

**ST. MARYS COUNTY  
BOARD OF COUNTY COMMISSIONERS MEETING  
GOVERNMENTAL CENTER  
Tuesday, July 22, 2008**

**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  
Donna Gebicke, Administrative Assistant to the BOCC (Recorder)

**CALL TO ORDER**

Commissioner President Russell called the meeting to order at 10:05 m.

**CHANGES TO AGENDA**

The decision on proposed Zoning Text Amendments for Accessory Apartments in and out of the Critical Area has been rescheduled to July 29.

**APPROVAL OF CHECK REGISTER**

**Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register for checks dated July 22, 2008, as submitted. Motion carried 5-0.**

**APPROVAL OF MINUTES**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners meeting of July 15, 2008, as presented. Motion carried 5-0.**

**COUNTY ADMINISTRATOR**

1. Draft Agendas for July 29 and August 5, 2008

2. **College of Southern Maryland** (*Dr. Bradley Gottfried, President; John Frye, Consultant to CSM; F.J. Talley, VP and Dean, Leonardtown Campus*)

**Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and sign the Petition to the state for state funding in the amount of \$9,500,868 for the construction of the Wellness Center on the Leonardtown Campus of the College of Southern Maryland and; additionally, to request that Dr. Gottfried return no later than September 30, 2008, to advise the Board of County Commissioners of the states approval of such petition and to provide a briefing on the projects scope, expected costs, timing, etc.; and to formally advise this Board of the total County funding needed to fully complete the project to enable us to adjust our FY 2009 and FY 2010 planned amounts to be consistent with the needs. Motion carried 5-0.**

*It was clarified by Ms. Kramer that the statement included in the petition, . . . the Board of County Commissioners . . . shall provide all the remaining funds necessary to complete the described project even if the Board of Public Works approves a grant which is less than the amount requested by this Petition, is required wording by the state.*

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

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the budget amendment decreasing the Three Notch Trail-Phase V Project budget by \$21,692, in accordance with the actual Program Open Space grant award; and to approve and authorize the Commissioner President to sign the budget amendment decreasing the Parks Land Acquisition Project (#RP0604) budget by \$21,691, in accordance with the actual Program Open Space grant award. Motion carried 5-0.**

*Commissioner Jarboe asked that consideration be given to locating the Park and Ride on the property at this section of the trail. Benefits would include the sharing of parking facilities by trail users and commuters and increased use of the trail. Commissioner Raley asked Mr. Rollins to look into who is responsible for maintaining the landscaping Walmart planted as a requirement of their store expansion. The area is now overgrown with weeds.*

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign budget amendments closing out the Waterway Improvement Projects identified as i. through v. Motion carried 5-0.**

Motion pertains to the following projects:

- i. Tall Timbers Landing Pier Project #PL0603 in the amount of \$339 to close out the completed project.
- ii. Elms Beach Floating Pier Project #MD0828 in the amount of \$819 to close out the completed project
- iii. Countywide Maintenance Grant #MD0608, as remaining funds in the amount of \$2,869 were reverted to the State Waterway Improvement Fund effective July 1, 2008.
- iv. Derelict Boat Removal Grant #PL0302, as remaining funds in the amount of \$29,902 were reverted to the State Waterway Improvement Fund effective July 1, 2008.
- v. St. Georges Island Pier Project #PL0902, decreasing the budget by \$99,000, as grant funding was not approved by the state in FY09.

*Commissioner Russell asked that staff remain diligent as they work with the owner of Cape St. Marys boat ramp to resolve maintenance issues. The County has an MOU with the private owner of the property to use the ramp for public boat access. Although the private owner is responsible for maintaining the ramp, the County will continue to work with him to ensure maintenance takes place. The owner has plans in the works for improvements to the ramp. County staff also plans to erect signage indicating the length of the ramp and where it ends. Mr. Rollins will look into the question of liability.*

**4. Department of Economic and Community Development** *(Bob Schaller, Director; George Baroniak, Chair, Ag Land Preservation Board)*

**Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the budget amendment closing out FY 08 funding in Project #PF0803, Mattapan Farm Market, in the amount of \$42,084. Motion carried 5-0.**

**Commissioner Raley moved, seconded by Commissioner Dement, to approve and sign a letter to the Maryland Agriculture Land Preservation Foundation asking them to make additional offers to FY2008 applicants using additional funds allocated through the Southern Maryland Agriculture Commission. Motion carried 5-0.**

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and sign a letter to the Maryland Agriculture Land Preservation Foundation showing FY 2009 properties which were ranked using the Land Evaluation and Site Assessment (LESA) System. Motion carried 5-0.**

*It was noted that the state has set a limit of 16 applications per county and St. Marys currently has 41 applicants.*

**5. Department of Aging** (*Peggy Maio, Fiscal Supervisor*)

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the St. Marys County Department of Aging budget amendment, decreasing the FY09 portion of the Retired & Senior Volunteer Program (RSVP) grant award by \$847, in accordance with the actual grant award. Motion carried 5-0.**

**6. Director of Public Safety** (*David Zylak, Director*)

**Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the budget amendment in the amount of \$76,500 closing out the FY 08 Firefighters Assistance grant. Motion carried 5-0.**

**7. Office of the Sheriff** (*Sheriff Timothy Cameron, Lt. Michael Merican, Erin Shoemaker; Marsha Tidler, Dept. of Social Services*)

**Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Inter-Agency Agreement between the St. Marys County Dept. of Social Services and the Board of County Commissioners for a Non-custodial Parent Coordinator; and to approve the addition of one (1) F.T.E. Resource Coordinator/Grade 4 grant position to the FY2009 approved budget and to approve and authorize the Commissioner President to sign the budget amendment in the amount of \$56,617, which will establish budget authority in FY 2009 for these grant funds. Motion carried 5-0.**

**MOTION TO CONVENE AS THE BOARD OF HEALTH**

**Commissioner Raley moved, seconded by Commissioner Dement, to adjourn as the Board of County Commissioners and reconvene as the St. Marys County Board of Health. Motion carried 5-0.**

**BOCC SITTING AS THE BOARD OF HEALTH**

Present:       Dr. William Icenhower, Health Officer  
                  Joy Sapp, Fiscal Services Chief  
                  Nancy Luginbill, Mgr., Health Services  
                  Daryl Calvano, Director, Environmental Health

Dr. Icenhower opened the meeting and asked his staff to provide the Board of Health with an update on major issues currently facing the Health Department.

Joy Sapp, Fiscal Services Chief

The Health Department became aware there would be major FY 09 funding cuts by the state in the fall of 2007. Health Department (HD) staff met with the Countys Chief Financial Officer to review their funding summary which indicated a \$600,000 anticipated deficit. HD was able to reduce the deficit to just over \$300,000, through increases from their three main funding sources. In addition, the HD experienced the loss of 3.75 positions through attrition. Computer and software upgrade purchases, decreases in training opportunities and other operational expenses were cut to help further decrease the deficit. Further reduction of staff through attrition (retirement, etc.) is expected. Services may also have to be curtailed in the coming year. It was noted that the state has mandated the HDs COLA and step increases, but the funding was not voted on. This is still an issue on the table in Annapolis.

Nancy Luginbill, Manager, Health Services

The largest program loss was in the area of Health Start, a health education and intervention program for pregnant and parenting families. 2.75 positions were cut from this program. The program was the foundation of the HDs maternal health care program. The HD also lost its Emergency Preparedness staff person who was not replaced.

The CDC has made a change in populations that they recommend to be immunized for flu to include children six months of age and up. The HD has provided the flu vaccine at elementary schools over the last two years. Funding will have to be requested from the County if this program is to continue this year. Dr. Icenhower will keep the Board informed of any significant risks to programs.

Daryl Calvano, Environmental Health

Efforts to increase rabies awareness have been increased. Highest incidence of positive testings in the last ten years; i.e., 44% positive, as opposed to a 15% average over the last nine years. These results may be attributable to public awareness. Citizens are asked to report exposures or potential exposures to the Health Department and actual bites to the Sheriffs Department. The Health Department partners with the Southern Maryland Animal Welfare League to host rabies vaccination clinics. The next clinic is August 11<sup>th</sup>.

The Health Department is hosting a public forum on safe food handling for the summer market season, for Farmers market vendors and consumers interested in safe food handling, on Wednesday, July 30, from 6-7:30 pm, at the Charlotte Hall Library.

Mr. Calvano reviewed recent Maryland Department of Health and Mental Hygiene and Department of Agriculture initiatives, such as increased farm market inspections. Certain products cant be sold without a license which is available through the Baltimore offices. Commissioner Jarboe expressed concerns that restrictive state policies and regulations could eventually extend to bake sales and the like, and that the label homemade is intended to denote that it is void of government specifications.

The Health Department works closely with the Department of Economic Development and the Agriculture Manager, and the community at-large, to ensure that the markets remain viable and continue to be reflected in the best light possible.

## **MOTION TO RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS**

**Commissioner Jarboe moved, seconded by Commissioner Raley, to adjourn as the Board of Health and reconvene as the Board of County Commissioners. Motion carried 5-0.**

## **LAND USE AND GROWTH MANAGEMENT PUBLIC HEARING: PROPOSED AMENDMENTS TO COMP.WATER AND SEWERAGE PLAN**

Present:           Jeff Jackman, Senior Planner  
                      David Chapman, Capital Facilities Planner

The hearing was advertised in The Enterprise newspaper on July 4 and July 9, 2008, adjoining properties were notified, and the property was posted with the notice of public hearing.

The purpose of the hearing was to receive public testimony on proposed amendments to the Comprehensive Water and Sewerage Plan for the Second Wind Property, Case CWSP 08-200-002, to Change Service Area Categories to W-3D and S-3D for 2.86 acres described as Tax Map 43, Grid 3, Parcel 425. The amendments are proposed in anticipation of providing community water and sewerage service to a proposed five-lot residential subdivision located on Rue Purchase Road in the Lexington Park area of the 8<sup>th</sup> Election District.

The property in question is zoned Residential Low Density and is located within the Lexington Park Development District. The minor subdivision plan was reviewed by all TEC agencies in August 2007 and all comments were addressed by December 2007. Public water and sewerage currently serve the adjoining Woods of Rue Purchase and Dunleigh subdivisions.

Mr. Chapman reviewed the staff analysis required by the Countys Comprehensive Water and Sewerage Plan (CWSP) and exhibits included in the staff report. He also noted that the Planning Commission is recommending that the CWSP be amended as requested.

Mr. Robert Trautman, Land Surveyor, who was representing the property owners, spoke in support of the proposed amendments.

There were no additional comments offered from the public. After announcing that the written comment period would remain open for an additional ten days, Commissioner President Russell closed the hearing at 11:59 am.

## **COMMISSIONERS TIME**

The Commissioners highlighted upcoming events, events attended over the past week and personal interest items.

## **WORK SESSION**

Present: Denis Canavan, Director, Land Use and Growth Management (LU&GM)  
Phil Shire, Deputy Director, LU&GM  
Jeff Jackman, Senior Planner, LU&GM  
John K. Parlett, member APF Task Force  
Ford Dean, Co-Chair, APF Task Force  
Bradley J. Clements, COO, SMCPs

The Commissioners conducted a work session on proposed text amendments to the Comprehensive Zoning Ordinance and Subdivision Ordinance regarding Adequate Public Facilities (APF) and the Countys annual growth policy.

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

\_\_\_\_\_  
Donna Gebicke, Admin. Assistant to the BOCC