

ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, May 6, 2014

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

Prior to their regularly scheduled business meeting, the Board of County Commissioners conducted a joint meeting with the St. Mary's County Metropolitan Commissioners at 8:30 at the St. Mary's County Airport.

MetCom Staff Present:

Steven Willing, Chair
David DeMauro, Vice Chair
Mike Mummaugh, Board Member
Richard Mueller, Board Member
Dan Ichniowski, P.E., Executive Director
Becky Shick, CFO
Mike Sullivan, Chief of Facilities & Operations
Dave Elberti, Chief Engineer
Mary Collins, Human Resources Director
Bob Fehn, IT Director
Jacki Meiser, General Legal Counsel

County Staff:

George Erichsen, Director, Dept. Public Works and transportation
Phil Shire, Director, Dept. of Land Use and Growth Management

CIP Projects. Mr. Erichsen provided an overview of several of the County's Capital Improvement Projects, including: the NexGen/Radio System, Adult Detention Center, and Energy Efficiency and Conservation Projects. He also discussed County projects that require coordination with MetCom such as: Landfill Gas Remediation, the St. Mary's Regional Airport expansion, bridge/culvert replacements on Wildewood Parkway, revitalization program at Patuxent Park Subdivision, construction of FDR Boulevard, and future infrastructure in Southampton Subdivision. He thanked MetCom staff for their support. In previous years the Department of Public Works and Transportation and MetCom met to discuss and coordinate projects to ensure their Capital Improvement Plans were in sync. He noted that timeframes in the current CIPs do not correspond and suggested that now might be the time to reestablish

DPW&T and MetCom meetings. Mr. Erichsen reported that a public hearing is scheduled for May 20, 2014, for an amendment to provide performance bonding exemptions for bodies politic and corporate and other quasi-public entities from the requirement of delivering security to guarantee performance to secure a building or grading permit for a development requiring a stormwater management plan. Quasi-public entities, such as the Board of Education, MetCom, and Southern Maryland Electric Cooperative, manage their own contracts and do not pose a risk of default or expose the County to costs arising out of noncompliance. The proposed amendment will eliminate double bonding; however, the County will still require a master permit and fees. Construction on the New Navy Museum facility should be underway in May.

Water/Sewer Connection Policy Study Group. Mr. Shire presented recommendations made by the Water/Sewer Connection Policy Study Group that was formed at the request of the County Commissioners. The Group defined service area as growth area boundaries designated by the County's Comprehensive Plan. They recommended for all newly constructed public water and sewer lines, whether constructed by MetCom or a developer, that all properties that "abut" the newly constructed lines will be required to connect to the new line and the owner or the responsible party of the property will begin paying monthly fees. The Study Group has not determined the distance when referring to "abut," but are considering 150-200 ft. Also, all properties within a designated growth area that "abut" currently existing public water and sewer lines but are not connected will be required to connect when their well/septic system fails or if any modifications are made to the existing dwelling. Prior to any new connection policies being implemented, amendments to certain statutes, regulations and ordinances will be drafted, some of which will require public hearings.

Commissioner Jarboe noted that the amount of funding the homeowner will be required to pay for their water/sewer connection could be anywhere from \$7,000 to \$15,000 and then another \$3,000 to \$5,000 to close out their existing systems and install new plumbing.

Commissioner Morris expressed his belief this was a violation of property rights and human rights and asked that the wording in the recommendation that, "all properties that "abut" the newly constructed lines will be required to connect," be changed to may be required to connect. He also suggested that MetCom should keep their rate increases to a minimum.

CALL TO ORDER

Commissioner President Russell called the business meeting of the Board of County Commissioners to order at 11:00 am in the Chesapeake Building meeting room, Governmental Center.

ADDITIONS/DELETIONS TO AGENDA

Commissioner Morgan moved, seconded by Commissioner Morris, to delete the 11:30 item requesting the scheduling of a public hearing on Proposed Zoning Text Amendments to exempt inflatable and storable above-ground swimming pools from the requirements of the St. Mary's County Zoning Ordinance and to reschedule this item to May 20, 2014. Motion carried 5-0.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Morgan, to approve the minutes of April 29, 2014, as presented. Motion carried 5-0

PROCLAMATIONS WERE PRESENTED FOR:

- (1) Nursing Home Week and Nurses Week (St. Mary's Nursing Center)
- (2) Safe Boating Week (Patuxent River Sail and Power Squadron)
- (3) National Transportation Week (DPW&T)

COUNTY ADMINSTRATOR

1. Draft Agendas for May 13 and 20, 2014.
2. **State's Attorney's Office** (*Joseph Stanalonis, Senior Assistant State's Attorney*)

Commissioner Jones moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Budget Amendment to transfer \$10,000 in revenue and expense budget authority from the Drug/Education Fund to the Project Graduation Fund on behalf of the State's Attorney's Office. Motion carried 5-0.

3. **Department of Land Use and Growth Management** (*Phil Shire Director; Gracie Brady, Historic Preservation Planner*)

(Carol Moody, Chair, Historic Preservation Commission)

Commissioner Morris moved, seconded by Commissioner Jarboe, to approve and authorize Departmental Staff to submit the grant application document electronically for the Federal Fiscal Year 2014 Certified Local Government Project from the Maryland Historical Trust in the amount of \$28,750, consistent with the hard copy reviewed by the Board of County Commissioners. Motion carried 5-0.

4. Department of Emergency Services & IT *(Bob Kelly, Director)*

Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute a Memorandum of Understanding to permit the location of an Early Voting Center in Room 14 of the Potomac Building at the St. Mary's County Governmental Center for the St. Mary's County Board of Elections to use for the 2014 Primary and General Elections. Motion carried 5-0.

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

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

Metropolitan Commission Board	Term
Charles Pessagno	06/30/2016 (Partial Term)
Transportation Advisory Committee	
Debbie Barker	06/30/2015
Christy Bishop	06/30/2015
Kevin Coorigan	06/30/2016 (Partial Term)
Sabrina Hecht	06/30/2017
Nancy Krasnesky	12/31/2015 (Partial Term)
Laschelle McKay	12/31/2016 (Partial Term)
Lemuel Proctor	12/31/2016 (Partial Term)

Non-Voting, Ex-Officio Members with Unlimited Terms

George Clark
Karen Gardner
Lisa Lemke
Melinda Lyon
Sherry Pierce
Bill Roberts
Cynthia Spalding
Sonal Stachowski

Motion carried 5-0.

COMMISSIONER'S TIME

The Commissioners highlighted events of the past week.

ADJOURNMENT

Commissioner Russell adjourned the Board of County Commissioners meeting at 11:48 am.

PUBLIC FORUM AT BAY DISTRICT VOLUNTEER FIRE DEPARTMENT SOCIAL HALL, 46900 S. SHANGRI LA DRIVE, LEXINGTON PARK

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.)*

Diane Harris, 27710 Persimmon Lane, Mechanicsville, MD

President, Feral Cat Rescue, Inc. Want to introduce legislation to change the way the County handles feral cats. Feral Cat Rescue volunteers trap feral cats, take them to the Veterinarian where they are checked, vaccinated, neutered, and ears clipped to identify them as being treated, and then returned to their colony. Current County policy allows animal control to pick up cats (even the ones identified by clipped ears) and take them to animal shelters where they are euthanized if not claimed within a certain timeframe. It costs \$100 each time a cat goes through shelter doors (cost to shelter and animal control). Would like to see government pass law to Trap, Neuter and Return (TNR) which will eventually decline the feral cat population. Could save taxpayers money as fewer workers would be needed in shelters and in the County's Animal Control Division.

Mr. Sparling, County Attorney, explained that the County is in the process of reviewing all the codes of the County. He noted Ms. Harris' request would not mean a legislative change, but rather a policy change.

Carrie Moneghen, 45579 Curley Ct., Great Mills, MD 20634

Applaud all the work the feral cat volunteers are doing. The Charles County Animal Shelter is doing a fantastic job, but would like to see St. Mary's County build an animal shelter.

Steve Chadwick, 21629 Rosalie Way, Leonardtown, MD 20650

Live in Rosecroft area and would like to be connected to MetCom. Health Department has determined my system is failing and I was put on MetCom's "Priority One" list. Understand the EDU allocation process. Would like MetCom to find a way to reduce daily flow requirement from 250 to 225 gallons per day to allow Priority One households to connect to the system. There are vacant lots assigned EDUs -- households with Priority One should be taken care of first.

Commissioner Russell said request would be forwarded to MetCom and LUGM.

Allison Swift, 45136 Woodhaven Drive., California, MD 20619

Here as a citizen and mother of a first grade student at Hollywood Elementary School. The average 1st grade class has 25 students. Dissatisfied with the recommendation to reassign Instructional Resource Teachers (IRT). Take away IRTs and you have ratio of 25 students to one teacher. Encouraged Commissioners to spend day at school. Asked that Commissioners work with Dr. Martirano to free up some funding. Public school educators are understaffed. Low budget base. Sending a letter to Dr. Martirano with copy to Commissioners expressing my dissatisfaction. Don't support reassigning resource teachers.

Barbara Clark, 43713 Stephenson Lane, Dr., Leonardtown, MD 20650

Asked Commissioners to support St. Mary's County Public Schools. Consider swift decision. You have one of three options. Need to look to the future and encourage Board of Education to focus on the budget process. Look at the next budget to make sure we don't get in this same situation. Encourage you to look to the future – you have an opportunity to work together – embrace it.

Alan Hunter, 26755 Baptist Church Rd., Mechanicsville, MD

What is progress on rails & trails? Heard a couple months ago it was in progress – haven't seen any progress.

Commissioner Russell said he would get a detailed lay out synopsis sent to Mr. Hunter from Recreation and Parks. Commissioner Jarboe said all funding is in place, it is in the design phase, it's a large section to be built with the intent of creating a buffer for homeowners which takes more time in the design phase.

Emily Harman, 44945 Voyage Path #12, California, MD 20619

DeForest Rathbone, 13316 McKay's Beach Rd., Mechanicsville, MD

Concerned with drug epidemic in St. Mary's County. Great public support for you to fund initiatives to prevent this. Presented Commissioners a memo referencing an article in *The Enterprise*, "Trying to Stem Drug Epidemic." Drugs cut across all communities affecting families, communities, and workforce. What are we doing to prevent this? Suggested a new effort that has proven success – screening kids in school and getting them help ASAP. The program called "Random Student Drug Testing" (RSDT) has proven results in nearly 5,000 U.S. schools. Provided Commissioners with a memo containing more detailed information.

Commissioner Russell suggested they contact Dr. Brewster.

George Tsirigore, 18337 River Road, Tall Timbers, MD

Have rental properties. Wants change in MetCom policy that when house is not occupied you still have to pay water bill. Why pay when you are not using it, you are kicking a man when he is down. Why does a person who lives by themselves pay the same as a family of 3 – figures don't add up. When we get meters will this change?

Commissioner Russell said a task force was looking into capacity and we will get info to you.

Eve Taylor

Concerning MetCom, I agree a single person like me shouldn't use \$85 of water per month. Remember what is happening – remember what hasn't or what has happened – consider candidates before you vote.

Commissioner Russell closed the public hearing at 7:15 pm.

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)