

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Tuesday, January 7, 2014**

**Present:** Commissioner President Francis Jack Russell  
Commissioner Lawrence D. Jarboe  
Commissioner Todd B. Morgan  
Commissioner Cynthia L. Jones  
Commissioner Daniel L. Morris  
Dr. Rebecca Bridgett, County Administrator  
Donna Gebicke (Recorder)

**CALL TO ORDER**

Commissioner President Russell called the business meeting to order at 9:00 am in the Chesapeake Building meeting room, Governmental Center.

**APPROVAL OF MINUTES**

**Commissioner Jarboe moved, seconded by Commissioner Morris, to approve the minutes of December 17, 2013, as presented. Motion carried 5-0.**

**THE ARC OF SOUTHERN MARYLAND AWARDS PRESENTATION**

**Present:** Ron Mould, Director of Community Services, The ARC

Tim Yatman, owner of World Gym of Lexington Park, and Ann Chaney, Manager, received The ARC Employer of the Year Award. Gerald Gardiner, St. Mary's County Emergency Management Manager, received The ARC Meritorious Service Award.

**COUNTY ADMINSTRATOR**

1. Draft Agendas for January 14 and 21, 2014.
2. **Department of Aging and Human Services** (*Lori Jennings-Harris Director; Debbie Barker, Senior I&A Manager*)

**Commissioner Morris moved, seconded by Commissioner Jones, to approve and authorize Commissioner President Russell to execute the Senior Medicare Patrol Health Care Fraud Expansion Notification of Grant Award, Project US1460, from**

**the Maryland Department of Aging on behalf of St. Mary's County Department of Aging and Human Services in the amount of \$3,456 and the related budget amendment to decrease the project by \$3,645. Motion carried 5-0.**

**3. Department of Economic and Community Development** *(Robin Finnacom, Acting Director; Carolyn Laray, Tourism Manager)*

**Commissioner Jones moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the FY2014 County Cooperative Marketing Grant Agreement Project #MD1417 from the MD Tourism Development Board in the amount of \$42,047 and execute the related budget amendment reflecting a decrease in the Grant Funding; and to approve and authorize Commissioner President Russell to execute the budget amendment transferring funds in the amount of \$17,953 from the DECD Administration Salary Account to the State Tourism Grant, MD1417 to replace the State funds lost. Motion carried 5-0.**

**4. Department of Public Works and Transportation** *(George Erichsen, Dir.)*

**Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the budget amendment realigning \$33,105 of funding from the Energy Efficiency & Conservation Project PF-1310 to the Public Facilities Needs Assessment Project PF-1409 in order to award the contract for Sustainable Energy & Facilities Conditions Assessment Audits Consulting Services as recommended by staff. Motion carried 5-0.**

**Commissioner Jarboe moved, seconded by Commissioner Jones, to approve and authorize Commissioner President Russell to execute the budget amendment increasing Federal funding in the Dr. Johnson Road Culvert Replacement Project HW1001 by the amount of \$141,103 from budget authority in the FIN14 Capital Reserve and realigning current budget authority in the amount of \$56,777 among expense accounts within the project. Motion carried 5-0.**

**BOCC APPOINTMENTS TO THE PATUXENT RIVER COMMISSION AND THE CALVERT-ST. MARY'S METROPOLITAN PLANNING ORGANIZATION**

**Commissioner Morgan moved, seconded by Commissioner Jarboe, to recommend Commissioner Cynthia L. Jones for appointment as the official St. Mary's County representative on the Patuxent River Commission. Motion carried 5-0.**

**Commissioner Morgan moved, seconded by Commissioner Jones, to appoint Commissioner Lawrence D. Jarboe to serve as St. Mary's County's Commissioner representative on the Calvert-St. Mary's Metropolitan Planning Organization. Motion carried 5-0.**

## **COMMISSIONER'S TIME**

The Commissioners highlighted events of the past week.

### **PUBLIC HEARING: CONCERNING TRANSFER OF LOT 1, COUNTY COMMISSIONERS AT ST. ANDREWS, TO WALDEN/SIERRA CORPORATION**

**Present:** George Sparling, County Attorney  
George Erichsen, Director, Dept. of Public Works and Transportation

Commissioner Russell opened the public hearing at 9:47 am.

Mr. Sparling noted for the record that a notice of public hearing was published in *The Enterprise* newspaper on December 20 and 27, 2013. The purpose of the hearing is to receive public comment concerning a resolution to transfer real property no longer needed for a public purpose to Walden-/Sierra Corporation. Walden-Sierra, a non-profit corporation, has used the property for over 40 years for the provision of mental health services, including programs for substance abuse.

As the law requires, the following issues were considered: (1) compatibility of the proposed use with the neighborhood; (2) financial issues, including the ability of Walden/Sierra Corporation to construct, renovate, maintain, and operate a facility of the property; (3) any historical significance; and (4) unique characteristics of any structure on the property.

Commissioner Russell opened the hearing for public comment. There were no public comments. Commissioner Russell stated the record would be left open for an additional ten days to receive public comments on this matter and closed the hearing at 9:53 am.

## **RECESS**

### **PUBLIC HEARING: PROPOSED TEXT AMENDMENT TO ALLOW A MICRO-BREWERY AND PUB-BREWERY**

**Present:** Yvonne Chaillet, Zoning Administrator, Land Use and Growth Management

Commissioner Russell opened the public hearing at 10 am.

Ms. Chaillet noted for the record that a notice of public hearing was posted in *The Enterprise* newspaper on December 20 and 27, 2013. The purpose of the hearing is to receive public comment on a proposed text amendment to allow a micro-brewery and a pub-brewery in the same zoning districts where a restaurant (Use Type 73) is a permitted use.

The proposed zoning text amendment is in accordance with recently enacted changes to Article 2B of the Annotated Code of Maryland, which added St. Mary's County to the list of counties where a Class 7 micro-brewery license and a Class 6 pub-brewery license could be issued.

Commissioner Russell opened the hearing for public comment. There were no public comments. Commissioner Russell stated the record would be left open for an additional ten days to receive public comments on this matter and closed the hearing at 10:04 am.

## **ADJOURNMENT**

Commissioner Russell adjourned the Board of County Commissioners meeting at 10:04 am.

## **PUBLIC FORUM AT RIDGE VOLUNTEER FIRE DEPARTMENT, 13820 POINT LOOKOUT ROAD, RIDGE, MD**

Commissioner Russell opened the Public Forum at 6:30 pm.

Public Comments. *(Comments as noted below are intended as highlights of testimony given and are not verbatim.)*

Phil Langley, 50126 Dove Cove Rd., Cameron

Businesses in the area come and go – there is not a lot of staying power. Tough for businesses to survive. There needs to be a plan and commitment by the County to help bring tourism to the area and help give businesses the opportunity to survive.

Peggy Bezel, 15230 Lake Dr., Scotland

Want to echo Mr. Langley's comments. We have a beautiful treasure here, but don't have the sustainability to bring tourism. We need a master plan to ensure we have enough here that people need. The Health Department says "no" to everything. To attract tourism, we need to be able to give guests a quality experience.

Dan Raley, P.O. Box 10, Great Mills

To follow on with the previous comments, regarding development, as a Commissioner I asked the state for years – as others did before me – to improve the Point Lookout Road portion of Rt. 5. If you go further south from here, the road ceases to be a road and becomes a paved path. For some time there has been a lack of resources, but the gas tax has been increased and there should be additional funds. I'm asking the Commissioners to continue requesting that the state put this much needed road improvement back on the schedule – not a four-lane highway, just a decent road with shoulders to provide safety for citizens, fire/emergency, and visitors, and also help businesses feel more comfortable about developing and provide for expansion of the state park.

Roy Fedders, St. Jeromes Neck Road, Dameron

House Bill 96 required the MD Department of the Environment to test waters restricted from shellfish harvesting. State has posted St. Jerome's Creek and others prohibiting clams and oysters with exception of aquaculture. When Dr. Icenhower was still here, the state was supposed to come down and do testing, but they never did. I have asked Senator Dyson to obtain physical evidence as to why they are closing creeks. Since no evidence has been produced, I think it is just an arbitrary decision by the state. I'm asking you to use the Office of the County Attorney to look into this in order to save our property rights and repeal this law.

Jim Grube, Woodlawn

I echo the previous comments. A high percentage of the County is categorized as "RPD." Amazed how much business has come in on Rt. 235 in the last 20 years. The economic base has grown, but defense establishments are not going to grow as they did before. If 80% is RPD, then innovative projects are needed to grow business in the area. These ideas should come from the Commissioners and the residents – particularly for areas such as Ridge and the 7<sup>th</sup> District with wineries and watermen activities – vibrant places for business people. It is hard for people to come up with specific ideas. If over 80% is RPD, what can we do to help bring in businesses that will blend well into the County.

JD Blackwell (relocated recently to Scotland from other part of County)

Started new business on Chesapeake and Calvert Bays. Chose locations because of rural character. Two points: (1) any commercial entity here is withering or dying; (2) Health Department prohibits development and growth. One example is a friend who spent over \$40,000 to redevelop Rick's Marine into a tackle/bait/ice cream shop and had all approvals from Land Use and Growth Management, but Health Department said "no." Nothing will happen here because of Health Department. There needs to be some allowance regarding sanitation issues – expansion of I&A systems – or we will lose all commercial interests. Scheible's, Courtney's, etc., will all go away and not come back.

Addie McBride, P.O. Box 72, St. Inigoes

Real Estate Agent. Last seven listings are people leaving Maryland because of taxes – mostly County property tax which is particularly high on the water. I protested the over \$200,000 property assessment I received and got it down to \$100,000, but the property only sold for \$50,000 because it wouldn't perc.

Korey Smith, St. Inigoes

You are hearing about problems with the Health Department ruining businesses with their regulations, but it all comes down to property rights. One example is the proposed "Blight Ordinance." It's not your (BOCC) job to tell us how to maintain our property and spend our money unless property is a danger to the community. The community itself should come together and buy or fix up the property. Should stop using government as the strong arm do what the community/residents should do.

George Johnson, Lexington Park

Recently opened a business, “Chicken Scratch” – Feed Seed-Bead.” We need help/subsidies with advertising. I have tried radio, TV – which are very expensive – and the newspapers. Perhaps a committee brought together to draw people to the area would help.

Nora Blasko, 15094 Pt. Lookout Rd., St. Inigoes, (business address, resides in California)  
Have owned St. Inigoes General Store for one year. It is quite a struggle. Majority of investments have been Health Department requirements. There was always seating in the store before, but now we can’t have seating which is needed to grow our business.

Dan Raley, P.O. Box 10, Great Mills

Speakers have talked about getting small businesses to the area. I’m a firm believer that if we do the infrastructure, people will come. The road improvement I spoke of earlier is a serious issue. I’m glad to see that the capital plan still includes the jetties at the end of St. Jerome’s Creek. I urge you and Dept. of Public Works staff to continue working with the Army Corps of Engineers to get the job done. There is also a tourism benefit. In your defense – the County used to have a lot of control regarding land issues in the past. Your control is being taken away by the state and federal regulations.

Shelton Elliot, Hollywood

I’m here to bring my concerns about the Metropolitan Commission to you. An issue that particularly angers me is the gentlemen who may lose his house because they are requiring him to hook up to water/sewer system that he does not need. Apparently MetCom is beyond reproach. They may have legal authority, but this is morally wrong. Something needs to be done about this organization.

Regina Faden, Director, Historic St. Mary’s City

Want to thank Tourism Department for new website. We work closely with Carolyn Laray and Robin Finnacom about tourism. We all need to continue to work together whenever possible to promote and develop tourism. Great things have been done, but need to keep encouraging forward movement.

As there were no further comments offered by citizens, Commissioner Russell closed the public forum at 7:10 pm.

Minutes Approved by the Board of County Commissioners on \_\_\_\_\_

\_\_\_\_\_  
(Donna Gebicke, Administrative Assistant Recorder)