

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, February 2, 2010**

Present: Commissioner President Francis Jack Russell
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
John Savich, County Administrator
Donna Gebicke (Recorder)

CALL TO ORDER

Commissioner President Russell called the meeting to order at 9:03 am.

APPROVAL OF CHECK REGISTER

Commissioner Mattingly moved, seconded by Commissioner Raley, to authorize the Commissioner President to sign the Check Register for checks dated February 2, 2010, as submitted by staff. Motion carried 5-0.

APPROVAL OF MINUTES

Commissioner Dement moved, seconded by Commissioner Mattingly, to adopt the minutes of the meeting of Tuesday, January 26, 2010, as amended. Motion carried 5-0.

PROCLAMATION PRESENTED TO MEMBERS OF THE ST. MARY'S ANIMAL WELFARE LEAGUE AND DEPT. OF PUBLIC SAFETY, ANIMAL CONTROL, FOR PREVENT A LITTER MONTH AND SPAY DAY USA

COMMENDATIONS PRESENTED TO THE MARYLAND STATE CHAMPIONS MECHANICSVILLE 80 LB. WHITE BRAVES FOOTBALL TEAM AND COACHES

COUNTY ADMINISTRATOR

1. Draft Agenda for February 9 and February 23, 2010 *(There will be no meeting on February 16)*

2. **College of Southern Maryland** (*Bradley Gottfried, President; Dr. F.J. Talley, Dean, Leonardtown Campus; & Tony Jernigan, Vice President of Finance and Administrative Services*)

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and sign the petition to request \$365,185 in State funds for the parking project, with the understanding that this will also require the use of \$121,829 of previously appropriated County funding as the County's match. Motion carried 5-0.

3. **Department of Recreation and Parks** (*Phil Rollins, Director*)

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the Alcohol Beverage License Renewal application for the Wicomico Shores Golf Course. Motion carried 4-1. Commissioner Jarboe voted no.

Commissioner President Russell asked Mr. Rollins to continue exploring all options regarding the restaurant operations at Wicomico Shores Golf Course.

Commissioner Jarboe moved that a Request for Proposals be drafted for the Commissioners' review to contractually operate the Wicomico Shores Golf Course bar and grill. Motion failed for lack of a second.

4. **Finance Department** (*Elaine Kramer, CFO*)

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to execute the budget amendment transferring funds in the amount of \$138,937 from the respective departments' frozen position reserve accounts to the Revenue Stabilization Reserve accounts as proposed by staff. Motion carried 5-0.

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to execute the budget amendment transferring funds in the amount of \$61,189 from the Medical Adult Day Services frozen position reserve accounts to the Revenue Stabilization Reserve. Motion carried 5-0.

Commissioner Dement moved, seconded by Commissioner Mattingly to approve and authorize the Commissioner President to execute the budget amendment re-aligning departmental health budget savings to the Revenue Stabilization Reserve in the amount of \$763,100. Motion carried 5-0.

5. Dept. of Human Services (*Bennett Connelly, Director*)

(*Joan Gelrud, Chairperson, Human Services Council*)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve the Human Service Council's recommendation to make up to \$50,000 available to the Department of Social Services for emergency support services to individuals and families who are suffering economic hardship when no other resources are available; and to make available up to \$50,000 in mini-grants to non county agencies to meet the increasing demand for more services. Motion carried 5-0.

(*Anita Ray, Substance Abuse Coordinator*)

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to execute the Fiscal Year 2010 Substance Abuse Treatment Services Grant Conditions of Award, project # MD1037, MD1089, MD1093, MD1094, MD1095, MD1096, MD1097, MD1098, MD1099, US1053, US1091, OT1092 and OT1093, from the Alcohol and Drug Abuse Administration on behalf of the Department of Human Services in the amount of \$3,324,982 for substance abuse treatment services; and also to approve and authorize the Commissioner President to execute the FY2010 DHMH Substance Abuse Prevention Services Grant Contract Proposal and Conditions of Award Acceptance Form, project US1023, from Maryland Alcohol and Drug Abuse Administration on behalf of the Department of Human Services for prevention services program funding in the amount of \$95,161. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to execute the FY2010 DHMH Substance Abuse Prevention Services Grant, Modification #1 and #2 Conditions of Award Acceptance Forms, project US1023, from Maryland Alcohol and Drug Abuse Administration on behalf of the Department of Human Services for prevention services program funding in the amount of \$95,161, the related Sub-Recipient Agreement between the County and Big Brothers Big Sisters, Inc. and the related budget amendment to realign the project budget; and to approve and authorize the establishment of a grant funded .5 FTE Prevention Specialist position in the Department of Human Services effective February 2, 2010 to June 30, 2010; and that we approve and authorize the Commissioner President to execute the FY 2010 Substance Abuse Treatment Services Grant reduction #2, Project #AS180SAS, from Maryland Alcohol and Drug Abuse Administration on behalf of the Department of Human Services for substance abuse treatment services program funding in the amount of \$3,273,617 and the related Sub-Recipient Agreement between the County Walden Sierra, Inc. and the related budget amendment to decrease the budget by \$51,365; and to approve and authorize the deletion of a .5 FTE House Manager and .5 FTE Administrative Coordinator at Marcey House, the establishment of a .5 FTE Administrative Coordinator position at the Department of Human Resources, the placement of the 2 individuals whose schedules were reduced at Marcey House into the .5 positions created for the .5 grant funded Prevention Specialist (US1023)-Human Services and .5 Administrative Coordinator-Human Resources, and with all of these activations to

be effective February 2, 2010 to June 30, 2010. Motion carried 5-0.

6. Department of Public Safety (*Dave Zylak, Director*)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the commissioner President to execute the Lease Agreement between the Board of Education, State of Maryland and the County for the construction of a public safety tower at the old Bethune Elementary School and to approve and authorize the Commissioner President to sign the Set Back Agreement as required by the St. Mary's County Zoning Ordinance. Motion carried 5-0.

COMMISSIONERS TIME

The Commissioners highlighted upcoming events and those attended over the past week as well as personal interest items.

**DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT:
REQUEST EXTENSION OF DEADLINE FOR THE PURPOSE OF UPDATING THE
COMPREHENSIVE ZONING ORDINANCE, CHAPTER 75, FOREST CONSERVATION,**

Present: Bob Bowles, Planner, IV; Derick Berlage, Director; Phil Shire

Commissioner Mattingly moved, seconded by Commissioner Raley, to extend the deadline imposed by Resolution 2005-03, from February 22, 2010, to April 23, 2010, for the proposed Zoning Text Amendments, Chapter 75, Forest Conservation, and proposed current Schedule of Fees, to be in compliance with state law. Motion carried 5-0.

Mr. Berlage noted that in the process of updating the St. Mary's County law to come into compliance with the new state law, the Planning Commission and staff have looked at ways to provide adequate flexibility to citizens, e.g., standards for variances, while still meeting the minimum requirements of the state law. These recommendations will be provided in detail to the Commissioners and the public prior to and during the public hearing process.

DEPT. OF RECREATION AND PARKS: ELMS HUNTING PROPOSAL

Present: Phil Rollins, Director

An agreement was reached last summer on a compromise to enable hunting on 85 acres within the County leased area at the Elms property. The County requested that the Maryland Department of Natural Resources manage hunting on the property through a Cooperative Wildlife Management Agreement. DNR rejected this request and subsequently said that hunting could be allowed if the County managed it. Mr. Rollins presented the following proposal for County management of hunting that included the following:

1. To allow only bow hunting on the 85-acre parcel (bow season is between September 15 and January 31.
2. The Department of Recreation and Parks (R&P) would be the managing County agency. R&P would handle a hunter registration/permit system.
3. Members of the Mattaponi Bow and Black Powder Hunt Club will serve as volunteers to R&P and handle marking the perimeter boundary of the 85-acre parcel; post signs; maintain a hunter's information board; and monitor a hunter daily sign-in sheet at the site. Volunteers will be required to sign a Liability Waiver form.
4. Hunter access to the 85-acre County hunting site will be from the Elms Beach Park entrance only. Hunters would not be allowed to access the site from the state managed hunting area.
5. The number of bow hunters allowed daily on the site would be limited to six at any given time. This would be on a first-come, first-served honor system basis. Authorized hunters will need a valid MD Hunter's License; a permit from R&P to hunt on the site; and sign in on a sign-in sheet at the information board.
6. DNR police will respond to game or hunting related problems, but will not enforce County regulations on the 85-acre parcel.
7. The Sheriff's Office is willing to assist with enforcement of County regulations on the 85-acre parcel.
8. If implemented, it is recommended that this be done on a one-year trial basis.

A memo dated January 8, 2010, addressing liability issues from the County's Risk Analyst, and a January 11, 2010, letter from the Sheriff confirming that his office will provide enforcement support were provided to the Commissioners.

Commissioner Dement moved, seconded by Commissioner Jarboe, after consideration of information provided by staff, to approve the proposal for St. Mary's County Government to manage hunting on 85 acres of the County leased area at the Elms property and to sign a letter to the Secretary of the Department of Natural Resources requesting concurrence for the County to move forward with the implementation of this plan. Motion carried 5-0.

**COMMISSIONERS RUSSELL, DEMENT, JARBOE AND MATTINGLY
VISITED ANGEL'S WATCH SHELTER IN HUGHESVILLE, MARYLAND AT
1:30 PM**

ADJOURN

The meeting adjourned at approximately 2:30 pm.

Minutes Approved by the Board of County Commissioners on _____

Donna M. Gebicke, Administrative Assistant (Recorder)