

Commissioners of St. Mary's County Meeting Minutes (Tuesday, November 10, 2015)

Generated by Sharon Ferris on Thursday, November 12, 2015

Members present

Commissioner President James R. Guy
Commissioner Michael L. Hewitt
Commissioner Tom Jarboe,
Commissioner Todd B. Morgan
Commissioner John E. O'Connor
Dr. Rebecca Bridgett, County Administrator
Sharon Ferris, Recorder

1. WELCOME

Commissioner President Guy called the meeting to order at 9:00 in the Chesapeake Building meeting room, Governmental Center.

Approval of Minutes

I move to approve the minutes of November 3, 2015 as presented.

Motion by Commissioner John E. O'Connor, second by Commissioner Tom Jarboe.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

2. PRESENTATIONS

A. Public Forum for Vacant Board of Education Seat

The Commissioners are interviewing candidates for the vacant Board of Education position. Prior to making a selection, the Commissioners asked the 34 applicants to provide a brief overview of their qualifications in open forum at the Commissioners' regular business meetings on November 3, 10, and 17, 2015. The following candidates presented their qualifications today.

- Elizabeth Long
- Jim Davis
- Lynn Duff
- Shannon Dyson
- Anita Getson
- Philip Holzbauer
- Christopher Krush
- DeForest Rathbone
- Timothy Wilson
- Karol Wolgemuth

3. BREAK

4. COUNTY ADMINISTRATOR

A. DRAFT AGENDA FOR November 17, 2015

B. DEPT. OF PUBLIC WORKS & TRANSPORTATION - Resolution to Provide for Storm Debris Disposal

I move to approve the Resolution To Provide for Storm Debris Disposal.

Motion by Commissioner Tom Jarboe, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

C. DEPT. OF RECREATION AND PARKS - Budget Amendments - Project #PL1603 Clarke's Landing Boat Ramp

1) I move to approve the budget amendment closing out a portion of the Roadway Base Widening and Repairs Project #HW1507 and transferring \$250,000 to the FIN16 Capital Reserve account and authorize the Commissioner President to execute the related documents.
And;

2) I move to approve the budget amendment transferring funds and appropriation authority in the amount of \$250,000 from the FIN16 Capital Reserve to the Clarke's Landing Boat Ramp Project #PL1603 and authorize the Commissioner President to execute the related documents.

Motion by Commissioner John E. O'Connor, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

D. DEPT. OF AGING AND HUMAN SERVICES - Maryland Strategic Prevention Framework (MSPF2) Grant Application

I move to approve the Maryland Strategic Prevention Framework (MSPF2) application, Project # US1624, from the Maryland Department of Health and Mental Hygiene, Behavioral Health Administration on behalf of the St. Mary's County Department of Aging and Human Services, in the amount of \$60,000 to continue alcohol prevention efforts in the community.

Motion by Commissioner Tom Jarboe, second by Commissioner John E. O'Connor.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

E. DEPT. OF EMERGENCY SERVICES & TECHNOLOGY - Network infrastructure upgrades for Historic St. Mary's City

I move to approve the budget amendment using \$95,000 of the Commissioners' Emergency Reserves to increase the Emergency Services & Technology FY2016 budget to install burial grade fiber to critical buildings and networking gear to ensure reliable network operations at Historic St. Mary's City.

Motion by Commissioner John E. O'Connor, second Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

F. DEPT. OF FINANCE - Budget Amendment for Hurricane Joaquin Emergency Project OT1620

I move to approve the Budget Amendment using \$19,082 of the Commissioners' Emergency Reserve to increase the Hurricane Joaquin Emergency Project OT1620 budget for expenses incurred due to the storm, and authorize the Commissioner President to execute the related document.

Motion by Commissioner Tom Jarboe, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

5. MAIN AGENDA ACTIONS ITEMS

A. DEPT. OF LAND USE AND GROWTH MANAGEMENT - Decision on proposed CWSP water service category amendment for St. Anne's Anglican Church in Charlotte Hall

Present: Phil Shire, Director

Dave Chapman, Capital Facilities Planner

A public hearing was held on October 20, 2015. There were no public comments during the public hearing or during the 10-day open comment period. The proposed amendment will change the Service Area Map III-4 to change the water service category from W-6D to W-3D for 3.657 acres at 29530 Charlotte Hall Rd., Charlotte Hall, Maryland, in anticipation of providing public water service for a future parish hall.

I move that the amendment to change the CWSP water service category to W-3D for St. Anne's Anglican Church in Charlotte Hall be adopted as proposed

Motion by Commissioner Tom Jarboe, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Jarboe, Morgan

Nay: Commissioner O'Connor

B. COUNTY ATTORNEY - 2016 Agenda for the Joint Meeting with the St. Mary's County Legislative Delegation on November 17, 2015.

Present: George Sparling, County Attorney

Mr. Sparling noted the proposed agenda items are divided into three categories: proposals, endorsements and discussions. The proposed legislative proposals are (1) Revision of the Code of St. Mary's County, Maryland (repeals), (2) St. Mary's County Board of Education Term Limits, (3) operation of golf carts on public roads and (4) St. Mary's County Open Meeting Act

– closed session. The requests for endorsements are from (1) the St. Mary’s County Alcohol Beverage Board, (2) cost of care of abused animals (Charles County Commissioner, Commissioner Peter Murphy), and (3) St. Mary’s County proposed property tax exemption (Delegate Matt Morgan). Discussion items are Economic Development Incentives and St. Mary’s County Metropolitan Commission. Commissioner O’Connor asked that collective bargaining for the Fraternal Order of Police be added to the legislative proposals. Discussion topics added are Governance of MetCom and HB134.

I move to include the following proposal(s) on the agenda for the Joint Meeting with the St. Mary's County Legislative Delegation on November 17, 2015.

Motion by Commissioner John E O'Connor, second by Commissioner Tom Jarboe.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Jarboe, Morgan, O'Connor
Nay: Commissioner Hewitt

6. COMMISSIONERS TIME

The Commissioners highlighted events attended over the past week and provided general comments.

7. LUNCH/RECESS

8. BUDGET WORKSHOP

A. CIP Budget Work Session

The Commissioners conducted a FY2017 Budget Work Session.

9. ADJOURN

The meeting adjourned at approximately 4:45 pm.

Minutes Approved by the Commissioners of St. Mary's County on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)

10. PUBLIC HEARING

Public Hearing to Consider Home Rule Form of Government

**CODE COUNTY PUBLIC HEARING
November 10, 2015 6:30 pm
7th District Volunteer Fire Dept.
21660 Colton's Point Rd., Avenue MD**

Members present

Commissioner President James R. Guy
Commissioner Michael L. Hewitt
Commissioner Tom Jarboe
Commissioner Todd B. Morgan
Commissioner John E. O'Connor
George Sparling, County Attorney
Sharon Ferris, Recorder

Commissioner Guy opened the Public Hearing at 6:35 pm.

Following a video presentation explaining Code Home Rule, Mr. Sparling provided a real-time scenario explaining the timelines and process involved to pass the Blight Ordinance adopted by St. Mary's County in 2014 vs how the process would work under Code Home Rule.

Commissioner Guy opened the meeting for public comments

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

Commissioner Guy noted that no one had signed up to speak and asked if anyone in audience wanted to speak. The following offered comments.

Steve Woodburn, P.O. Box 571, 28570 Calvert St., Leonardtown, MD 20650

- If the County adopts this form of government and after two or three years down the road you decide to go back to the old way, what would the procedure be? Answer – You would need to reverse the procedure, go back to Annapolis for approval. However, to-date none of the counties that have changed to this form of government have asked to go back.

John Butterfield, 22244 Colton's Point Rd., Avenue MD 20609

- What is the real reason to change? Answer – (1) Ability to bring legislative items pertaining only to St. Mary's County down to local government level for approval; (2) will expedite the process; (3) make it more transparent. An example is a House Bill that Delegate Morgan proposed last year to eliminate personal property taxes on

businesses in St. Mary's County. Businesses buy equipment and pay 6% tax then, they pay another 2% tax each year on the equipment. Eliminating this tax would allow businesses to reinvest in itself and could also be used as a tool to increase the economic development by attracting new businesses into the county. Delegate Morgan's proposed bill died without getting out of committee.

- Expressed concern that only five people (Commissioners) will be making all decisions. Don't think that is enough representation. The less people you have making decisions the more lopsided they become.
- If you go to Home Rule can you take over MetCom? Answer - No MetCom is a state entity.

Ronnie Mattingly 39049 Hodges Rd., Avenue, MD 20609

- What decisions can you make? Is it decisions that affect 10 people or the whole county? Answer –Would be able to approve legislation that pertains only to St. Mary's County. The change would be revenue neutral no transfer of power over money.
- What limits would you have on how to control land? Do you have any impact on land – what exactly can you decide? Answer - That would still be controlled by the State.
- Still unclear what the limit would be and what decisions you five people can make. What do you oversee? Exactly what can you decide and what has to be decided by the state. Answer - The commissioners currently have authority over emergency services and anything pertaining to County departments.
- Sounds like the time needs to be shortened on the state side.

Bill Cullins 38342 Red Robin Lane, Clements, MD 20624

- What are we trying to control? Sometimes it takes a process to change. Answer – it's not the process that will change it is the representation in those decisions. You voted for your commissioners, and if they do something you don't like, you can put them out of office - if it goes to the State you have no control over that.

From the floor (did not identify himself)

- Is the state or delegation going to come down to tell us how they feel about this? Answer - There are 24 jurisdictions in the State – 12 follow Charter form of government, 6 Code Home Rule and 6 are County Commissioner form of government. The Town of Leonardtown has Home Rule government. The Charles County Commissioners are in their first year of Code Home Rule government and we are checking with them to see how many items they have approved to date. We will get that information and put on the website.

David Cullins, 38336 Red Robin Lane, Clements MD 20624

- Do you want to take over MetCom? No MetCom is governed by Chapter 113 of the *St. Mary's Code*. If Code Home Rule is adopted, Commissioners would have some authority, but if you are talking about bringing MetCom into County government, it would have to be a joint State and County effort.

Steve Woodburn, P.O. Box 571, 28570 Calvert St., Leonardtown, MD 20650

- Don't believe you have answered the question the gentleman asked before – are the delegates against this? Commissioner O'Connor suggested that Delegate Rey is not receptive to this. He suggested citizens contact the St. Mary's County delegation directly to get their opinion of Code Home Rule.

There were no others wishing to speak. Commissioner President Guy closed the hearing for public comments at approximately 7:30 pm.