

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, October 2, 2012**

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

**JOINT MEETING OF THE BOARD OF COUNTY COMMISSIONERS AND THE
COMMANDING OFFICER, NAVAL AIR STATION, PATUXENT RIVER:
ENCROACHMENT MITIGATION AND PREVENTION**

The Commissioners and County staff members met with the Commanding Officer and representatives of NAS Patuxent River at 9:00 am at the Frank Knox Employment Development Center at NAS/PAX River for the semi-annual encroachment mitigation and prevention meeting. CAPT Mills addressed the impact of federal budget constraints on Navy shore operations and the actions taken to meet those reductions, including the partial closing of Gate 3. He acknowledged receiving the letter from the Commissioners expressing their concern with traffic issues as a result of the partial closing. Another cost savings measure was to reduce pass office staff which has increased the ID processing time. He noted the Joint Land Use initiative was moving forward. Additional topics covered at the meeting included updates on Webster Field AICUZ proposed text amendment; Lexington Park Development District Master Plan; Lexington Park Revitalization; Eastern Shore Wind Turbine Development and the X-47B Unmanned Combat Aircraft System.

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Jones, to approve the minutes of September 25, 2012 as presented. Motion carried 5-0.

DECD, TOURISM DIVISION: RECOGNITION OF ACHIEVEMENTS BY LOCAL WINERIES

Present: Carolyn Laray, Tourism Manager, Dept. of Economic and Community Development
Dean Jones, President, So. Md. Winegrower's Association
Jim Grube, Owner, Slack Winery
Briana Berg, Marketing Coordinator, MD Wineries Association

Port of Leonardtown Winery and Slack Winery of St. Mary's County were recognized for earning numerous medals at the state, regional and national levels.

DEPT. OF LAND USE AND GROWTH MANAGEMENT: DRAFT "GROWTH AREAS" MAP AS REQUIRED BY THE SUSTAINABLE GROWTH AND AGRICULTURAL PRESERVATION ACT OF 2012 (SENATE BILL 236)

Present: Phil Shire, Director, Dept. of Land Use and Growth Management
Jeff Jackman, Sr. Planner, Dept. of Land Use and Growth Management
Sue Veith, Environmental Planner, Dept. of Land Use and Growth Management

Land Use and Growth Management staff presented their recommended maps for "Growth Tiers" to comply with the Sustainable Growth and Agricultural Preservation Act of 2012 (Senate Bill 236). Ms. Veith explained that identifying and mapping of the tiers is voluntary; however jurisdictions that don't map tiers will not be allowed to approve major subdivisions outside areas currently served by public sewerage systems. She explained state mapping criteria and the local data used to formulate the Department's recommendation.

Commissioner Jarboe requested that Commissioners be provided with tier maps by election district to assist with assessing the impact on neighborhoods in their individual districts. He also suggested LUGM staff provide Commissioners with Charles County's tier maps.

It was suggested that informational meetings be conducted to inform the citizens on the impact of Senate Bill 236 and the mapping tiers. The Commissioners asked what the consequences are if the plan is not adopted by December 31, 2012. Mr. Shire will research.

ST. MARY'S COUNTY PUBLIC SCHOOLS: REQUEST APPROVAL OF CAPITAL IMPROVEMENTS PROGRAM

Present: Brad Clements, Deputy Superintendent of Schools and Operations
Kimberly Howe, Coordinating Supervisor of Capital Planning and Green Schools

Mr. Clements noted the request is for a letter of support for the FY2014 –FY2019 State Capital Improvement Plan which has two major projects scheduled for FY2014, the new elementary school and the energy initiatives discussed during the September 25, BOCC meeting. Other projects listed in the

out years will continue to be monitored to determine if the assumptions need to be refined as new data becomes available. The letter from the Commissioners to support the state CIP does not commit the Commissioners to the local CIP.

Commissioner Jarboe moved, seconded by Commissioner Jones, to sign the letter of support for the FY 2014 to FY2019 State Capital Improvements Program as approved by the Board of Education on August 29, 2012, to be submitted to the Public School Construction Program in accordance with state procedures. Motion carried 5-0.

**MD DEPT. OF TRANSPORTATION: ANNUAL CONSOLIDATED
TRANSPORTATION PROGRAM FY2013-2018**

Present: Darrell B. Mobley, Acting Secretary, MD. Dept. of Transportation
Diane Ratcliff, Administrator, Maryland Transit Admin.
Melinda Peters, Administrator, State Highway Administration
Lee Starkoff, District Engineer, SHA
Michael Woodson, MVA
Delegate Anthony O'Donnell

The Acting Secretary and staff of the Maryland Department of Transportation presented the six-year capital budget plan for various transportation projects across the state. They described 2012 accomplishments, future state and local initiatives and budget challenges. Also discussed was the recent grouping by the Census Bureau of Lexington Park, California and the Ranch Club in Calvert County designating them as an Urbanized Area. Once that designation is made, a Metropolitan Planning Organization (MPO) is required. Rumble strips to enhance safety, several resurfacing projects, and Three North Trail Phase IV enhancements are scheduled for FY2013. Earmarked by congress but not funded are the St. Mary's College pedestrian overpass and the Patuxent River Air Museum and Visitor Center. Still under study is the upgrade to MD4 and 235 corridor, including the Thomas Johnson Bridge, upgrades and widening of MD5 (Point Lookout Road from south of Camp Brown Road to the Ranger Station) and upgrades and widening of MD5 between MD243 and MD245.

**PUBLIC HEARING: TO CONSIDER A PROPOSED RESOLUTION TO
RECOMMEND CERTAIN PROPERTIES TO THE MD AGRICULTURAL LAND
PRESERVATION FOUNDATION FOR ACCEPTANCE OF APPLICATIONS
TO PURCHASE EASEMENTS**

Present: Donna Sasscer, Agriculture Manager, DECD

Commissioner Russell opened the public hearing at 2:30 pm.

Ms. Sasscer read the into the record the Notice of Public Hearing that was posted in *The Enterprise Newspaper* on September 12 and 14, 2012. She noted each property owner being considered for acceptance of an application to purchase easement notified neighbors by posting the public notice on their property and sending letters to their adjoining neighbors.

Commissioner Russell opened the Public Hearing for public comments.

There were no public comments and the hearing was closed for public comments at 2:45 pm.

OFFICE OF COUNTY ATTORNEY

Present: George Sparling, County Attorney

1. NOTICE OF PROPOSED PURCHASE OF REAL PROPERTY FOR PHASE I OF FDR BLVD

Funds were appropriated in the FY2013 Budget for acquisition of property and easements for construction of FDR Boulevard. Notice of Proposed Purchase of Real Property was posted 15 days prior to this voting session as required in the Annotated Code of Maryland Open Meeting Act. A formal motion is now required to proceed.

Commissioner Jarboe asked if taking this action today would preclude a developer from paying for part of the roadway. Mr. Sparling responded that it would not.

Commissioner Morgan moved, seconded by Commissioner Jones, to direct the Department of Public Works and Transportation to proceed with the acquisition of all property and easements required for construction of Phase 1 of FDR Blvd. Motion carried 5-0.

2. PROPOSED RESOLUTION ESTABLISHING PROCEDURES FOR THE ADOPTION OF ORDINANCES AND RESOLUTIONS AND FOR NOTICES OF PUBLIC HEARINGS

Present: George Sparling, County Attorney

Mr. Sparling noted that there is no uniformity in the administrative procedures used for adoption of Ordinances and Resolutions and for Notices of Public Hearings and proposed actions among departments. The proposed resolution will standardize the procedures.

Commissioner Morgan moved, seconded by Commissioner Jarboe, to adopt the proposed Resolution establishing procedures for the adoption of ordinances and resolutions and for notices of public hearings. Motion carried 5-0.

COUNTY ADMINISTRATOR (*Sue Sabo, HR Director, presented the items*)

1. Draft Agenda for October 16, 2012. There will be no meeting on October 9, 2012.

2. Circuit Court (*Pete Cucinotta, Drug Court Coordinator*)

Commissioner Jones moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the budget amendment increasing the revenues and expenses in the Drug Court Grant to allow for Alcohol Monitoring in the amount of \$5,000 from the Supplemental Reserve. Motion carried 4-0. Commissioner Morris was not in the room when vote was taken.

Commissioner Jones moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute budget amendments reducing Projects US1039 and US1128 in the amounts of \$67,366 and \$177,600 to the Supplemental Reserve on behalf of the Circuit Court. Motion carried 5-0.

3. Department of Aging and Human Services (*Lori Jennings-Harris, Peggy Maio*)

(Cynthia Brown, Human Services Div. Mgr.; Matt Reisdorph, Prevention and Treatment Coordinator; Jaclyn Shaw, St. Mary's Hospital)

Commissioner Morris moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the Maryland Strategic Prevention Framework supplemental budget award, Project US1324, from the Alcohol and Drug Abuse Administration in the amount of \$69,462, and the related Sub-recipient Agreement between the County and St. Mary's Hospital of St. Mary's County, Inc. and approve the budget amendment to increase the grant budget by \$35,987 to match the award. Motion carried 5-0.

Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Notification of Grant Award for the FY2013 State Grants, Projects MD1301, 1302, 1303, 1304, 1306 and 1314, from the Maryland Department of Aging on behalf of the St. Mary's County Department of Aging and Human Services for services and programs for the Seniors of St. Mary's County in the amount of \$199,467 and the related budget amendment to decrease the project budget by \$444. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Morris, to authorize Department Staff to execute and submit the grant application documents electronically for the Retired and Senior Volunteer grant, Project US1410, from the Corporation for National and Community Service in the amount of \$67,412, consistent with the hard copy reviewed by the BOCC. Motion carried 5-0.

4. Sheriff's Office (*Brian Eley, Civilian Administrator; Erin Shoemaker, Fiscal Manager*)

Commissioner Jones moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the budget amendment setting up both the revenue and expense for fingerprinting services for FY2013 in the amount of \$15,000. Motion carried 5-0.

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

(Jacqueline Fournier, Transportation Manager, Dept. of Public Works and Transportation)

Commissioner Morris moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the State of Maryland Department of Transportation FY2013 Operating and Capital Grant Agreements from the Maryland Transit Administration (Commissioner Morris said Authority) on behalf of the Department of Public Works & Transportation, St. Mary's Transit System and execute the budget amendment for \$2 in accordance with the award. Motion carried 5-0.

(Bob Kelly, Director, Dept. of Emergency Services and Technology)

Commissioner Jones moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the Maryland Emergency Management Agency Hazard Mitigation Grant Memorandum of Agreement for the "Wind Retrofit" of the Emergency Communication Center – Project PF1004. Motion carried 5-0.

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

Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the budget amendment realigning \$1,750,000 to the Lease Payment Account for exempt financing costs for the communications equipment under the NEXTGEN Contract and also realign \$543,000 to the BOCC Emergency Reserve. Motion carried 5-0.

Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the 2009 State Homeland Security GAN adjustment, Project US1020, on behalf of the Department of Emergency Services & Technology, for de-obligation of funding in the amount of \$58 and the related budget amendment decreasing the project budget and revenues by \$58. Motion carried 5-0.

7. Department of Economic and Community Development/CDC (*George Sparling, County Attorney, will present for DECD/CDC*)

Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute two copies of the grant agreement MD-13-CD-26 with the Maryland Department of Housing and Community Development for \$203,994 in federal Community Development Block Grant funding to relocate four County-donated structures to lots owned by Patuxent Habitat for Humanity and furthermore to execute Exhibit 1, a fund transfer registration request form, Exhibit 2, an authorization of signatures for CDBG requests for funds and a Sub-recipient Agreement with Patuxent Habitat for Humanity, Inc. to complete the workforce housing relocation project as specified in the agreement with Maryland Department of Housing and Community Development and also to execute the related budget amendment. Motion carried 5-0.

COMMISSIONER'S TIME

The Commissioners highlighted events attended over the past week.

Commissioner Morgan stated he is opposed to the grouping of Lexington Park, California and the Ranch Club designating them as an Urbanized Area which requires a Metropolitan Planning Organization (MPO). He suggested Commissioners write a letter to the federal delegation expressing that sentiment.

PUBLIC FORUM

Commissioner President Russell opened the Public Forum for public comments at 6:30 pm at the Ridge Volunteer Fire Department.

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

Barbara Svenson, Lexington Park, MD 20653

- Gate 3 closing
- Presented Commissioners with letter on behalf of Pine Hill Technology Park requesting that Commissioners and base personnel work together to come up with a solution to reopen the gate

Minnie Russell, Ridge, MD

- Requested Commissioners explain how a person can be assigned as a temporary trustee on a land deal
- Feels she and her husband have been treated unfairly

Commissioner Russell noted that if this is part of an ongoing court case in front of her house, she should contact Mr. George Sparling, County Attorney, to answer her questions.

Crystal Menear, 22233 Cosmos Ct., Great Mills, MD

- Member of Commission on Aging
- Requested renovations to the Garvey Senior Center be moved up from its current place in the CIP (2018)

Commissioner Russell noted that this could be addressed during the budget cycle.

Jim, Grube, Wynne Road, Ridge MD

- Woodlawn Bed and Breakfast and Slack Winery
- Woodlawn applied to County Tourism to have direction sign erected for his business
- State came out after about a year and erected 2 signs but did not ask for any input as to where signs should be located
- One sign has since been torn down and the other is still there, in front of the cemetery
- Feels the state could do a better job in locating signs and asked the Commissioners for help

Commissioner Russell said he would contact Ray Carter, State Highway Department and ask him to call Mr. Grube.

Sam Brown

- Representing Commission on Aging - asked how they, as a committee, could move forward the timeframe for renovations to the Garvey Senior Center
- Increased number of participants has outgrown the facility
- 1 small room with 3 computers is considered computer room
- 1 large room where all activities are held – people have to be moved out for the next activity to start
- Department of Aging staff is upstairs which makes it difficult for seniors to get to them
- Central part of County should be treated same as north and south – both have great facilities

Commissioner Russell noted that consideration could be given to this request as part of the upcoming FY 2014 budget process.

Minnie Russell, Ridge MD

- Expressed concern for shortage of medical facilities in the County for Kidney Dialysis – she takes her husband 3 times a week
- Facility in Leonardtown has at least 45 patients – long distance to drive, you have to wait a significant amount of time to get your seat for treatment which then takes several hours
- Heard a facility was planned for Lexington Park (Baden Medical Center) but was held up because of permits

Commissioner Russell noted there is an RSVP program through the Senior Center to assist in getting individuals to and from appointments and that he will look into the permit question.

ADJOURNMENT

Commissioner Russell closed the Public Forum and adjourned the Board of County Commissioners meeting at 7:00 pm.

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)