

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Tuesday, July 31, 2012**

**Present:** Commissioner President Francis Jack Russell  
Commissioner Lawrence D. Jarboe  
Commissioner Cynthia L. Jones  
Commissioner Daniel L. Morris  
Commissioner Todd B. Morgan  
John Savich, 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.

**ADDITIONS/DELETIONS TO AGENDA**

Commissioner Jones added Mutual Aid Agreement update.

**APPROVAL OF MINUTES**

**The minutes of July 24, 2012, were approved as presented.**

**PROCLAMATION WAS PRESENTED FOR THE 22<sup>nd</sup> ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT**

**COMMISSION FOR PEOPLE WITH DISABILITIES 5<sup>TH</sup> ANNUAL AWARDS PRESENTATION**

**Present:** Lori Jennings Harris, Director, Dept. of Aging and Human Services  
Susan Erichsen, Chair, Commission for People with Disabilities  
Cynthia Brown, Human Services Division Manager  
Christina Bishop, American Disabilities Act Coordinator  
Members of Commission for People with Disabilities

Awards were presented to: **Danny and Robyn Rebarachick** (Volunteer Award), **MetCom** (Notable Employer Award), Margaret **Stewart** (Vicky Brown Award formerly the Outstanding Person with

Disability Award), **Leonardtown Library** (Facility Accessibility Award), and **National Alliances on Mental Health Issues (NAMI) Family to Family** (Innovative Program).

## COUNTY ADMINISTRATOR

1. Draft Agenda for August 7, 2012. There will be no meeting on August 14.

2. **St. Mary's County Health Department** (*Joy Sapp, Fiscal Services Chief*)

**Commissioner Jones moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to sign the FY2013 Core Public Health Services Funding Form, which confirms to the State the County's funding allocation for FY2013. Motion carried 5-0.**

3. **Department of Public Works and Transportation** (*George Erichsen, Director*)

**Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to sign the Grant Agreement with the Federal Aviation Administration on behalf of the St. Mary's County Regional Airport in the amount of \$487,218 for the purpose of Airport Wetland Construction in support of the approved Airport Master Plan and in accordance with the St. Mary's County Board of County Commissioners (Sponsor) executed Master Agreement; and execute the two budget amendments realigning project budgets PF1201 and PF1303 to be in accordance with the grant award. Motion carried 5-0.**

4. **Department of Aging and Human Services** (*Lori Jennings-Harris, Director; Cynthia Brown, Human Services Division Manager; Peggy Maio, Fiscal Supervisor*)

**Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the FFY12 Emergency Solutions Grant Application, US1356, from the Maryland Department of Housing and Community Development on behalf of the Department of Aging and Human Services in the amount of \$75,000 to support homeless shelters and services for St. Mary's County residents. Motion carried 5-0.**

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

*(Joseph Guyther, Grant Coordinator, Mechanicsville, Volunteer Fire Dept.)*

**Commissioner Jones moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the Waterway Improvement Fund Application and Project Agreement from the Maryland Department of**

**Natural Resources on behalf of the Mechanicsville Volunteer Fire Department for the acquisition of marine rescue equipment for \$5,758 and whereas the Mechanicsville VFD will provide the 50% matching fund requirement of \$2,879. Motion carried 5-0.**

**ST. MARY'S COUNTY PUBLIC SCHOOLS: PRESENTATION OF DEED TRANSFERRING LOT #1 OF THE LEONARDTOWN EDUCATIONAL AND RECREATIONAL SITE TO THE BOARD OF EDUCATION**

**Present:** Dr. Michael Martirano, Superintendent, St. Mary's County Public Schools  
Brad Clements, Chief Operating Officer

Mr. Clements noted that the action today, if favorable, will allow the Board of Education to go to settlement and record the deed for the property, then move forward with the request for State funding.

*Commissioner Morris noted that he is still concerned with accessibility to the property and asked that a second road be opened for an emergency entrance.*

**Commissioner Jones moved, seconded by Commissioner Morris, to approve and sign the Deed transferring Lot 1 of the Leonardtown Educational and Recreational Site to the Board of Education of St. Mary's County for use as the site of the second new elementary school. Motion carried 5-0.**

**DEPT. OF LAND USE AND GROWTH MANAGEMENT – PROPOSED ZONING TEXT AMENDMENTS:**

**Present:** Phil Shire, Director, Dept. of Land Use and Growth Management  
Yvonne Chaillet, Zoning Administrator, Dept. Land Use and Growth Management

Mr. Shire and Ms. Chaillet presented four amendments to the Comprehensive Zoning Ordinance.

**1. TO ALLOW A FARM BREWERY IN THE RURAL PRESERVATION DISTRICT (RPD)**

This amendment mirrors the amendment, enacted to Article 2B of the Annotated *Code of Maryland* during the 2012 Maryland State's Legislation Session, which creates a Class 8 farm brewery manufacturer's license.

**Commissioner Jarboe moved, seconded by Commissioner Morris, to accept the amendments to allow a farm brewery in the RPD as proposed for a first reading, waive the 30-day comment period and second reading required by Resolution 2005-03 and direct that the Planning Commission proceed with a public hearing and prepare a recommendation for the Board relating**

**to the proposed amendments. Motion carried 4-0.** *Commissioner Morgan was out of the room when vote was taken.*

## **2. TO MODIFY USE TYPE 12B, WINERY, TO ALLOW WINERY IN THE RESIDENTIAL, LOW-DENSITY - TRANSITIONAL (RL-T) DISTRICT**

**Commissioner Jones moved, seconded by Commissioner Morris, to table this item until the Board has an opportunity to deal with late breaking information. Motion carried 5-0.**

## **3. TO MODIFY USE TYPE 12A, DISTILLERY, TO ALLOW TOURS, PRODUCT SAMPLING, RETAIL SALES AND EVENTS**

During the last Legislative Session amendments to the Article 2B of the *Annotated Code of Maryland* were passed for the purpose of expanding the privileges of a distillery license. This amendment allows social events to be held at the distillery.

**Commissioner Morris moved, seconded by Commissioner Morgan, to direct staff to make the recommended changes and bring the proposed zoning text amendment to modify Use Type 12a, Distillery, to allow tours, product sampling, retail sales and events back to the Board of County Commissioners for a second reading pursuant to Resolution 2005-03. Motion carried 5-0.**

## **4. TO MODIFY METHODS FOR ACHIEVING AN INCREASE IN FLOOR AREA RATIO PURSUANT TO SCHEDULE 32.2 OF THE ZONING ORDINANCE**

Currently Schedule 32.1 of the Comprehensive Zoning Ordinance "Development Standards" stipulates a base floor area ratio for development intensity in all zoning districts. The same section stipulates a maximum floor area ratio may be achieved in all (but one) zoning districts, if an applicant uses one of two methods (purchase TDRs or LEED certification) as stated in Schedule 32.2 of the Ordinance. This amendment will modify 32.2 to read "Applies only to commercial uses. Non-commercial uses may achieve the maximum floor area ratio stipulated in Schedule 32.1 without applying these methods.

**Commissioner Jones moved, seconded by Commissioner Morris, to direct staff to make the recommended changes and bring the proposed zoning text amendment to modify methods for achieving an increase in floor area ratio pursuant to Schedule 32.2 of the Zoning Ordinance back to the Board of County Commissioners for a second reading pursuant to Resolution 2005-03. Motion carried 5-0.**

**MUTUAL AID AGREEMENT UPDATE**

Commissioner Jones noted that additional information and questions have come to light regarding the Mutual Aid Agreement since last Tuesday's meeting. Research continues and information will be brought forward as it becomes available.

**COMMISSIONER'S TIME**

The Commissioners highlighted events attended over the past week.

**ADJOURNMENT**

The meeting adjourned at 11:42 am.

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

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