

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, November 23, 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
Sharon Ferris (Recorder)

CALL TO ORDER

Commissioner President Russell called the meeting to order at 9:02 am.

ADDITIONS/DELETIONS TO AGENDA

Item 2B, for the Human Services Department, was added to County Administrator and Item 6, for the Public Works Department, will be deferred until December 7, 2010.

APPROVAL OF CHECK REGISTER

Commissioner Raley moved, seconded by Commissioner Mattingly, that the checks for bills dated November 23, 2010, be approved as submitted by staff. Motion carried 4-1. Commissioner Jarboe voted nay.

APPROVAL OF MINUTES

Commissioner Dement moved, seconded by Commissioner Jarboe, to approve the minutes of the meeting of Tuesday, November 16, 2010. Motion carried 5-0.

**COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES
(CALEA)**

**Present: The Honorable James N. Robey, MD Senator and CALEA Commissioner
Sheriff Tim Cameron
Pam McKay, Accreditation Manager**

The CALEA's goals are to strengthen crime prevention and control capabilities; formalize essential management procedures; establish fair and nondiscriminatory personnel practices; improve service delivery; solidify interagency cooperation and coordination; and increase community and staff confidence in the agency. The St. Mary's County Sheriff's Office received its initial CALEA Law Enforcement Accreditation Award in July 2007. Senator Robey presented Sheriff Cameron with a CALEA Certificate of Re-accreditation and thanked the Sheriff and Commissioners for making this a priority for the citizens of St. Mary's County.

COUNTY ADMINISTRATOR

1. There will be no meeting on November 30, 2010.

2. Department of Human Services (*Cynthia Brown, Interim Director;; Kelsey Bush, Local Management Board and Youth Coordinator*)

(Ella May Russell, Chair, Local Management Board Sub-committee of the Human Services Council)

Commissioner Raley moved, seconded by Commissioner Dement, to authorize County LMB Chair to execute the FY2011 Community Partnership Agreement (CPA) and Appendix A & B. I further move to authorize Department Staff to execute the FY2011 CPA Appendix A & B, and lastly I move to approve and authorize the Commissioner President to execute the FY2011 Community Partnership Agreement, project numbers MD1161, MD1165, MD1166, MD1167 and MD1188, from the Governor's Office for Children in the amount of \$408,582 and the related Sub-recipient Agreements between the St. Mary's County Government and Tri-County Youth Services Bureau, St. Mary's County Public Schools, Big Brother Big Sister of Central Maryland, and Boys and Girls Club of Southern Maryland. Motion carried 5-0.

(Dr. Kathleen O'Brien, Executive Director, Walden/Sierra, Inc.)

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and accept the Victims of Crime Act (VOCA) Grant Modification from the Maryland Dept. of Human Resources on behalf of the St. Mary's County Dept. of Human Services and Walden which awards an additional \$21,600; to approve and authorize the Commissioner President to execute the related Sub-recipient Agreement between the County and Walden/Sierra, Inc., for the ARRA funding and the related budget amendment increasing grant project #US1046 by \$21,600, and to authorize the Finance Department to process a payment under the terms of the sub-recipient agreement, subject to submission by the Interim Director of the Department of Human Services. Motion carried 5-0.

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

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Maryland Heritage Areas Authority grant agreement and related Assurances for design and engineering of Phase VI of the Three Notch Trail in the total amount of \$90,000. Motion carried 4-1. Commissioner Jarboe voted nay.

Commissioner Raley asked what happens to excess funds if the project comes in under budget. Mr. Rollins will inquire and provide a response to the Commissioners.

Commissioner Jarboe suggested a public hearing should be held since County funding is being invested.

4. Department of Economic and Community Development (*Bob Schaller, Director; Donna Sasscer, Agriculture Manager*)

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and execute the Letter of Consent for the \$75,351 of Cigarette Restitution Funds from the Southern Maryland Agriculture Commission for funding for the construction of the Mattapany Farm Market Project, PF0803, and also to approve and authorize the Commissioner President to execute the related proposed budget amendment. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Dement, to authorize Commissioner President Russell to sign a Lease Agreement with the Home Grown Farm Market, LLC. for the property located at 21078 Three Notch Road, Lexington Park, MD 20653 for the purpose of constructing and managing a farmers market. Motion carried 5-0.

5. Department of Public Safety (*Dave Zylak, Director; Thomas A. Mattingly Jr., Emergency Communications Manager*)

Commissioner Mattingly moved, seconded by Commissioner Dement, to authorize Department of Public Safety to submit the grant application, document to the ENSB 9-1-1 Trust Fund, project MD1138, from the Emergency Number Systems Board in the amount of \$1,024,122, consistent with the hard copy reviewed by the BOCC. Motion carried 5-0.

OFFICE OF THE COUNTY ATTORNEY: DECISION FROM PUBLIC HEARING ON TRANSFER OF .66 ACRES TO ST. MARY'S NURSING CENTER AND PROPOSED NURSING CENTER BYLAWS AMENDMENT

Present: George Sparling, County Attorney
Donald E. Lewis, Administrator, St. Mary's Nursing Center, Inc.
James O. Farrell, President, Board of Trustees, St. Mary's Nursing Center, Inc.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to adopt a Resolution to transfer .66 acres of land, being part of Parcel 64, Tax Map 127, to St. Mary's Nursing Center, Inc. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to adopt a resolution to abolish the Citizens Nursing Home Board for St. Mary's County, abrogate a Memorandum of Understanding dated April 6, 2004, and approve amendments of the bylaws of St. Mary's Nursing Center, Inc. Motion carried 5-0.

ST. MARY'S COUNTY METROPOLITAN COMMISSION: REQUEST APPROVAL FOR REPROGRAMMING OF THE 2010 MD DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT LOAN (DHCD)

Present: Jacquelyn V. Meiser, Director/Legal Counsel
Rebecca Shick, Chief Financial Officer

Ms. Meiser reviewed the relevant documents and purpose for MetCom's request to reprogram the existing 2010 DHCD loan by adding additional projects to the list of projects to be constructed. The addition of these projects will afford greater flexibility for projects to move forward when they are ready to proceed. The addition of these projects will not affect the 2010 DHCD Loan amount of \$12,613,963 and is consistent with the MetCom Capital Improvement Plan.

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve, as evidenced by the signing of the necessary legal documents, the action by the St. Mary's County Metropolitan Commission in the reprogramming of the 2010 MD Dept. of Housing and Community Development Loan monies to include additional projects totaling \$7,957,000. Motion carried 5-0.

COMMISSIONER'S TIME

The Commissioners highlighted events attended over the past week. The outgoing Commissioners expressed gratitude to the citizens of St. Mary's County for allowing them the opportunity to serve their community.

TOUR OF MD STATE POLICE MEDEVAC HANGAR AT ST. MARY'S COUNTY AIRPORT

Several Commissioners visited the St. Mary's County Airport to tour the Maryland State Police Medevac Hangar and present a Proclamation in recognition of the MD State Police Medevac's 40th anniversary.

ADJOURNMENT

The meeting of the Board of County Commissioners adjourned at approximately 3:00 pm.

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)