

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Tuesday, January 21, 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  
Sharon Ferris (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 Morgan moved, seconded by Commissioner Morris, to approve the minutes of January 7, 2013, as written. Motion carried 5-0.**

**COUNTY ADMINSTRATOR**

1. Draft Agendas for January 28 and February 4, 2014.
2. **Department of Economic and Community Development** (*Robin Finnacom, Acting Director*)

*(Dennis Nicholson, Executive Director; Crystal Wojciechowski, Program Manager; Jean Ortiz, Senior Housing Specialist; Housing Authority of St. Mary's County)*

**Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Close Out Agreement and Final Progress Report for Grant No. MD-07-CD-08, Project US0836 in the amount of \$385,288, for the Maryland Community Development Block Grant Program, formally closing out this Grant. Motion carried 5-0.**

**3. Department of Public Works and Transportation** (*Jacqueline Fournier, Transportation Manager; MaryAnn Blankenship, STS Transportation Manager*)

**Commissioner Jones moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the St. Mary's Transit System FY2014 Annual Transportation Grant Agreement to submit to the Maryland Transit Administration, on behalf of the Department of Public Works and Transportation in the amount of \$2,881,400. Motion carried 5-0.**

**4. Department of Recreation and Parks** (*Brian Loewe, Director*)

*Commissioner Russell asked Mr. Loewe try to obtain grant funding to start the White Neck Creek project.*

**Commissioner Jarboe moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the budget amendment to decrease the FY2014 Countywide Maintenance Grant, Project MD1408, by \$49,000 in accordance with the actual grant award. Motion carried 5-0.**

**Commissioner Jones moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the budget amendment to increase the State revenues and decrease the transfer Tax funding for the Leonard Hall Replacement Flooring portion of the Recreation Facility & Park Improvement Project #RP1403 by \$60,000 in accordance with the grant award. Motion carried 5-0.**

**5. Department of Emergency Services and Technology** (*Bob Kelly, Director*)

**Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and authorize the Emergency Services and Technology Department to execute the Maryland Emergency Management Agency and Maryland Institute for Emergency Medical Services Systems Expression of Interest Grant Application in the amount of \$71,640, for Mass Casualty Incident/Emergency Medical Services patient tracking and mass casualty equipment to be used by St. Mary's Volunteer Emergency Medical Services. Motion carried 5-0.**

**6. County Administrator** (*Dr. Rebecca Bridgett*)

**Commissioner Jarboe moved, seconded by Commissioner Morris, to appoint the following person to Boards, Committees, or Commissions with the term to expire as indicated.**

<b>Property Tax Assessment Appeal Board</b>	<b>Term</b>
<b>Joseph Gardner (reappointment)</b>	<b>06/01/19</b>

**Motion carried 5-0.**

**OFFICE OF THE COUNTY ATTORNEY**

**DECISION ON PROPOSED PROPERTY MAINTENANCE ORDINANCE**

**Present:** George Sparling, County Attorney

A Public Hearing was held on November 19, 2013, to receive public input on the proposed Ordinance. Over 100 comments were received by the public during the open comment period. The original draft Ordinance presented at the public forum has been revised to address major concerns expressed by citizens. There are six major changes proposed.

1. The revised ordinance applies County-wide vice only the Development Districts as originally presented. The overwhelming majority of comments received requested this.

2. Agricultural concerns. The Ordinance clarifies that it does not apply to farms/agricultural land that is all or part of a parcel or combination of parcels that are assessed as agricultural for the purpose of taxation of real property. The revised Ordinance also reinforces and clarifies that it does not apply to tobacco barns described in this ordinance as historic structures.

3. Concerns on enforcement. The Ordinance clarifies that the Ordinance becomes applicable when there is a citizen's complaint. The County will not be sending individuals throughout the County to inspect property. Once the complaint is received the County will send an inspector to the property to determine if it is a legitimate complaint and warrants a Notice of Violation.

4. Enforcement Penalty. The Ordinance states that if you are subject to a Notice of Violation and you are diligently pursuing corrective actions you will not be issued a Municipal Infraction Citation.

5. Hardship cases. The Housing Authority of St. Mary's County can assist individuals in applying for a low interest loan through The Maryland Housing Rehabilitation

Program. This program is specifically designated to assist lower income families to rehabilitate their property. No citation will be issued regarding an owner-occupied single family dwelling if the owner has made application through the St. Mary's County Housing Authority under the Maryland Housing Rehabilitation Program and is eligible for funds.

6. Foreclosed property. The State has a foreclosure registry and requires the bank or the responsible party designate a person to represent the property. The Director of Land Use and Growth Management will verify that the property is on the register. If the property is not on the register a civil penalty for failure to register can be applied by the County.

*Commissioner Jarboe expressed concern with the major changes proposed since the original presentation at the public hearing. He indicated he would prefer to see something inspire individuals rather than punish them.*

Mr. Sparling explained that the intent is not to punish or target anyone. He explained the process and options available to individuals to appeal the County's finding.

*Commissioner Morris expressed concern that someone living in a house may not want to paint it or repair it and suggested that the Ordinance be directed to vacant homes only. He noted he does not think it's the government's responsibility to say you have to fix your home.*

*Commissioner Jones noted there is blight within the County. A prior Board of County Commissioners directed that a Property Maintenance Task Force be formed to address this issue and provide recommendations to the Board. This draft Ordinance is a result of the findings of that task force and responses received as a result of a public hearing.*

*Commissioner Morgan noted he feels this Ordinance reflects an equitable compromise of respecting the rights of individuals while respecting the rights of neighborhoods.*

*Russell noted a public hearing was held with four individuals speaking. For the record we were asked to go county-wide and we did; we listen to what the citizens want.*

**Commissioner Morris moved to amend the pending draft to say no citation for municipal infraction shall be issued regarding owner/occupied single family dwellings. There was no second and the motion fell to the floor.**

**Commissioner Jones moved, seconded by Commissioner Morgan, to substitute the amended draft of Chapter 248 of the Code of St. Mary's County, Maryland for the draft considered at the public hearing. Motion carried 3-2. Commissioners Jarboe and Morris voted nay.**

**Commissioner Jones moved, seconded by Commissioner Morgan, to adopt the proposed Property Maintenance Ordinance. Motion carried 3-2. Commissioners Jarboe and Morris voted nay.**

**DECISION ON PROPOSED TRANSFER OF LOT 1, COUNTY COMMISSIONERS  
AT ST. ANDREWS, TO WALDEN/SIERRA CORPORATION**

**Present:** George Sparling, County Attorney

A Public hearing concerning the transfer of Lot 1, County Commissioners at St. Andrews to Walden/Sierra Corporation was held on January 7, 2014, with no adverse comments received at that time or during the open comment period.

**Commissioner Morgan moved, seconded by Commissioner Jarboe, to adopt the Resolution transferring Lot 1, County Commissioners at St. Andrews, to Walden/Sierra Corporation and authorizing Commissioner President Russell to execute such plats, deeds, and documents as may be required to give full force and effect to the transfer. Motion carried 5-0.**

**COMMISSIONER'S TIME**

The Commissioners highlighted events of the past week and upcoming events.

**ADJOURNMENT**

Commissioner Russell adjourned the Board of County Commissioners meeting at 11:10 am.

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

\_\_\_\_\_  
Sharon Ferris, Senior Administrative Coordinator (Recorder)