

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Tuesday, June 30, 2014**

**Present:** Commissioner President Francis Jack Russell  
Commissioner Lawrence D. Jarboe  
Commissioner Todd B. Morgan  
Commissioner Cynthia L. Jones  
Commissioner Daniel L. Morris  
County Administrator, Dr. Rebecca Bridgett  
Sharon Ferris (Recorder)

**CALL TO ORDER**

Commissioner President Russell called the business meeting of the Board of County Commissioners to order at 9:00 am in the Chesapeake Building meeting room, Governmental Center.

**APPROVAL OF MINUTES**

**Commissioner Jarboe moved, seconded by Commissioner Jones, to approve the minutes of June 17, 2014, as presented. Motion carried 4-0. Commissioner Morris abstained.**

**DEPT. OF HUMAN RESOURCES: 4<sup>TH</sup> ANNUAL SAFETY MATTERS AWARD**

The Safety Matters award honors and recognizes an employee who consistently demonstrates involvement and leadership in creating and maintaining safety at work, not only for themselves but also for their co-workers. Nominees were: **Billy Schrader**, Supervisor, Dept. of Public Works & Transportation/Vehicle Maintenance; **Catherine (Katie) Laretta Poole**, Correctional Officer, Sheriff's Office Correctional Division; **Shelly Bean**, Finance/Accountant; **Diane Gleissner**, Senior Administrative Coordinator, County Attorney's Office; **Eugene Joseph (Chip) McGolrick**, Lead Maintenance Mechanic, Dept. of Public Works & Transportation Building Services and **Pat Arnold**, Inspector, Dept. of Land Use. The recipient of the 2014 Safety Matters Award is **Billy Schrader**.

**PROCLAMATION WAS PRESENTED FOR RECREATION AND PARKS MONTH**

## **SOUTHERN MARYLAND AGRICULTURAL DEVELOPMENT COMMISSION: ACTIVITIES UPDATE**

**Present:** Dr. Christine Bergmark, Executive Director, Southern Maryland Agriculture Commission

In 2000, the state of Maryland instituted a tobacco buy-out program with funds from a “Master Settlement Agreement” with the major tobacco companies in 1998. St. Mary’s County received funds from the “Cigarette Restitution Fund,” of which five percent goes to support Southern Maryland’s Regional Strategy for Agriculture, with an emphasis on finding alternatives to growing tobacco. The Southern Maryland Agricultural Development Commission’s strategic plan is to ensure: (1) thriving, market-driven farms have the resources to be profitable; (2) a Maryland where farmland preservation and environmental stewardship positively impact the quality of our air and water and protect one of our greatest resources, the Chesapeake Bay; and (3) a future where profitable farms play an integral role in the health and quality of life of our community. Ms. Bergmark presented charts depicting the growth in agriculture sales in St. Mary’s County from 2007 – 2012 as farmers focused on new agriculture endeavors.

### **COUNTY ADMINISTRATOR**

1. Draft Agenda for July 22, 2014. There will be no meetings on July 8 and July 15, 2014.
2. **Maryland Department of Agriculture** (*Mark Smith, Agronomist*)

**Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the FY2015 Cooperative Agreement between the Maryland Department of Agriculture and St. Mary’s County for the Control and Eradication of Noxious Weeds (Johnson Grass, Shattercane, Thistles and Multiflora Rose, and other Invasive Weeds). Motion carried 5-0.**

3. **Sheriff’s Office** (*Erin Shoemaker, Fiscal Manager; Bonnie Lancaster, Fiscal Specialist II*)

**Commissioner Jones moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the Sex Offender Compliance and Enforcement Grant Award, Project MD1524, from the Governor’s Office of Crime Control and Prevention on behalf of the St. Mary’s County Sheriff’s Office in the amount of \$16,074 for improving the effectiveness of the Sex Offender Registry Unit and execute the related budget amendment to decrease the project budget by \$9. Motion carried 5-0.**

4. **Department of Finance** (*Elaine Kramer, CFO*)

*(Kim Howe, Director of Capital Planning, St. Mary’s County Public Schools)*

**Commissioner Morris moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the budget amendment reducing or closing the Capital Projects PS0808, PS0908, and PS1202 to the FIN14 Capital Reserve in the amount of \$111,290. Motion carried 5-0.**

**Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the budget amendment which reduces the FY2014 revenue budget for Income Taxes by \$2,347,132 and eliminates the remaining budget authority in the emergency reserve and the reserve – OPEB by an equal amount. Motion carried 5-0.**

**Commissioner Morgan moved, seconded by Commissioner Jones, to approve and authorize Commissioner President Russell to execute the budget amendment realigning the funding sources which apply transfer tax and pay-go from the FIN14 Capital Reserve, and reduce unsold bonds in the NexGen Project PF1005 in the amount of \$80,212; and, a realignment of funding sources between the former Navy Museum Project PF0103 and the current Navy Museum Project PF1408. Motion carried 5-0.**

**Commissioner Morris moved, seconded by Commissioner Morgan, to authorize the Contracting Officer to execute the contract for \$1,825,125 with Great Mills Trading Post Company, Inc. after receipt of the contract related insurance/bonds from the vendor. Motion carried 5-0.**

#### **BA to Apply Personal Services Savings to the Sheriff's Office Retirement Plan**

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*Commissioner Morris stated that he thought during budget discussions the Sheriff's retirement fund was over by 11% and suggested that the savings from the Sheriff's Office should be placed in the emergency reserve fund for any number of reasons. He asked that this item be tabled until next week and brought back with two options.*

*Commissioner Jones concurred with Commissioner Morris, but for a different reason. She expressed concern that we are enabling some activity with the Sheriff's budget that we should not be enabling by taking that money and rewarding them by putting in their retirement when they have a method for funding their retirement– we have teachers' pensions being passed down and a new GASB liability for our fire and rescue workers. I think the money could be better spent in the reserve; the funding of the Sheriff's Retirement Fund is more than adequately taken care of.*

**Commissioner Morris moved, seconded by Commissioner Jones, to transfer the \$461,000 into the Emergency Reserve.**

*Commissioner Morgan stated he did not think that could be done because action was previously taken to zero out the Emergency Reserve.*

*Ms. Kramer noted that if you want it to drop to the fund balance, you would just deny the request for a budget amendment.*

**Commissioner Morris moved, seconded by Commissioner Jones, to drop it. Motion failed 2-3. Commissioners Jarboe, Morgan and Russell voted nay.**

**Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the budget amendment realigning \$461,000 in savings in the Sheriff's Office personal services accounts to provide a net additional \$461,000 that will be contributed to the Sheriff's Office Retirement Plan for FY2014. Motion carried 3-2. Commissioners Morris and Jones voted nay.**

**5. Department of Aging and Human Services** (*Lori Jennings-Harris, Director; Peggy Maio, Fiscal Supervisor*)

**Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the revised NGA for the FY2014 Title III Federal Grants from the Maryland Department of Aging on behalf of the St. Mary's County Department of Aging and Human Services to provide various programs and services to the seniors of St. Mary's County in the amount of \$286,045 and a related budget amendment to realign budgets based on the revised award. Motion carried 4-0. Commissioner Jones was not in room when vote was taken.**

*(Cynthia Brown, Division Manager, Human Services)*

**Commissioner Morris moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the Emergency Solutions Grant Application, US1556, from the Maryland Department of Housing and Community Development on behalf of the Department of Aging & Human Services in the amount of \$145,000 to support homeless shelters and services for St. Mary's County residents. Motion carried 4-0. Commissioner Jones was not in room when vote was taken.**

**6. Department of Economic and Community Development** (*Robin Finnacom, Acting Director*)

**Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the St. Mary's County Economic Development Commission by-laws as presented. Motion carried 4-0. Commissioner Jones was not in room when vote was taken.**

*(Donna Sasscer, Agriculture & Seafood Coordinator)*

**Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and sign a letter to the Maryland Agriculture Land Preservation Foundation submitting FY2015 and FY2016 potential easement properties which were ranked using the Land Evaluation and Site Assessment System. Motion carried 5-0.**

**7. Department of Land Use and Growth Management** (*Bill Hunt, Deputy Director*)

**Commissioner Jones moved, seconded by Commissioner Morgan, to approve and sign the Resolution adopting the Patuxent River Policy Plan 2015 Update. Motion carried 3-2. Commissioners Jarboe and Morris voted nay.**

*Commissioner Morris felt the real problem was not being addressed in the Plan and that is sewerage plants further north. Commissioner Jarboe noted the Plan addresses the problem with sewerage plants up the river and did recognize oyster harvest issues on Page 7, but doesn't promote a solution. Ultimately if the Patuxent River is going to clear up, the living filters will have to come back. This plan should address ways to protect native oysters, wild oysters and bring aquaculture into the equation and that is not in this plan.*

**8. County Administrator** (*Dr. Rebecca Bridgett*)

**Commissioner Jones moved, seconded by Commissioner Jarboe, to appoint the following person to Boards, Committees, or Commissions with the terms to expire as indicated. Motion carried 5-0.**

<b>Transportation Advisory Committee</b>	<b>Term</b>
<b>Michael Schroeder (Department of the Navy Representative)</b> <i>Ex-officio</i>	<b>Unlimited Term</b>

**PROPOSAL TO REQUEST MD DEPT. OF TRANSPORTATION DEDICATE PORTION OF RT. 235 TO SENATOR J. FRANK RALEY (COMM. MORGAN)**

Commissioner Morgan proposed that a portion of Rt. 235 from Rt. 4 to Great Mills Road be dedicated to the late J. Frank Raley in recognition of his dedication to the economic development of St. Mary's County and the overall well-being of its citizens. He emphasized that this is only a dedication request not a name change for the road.

**Commissioner Jones moved, seconded by Commissioner Morgan, to support the submission of an application to the MD Dept. of Transportation Commission requesting that a portion of MD. Rt. 235 be dedicated to Senator J. Frank Raley. Motion carried 3-2. Commissioners Morris and Jarboe voted nay.**

**DEPT. OF LAND USE AND GROWTH MANAGEMENT: DECISION ON PROPOSED COMPREHENSIVE WATER AND SEWERAGE PLAN AMENDMENT FOR CHARLOTTE HALL LC**

**Present:** Dave Chapman, Planner II, Dept. of Land Use and Growth Management

A Public Hearing was held June 3, 2014, on the proposed text amendment to the County's Water and Sewerage Plan to add appropriate language to describe the existing Charlotte Hall LC wastewater treatment system. The owner of Charlotte Hall LLC submitted a request to the state to increase the capacity at the facility. The text amendment is a requirement of the Maryland Department of the Environment prior to the State approving a permit to expand capacity. At the public hearing one individual spoke against the Comprehensive Water and Sewerage Plan introducing any accommodation for non-commercial uses. Following the hearing, the record was left open for an additional 10 days with no comments received. Information requested by Commissioner Jarboe on the number of EDU's this expansion would facilitate was provided to the Commissioners. Additional privately owned wastewater facilities will be included in the Comprehensive Water and Sewerage Plan during the update in August

*Commissioner Morris asked for reassurance that this was only for commercial use and was told yes.*

**Commissioner Morgan moved, seconded by Commissioner Jones, to amend the Comprehensive Water and Sewerage Plan to add appropriate language describing the Charlotte Hall LC wastewater treatment system. Motion carried 5-0.**

#### **DECISION ON: PROPOSED ZONING TEXT AMENDMENTS TO EXEMPT INFLATABLE AND STORABLE ABOVE-GROUNDSWIMMING POOLS FROM THE REQUIREMENTS OF THE ST. MARY'S COUNTY ZONING ORDINANCE**

**Present:** Phil Shire, Director, Dept. Land Use and Growth Management

Mr. Shire noted the proposed text amendment exempts the requirement of a permit to install above-ground swimming pools and on-ground hot tubs and spas and provides a definition of "swimming pool." A public hearing was held on June 17, 2014. He noted that no swimming pools can be permitted in Critical Areas. He also discussed set-back regulations for in-ground pools.

**Commissioner Jones moved, seconded by Commissioner Morgan, to amend Schedule 50.4, Section 51.3 and Article 9 of Chapter 285 of the Code of St. Mary's County, Maryland, to require a building permit for in-ground, private non-commercial swimming pools. Motion carried 5-0.**

#### **COMMISSIONER'S TIME**

The Commissioners highlighted events of the past week.

*Commissioner Morris suggested a future agenda item on the County Treasurer's computer situation.*

#### **ADJOURNMENT**

The meeting adjourned at approximately 11:08 am.

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

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Sharon Ferris, Senior Administrative Coordinator (Recorder)