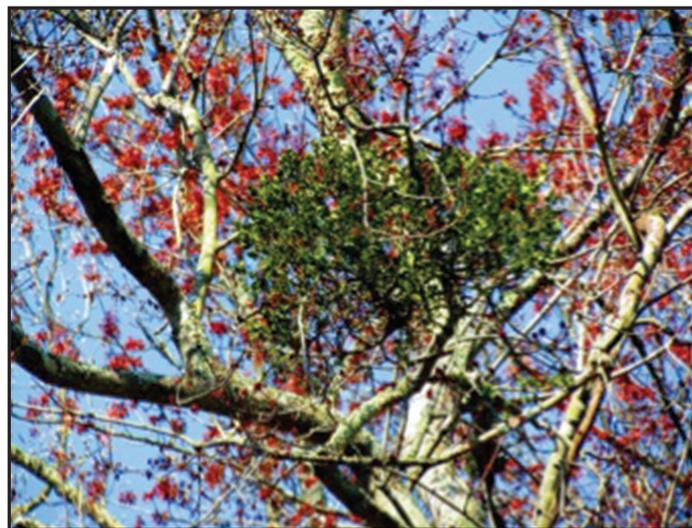
MISTLETOE

Why is it so interesting to spot mistletoe growing in a tree here in Queen Anne's County? It isn't a rare sighting, since mistletoe, an evergreen plant with small white berries, can be found growing on trees in the east from New Jersey to Florida.

Much of its interest is due to mistletoe's unique attribute as a Christmas decoration: those who meet under it are supposed to kiss. But throughout history, from the Greeks, the Celtic Druids, the Norse, and the English, there are so many other customs and legends involving the magical powers of mistletoe – stories of life and death, love and fertility -- that it would take a publication much larger than the *Chronicle* to relate them all.

Mistletoe is particularly arresting at this time of year, when it can be seen as an evergreen ball high in trees that have lost their leaves. Botanists find mistletoe interesting because although it can grow on its own with photosynthesis, here it is most commonly parasitic, growing on branches and trunks of trees with its roots penetrating into the tree for nourishment. (It can be damaging, even fatal, to its host trees.)

Interesting, too, is the challenge of harvesting mistletoe. If it is not too high up, a ladder or a long-poled pruner will work, but we wouldn't be surprised if one method for harvesting mistletoe here in QAC is shooting it out.



Local mistletoe

Photo Credit –David Godfrey

HALLOWEEN— MADE IN AMERICA

Halloween is generally considered to be, at its roots, a modern-day version of the ancient Irish and Scottish festival of Samhain. That's likely true, but it's also true to say that Halloween is a peculiarly American occasion. Here's why.

In pre-Christian Ireland and Scotland, Samhain (pronounced variably, but commonly "sow[as in "cow"]-un" or "sar-wen") was the festival day of "summer's end", marking the start of the "dark" half of the Celtic year. Days were then thought of as beginning at sunset, so Samhain occurred by our reckoning during the night of October 31 and the daylight hours of November 1.

Samhain was popularly celebrated as a time of visitations by the dead, fortune-telling (e.g. by apple-bobbing), magic spells, ghost stories, disguises, processions, bonfires, and other manifestations of an exciting, perilous twenty-four hours. The customary practices of Samhain eventually retreated from the Christian All Saints Day (November 1) but continued on the night of All Hallows Eve, or Hallowe'en, and they were carried forward in Ireland and Scotland up into early modern times — without being much observed in England or elsewhere.

As we know from the history books, major Scottish and Irish emigrations to North America occurred in the 18th and 19th centuries, and the new settlers brought their Halloween with them. Later, in the 20th century, Halloween in America went viral (to use today's phrase), becoming a nationwide event with new embellishments and burgeoning commercial ramifications.

And then, as America's economic power and cultural influence grew, we exported our Halloween to the rest of the world. England got it from us, as did (to quote Wikipedia) "South America, Australia, New Zealand, most of continental Europe, Japan and other parts of East Asia".

Ancient Samhain — made in America into worldwide Halloween.

GRANDMA'S HALLOWEEN BOAT RIDE

Tractor hayrides and Halloween
go together in my past,
but one special night of long ago
is held in my mind's eye fast.

Grandma took me out in a boat
for a hallowed evening's ride
after supper, under the moon,
we drifted in the tide.

The clear night smelled of chimney smoke,
the air was crisp and chill;
the things I saw that Hallow's Eve
all haunt my memory still.

A skinny sprite stood in the reeds,
stabbing the water with his blade
(or maybe it was a great blue heron
fishing in the glade).

A doleful ghost began to moan,
a sullen, eerie howl
(or was that noise the hooting
of a nearby great horned owl?)

We startled a clamorous coven of witches
who mounted toward the sky
(I gripped my grandma's hand in fright
as a flock of geese flew by).

A goblin's eyes glowed from the shore
(perhaps it was a deer)
and when we rowed back home again,
jack o'lanterns lit the pier.

I'll never forget that autumn night
with creatures weird and wild
on Grandma's Halloween boat ride
when I was just a child.

-- John O'Neill



John O'Neill

Casting Your Vote, continued from Page 3

one of the 14 zoning districts in the County which have the limitation. There is, however, pending legislation to authorize Big Box retail operations in two more zoning districts, one of which is the Town Center district comprising the Chester Main Street corridor (MD Route 18, Main Street, Postal Road, and Piney Creek Service Road). This legislation has been tabled by the County Commissioners to await the results of the vote on Question B.

How to vote on Question B? Again, that depends on your view of the issues presented, which in some ways are harder to get a grasp on than the APFO issues.

Whole books have been written about the pro's and con's of Big Box stores. Perhaps the most favorably reviewed — and most balanced -- study is Charles Fishman's *The Wal-Mart Effect: How the World's Most Powerful Company Really Works--and How It's Transforming the American Economy* (Penguin: 2006). Here's some of the book description from the Amazon website:

"The Wal-Mart Effect: The overwhelming impact of the world's largest company--due to its relentless pursuit of low prices--on retailers and manufacturers, wages and jobs, the culture of shopping, the shape of our communities, and the environment . . . Americans spend \$26 billion every hour at Wal-Mart, twenty-four hours of every day, every day of the year. Is the company a good thing or a bad thing?"

That last question is basically what Question B asks: are Big Box stores a good thing or a bad thing for Queen Anne's County? If you think they're good for QAC, vote FOR on Question B; if you

think they're bad for QAC, vote AGAINST on Question B. (If undecided, you still have time to read *The Wal-Mart Effect* on your Kindle before you vote!)

Early Voting

"This election, the first choice you'll make is which day to vote."

That's what election officials are telling Marylanders throughout the State, and expanded early voting — six days of it -- applies in Queen Anne's County as well. The days and times when one can vote early in QAC are: Saturday, October 27 through Thursday, November 1, 10 a.m. to 8 p.m. each day except on Sunday, October 28, when the hours are noon to 6 p.m.

Where to vote early? Disappointingly for Kent Islanders, QAC has only one early voting location — in Centreville, at the Kramer Center, 104 Powell Street, behind the Goodwill Fire Department.

If you vote early, you will find the voting procedures to be the same as voting on the regular election day. You will check in to vote and then vote on the touchscreen voting system. You touch the screen to make, change, and review selections and cast a ballot. Instructions will be available, and election judges will be there to answer questions or provide assistance.

And if you can't vote early, do vote on "Election Day", Tuesday, November 6, 2012, at your regular polling place, between the hours of 7 a.m. to 8 p.m.

FISCAL YEAR 2012, continued from Page 1

in June of 2011, shortly before the start of the new fiscal year. That budget was premised on substantial increases in the property tax rates and local income tax rates, as well as substantial cuts in the County workforce and in school expenditures.

Taking it all together, the FY 2012 budget projected both revenue and expenses at a little over \$106 million – a break-even budget.

Early Signs of Good News

After an enterprise (government, business, nonprofit) adopts a budget for the coming year, the question then becomes what are the “actual” revenues and expenses as the year goes forward. Managers of the enterprise watch as the returns come in, month by month, standing ready to make mid-course corrections if, for example, actual expenditures are exceeding budgeted expenditures.

In Queen Anne’s County, this monitoring appears to be done principally by a series of bi-monthly financial reviews presented to the County Commissioners by the Budget and Finance Director.

Looking back over the financial reviews for FY2012, the first one we can find that starts to indicate how well the year was going is the review presented on April 10, 2012, when we were 9 months into the fiscal year. That review projected “about \$2.2 million in expenditure savings this year” (which had actually been foreseen in a budget work session document in January) and “about a \$2.0 million surplus, or revenues exceeding the budget”.

So as early as last April, the Commissioners knew we were on our way to a likely surplus of over \$4M in FY 2012. And after that, things just kept on getting better.

Bit by Bit, the Surplus Grows . . .

The bi-monthly financial review presented on July 10 covered the entire 12 months of FY 2012, since as noted above, FY 2012 had ended on June 30. Of course, the figures available in early July were not final, and the five-page review is marked all over with: “These figures are preliminary amounts and will change.” Nevertheless, the “FY 12 Expected Surplus” was reported to have grown reassuringly to \$4,771,984 (though, for some reason, none of the four pages in the review dealing with FY 2012 was included in the minutes of the July 10 meeting).

The presentation at the August 13 special session didn’t capture any of the developing good news. What the citizens saw there were only the break-even revenue and expenditure figures

from the FY 2012 budget, prepared 14 months earlier, not the revenue increases and expenditure decreases that had actually happened from July 2011 through June 2012. Where the budget had revenues and expenditures both at \$106.3 million, the actual estimated final amounts (per the July 10 financial review) were revenues up at \$109.7 million and expenditures down at \$104.9 million.

. . . ‘til All at Once It Overflows

On September 11, 2012, the good news (and now it was even better than before) finally broke forth. The Commissioners received a financial review reporting that the FY 2012 surplus was now expected to be \$7,258,739 – up another \$2.5 million from the July estimate!

As compared with the July estimate, the new estimated surplus came from yet higher revenues, \$111.7 million, and from slightly lower expenditures, \$104.5 million. Because so much of the revenue increase was due to higher-than-budgeted revenues from the local income tax, Finance Director Seeman accompanied the good news in his financial review with an expression of nervousness about whether the State, which collects local income taxes and distributes them back to counties, had mistakenly over-distributed to QAC and would recapture those revenues in FY 2013.

Indeed, it was true that the State had over-distributed to some counties, including Queen Anne’s, but the amount in our case was miniscule. As the Comptroller’s office informed the QAC finance office a few days later (in a memo dated September 13), the over-distribution to us was only \$17,513.17 – not enough to be noticeable in an annual flow of County income tax revenues well north of \$30 million.

Now What?

So, as *the Chronicle* goes to press, the good news stands.

To be sure, the books don’t finally close on FY 2012 until after preparation of something called the “Comprehensive Annual Financial Report” (check it out on Wikipedia) – known affectionately as the “CAFR” (pronounced “caffer”). (You can see the one for FY 2011 on the County website. It runs to 222 pages and is not something anyone should try to understand at home.) We are told that the CAFR for FY 2012 will be available sometime after November.

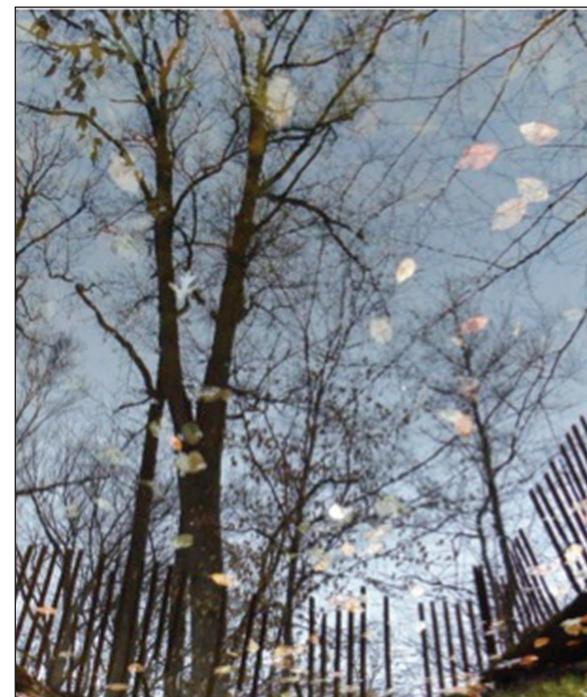
But at this point there appears to be no reason to think that

the Finance Director’s estimates of revenues and expenditures for FY 2012 aren’t, as he told the Commissioners in September, “pretty close” to what the final, audited CAFR will show.

If FY 2012 turned out to be a very good year from a fiscal standpoint, notwithstanding a far less rosy budget projection, what are the implications of that fact? Many will have many questions. The first one, but certainly not the only one, was asked right away by Commissioner Simmons: what does the good news of FY 2012 mean for the County’s previous projections of bad news (i.e. deficits) for future years?

The Finance Director has promised to re-visit “after November” the deficit projections circulated on August 13. Citizens should pay close attention. How the County projects its future fiscal condition strongly affects the taxes it levies, the schools it operates, and the growth policies it pursues.

Going forward, the *Chronicle* will try to do a better job of informing citizens about a subject that is vital to our common welfare but too often can be made to seem beyond our grasp.



Autumnal Reflections

Photo Credit – David Godfrey

NOVEMBER: AUTUMN LEAVES

Margaret, are you grieving
Over Goldengrove unleaving?
Leaves, like the things of man, you
With your fresh thoughts care for, can you?
Ah! As the heart grows older
It will come to such sights colder . . .
It is the blight man was born for,
It is Margaret you mourn for.

– Gerard Manley Hopkins

DECEMBER: BIRD SONG

I heard a bird sing
In the dark of December
A magical thing
And sweet to remember . . .

– Oliver Herford

* A Calendar Of Verses