

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, July 17, 2012**

Present: Commissioner President Francis Jack Russell
Commissioner Lawrence D. Jarboe (*arrived after adoption of minutes*)
Commissioner Cynthia L. Jones
Commissioner Daniel L. Morris
Commissioner Todd B. Morgan
John Savich, County Administrator
Sharon Ferris (Recorder)

CALL TO ORDER

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

ADDITIONS/DELETIONS TO AGENDA

County Administrator's Item 3, St. Mary's County Public Schools Annual Budget Certification Statement for FY2013 will be rescheduled.

APPROVAL OF MINUTES

Commissioner Jones moved, seconded by Commissioner Morris, to adopt the minutes of June 26, 2012 as presented. Motion carried 4-0.

Commissioner Jarboe arrived.

COUNTY ADMINISTRATOR

1. Draft Agenda for July 24 and 31, 2012.
2. **Circuit Court** (*Pete Cucinotta, Drug Court Coordinator*)

Commissioner Morris moved, seconded by Commissioner Jones, to accept the grant award for the Juvenile and Adult Drug Courts, MD1325, from the Maryland Office of Problem Solving Courts on behalf of the Circuit Court in the amount of \$137,000

and authorize Commissioner President Russell to execute the related budget amendment reducing the project revenues and expenses by \$122,429 in accordance with the award. Motion carried 5-0.

3. Department of Economic and Community Development *(Robin Finnacom, CEO, St Mary's Community Development Corporation)*

Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to sign the Certificates of Project Completion and Grant Closeout Agreements for EDI-Special Projects No. B-05-SP-MD-0818 and B-05-SP-MD-0111 for demolition work completed on the northern and southern parcels of the County-owned Lexington Manor property, and to execute the related budget amendment. Motion carried 5-0.

4. Department of Aging and Human Services *(Lori Jennings-Harris, Director)*

Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the budget amendment closing the St. Mary's Adult Medical Day Services Project #OT1301. Motion carried 5-0.

5. Department of Recreation and Parks *(Brian Loewe, Director; David Guyther, Parks Manager)*

Commissioner Morris moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the budget amendment to close out the Wicomico Life Ring/Ladder grant, Project MD1247, as the project is now complete. Motion carried 5-0.

Commissioner Morgan moved, seconded by Commissioner Jones, to approve and authorize Commissioner President Russell to execute the budget amendment to close out the Chancellor's Run Park Improvement project as the project is now complete. Motion carried 5-0.

Commissioner Jones moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the budget amendment to close out the Countywide Maintenance grant MD1008 and a partial closeout of County Maintenance grants MD0908 and MD1108 and to transfer these funds in the total amount of \$102,173 to the Supplemental Reserve account; and to execute the budget amendment to transfer funds from the FIN13 account to the Fox Harbor Landing (PL0901) project in the total amount of \$15,200 and to the St. George's Island Landing (PL1001) project in the total amount of \$86,973. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the budget amendment to decrease the Parks Land Acquisition, Project RP0604, by \$90,000 in accordance with the FY2013 Program Open Space local share apportionment. Motion carried 5-0.

6. Sheriff's Office (*Brian Eley, Civilian Administrator*)

Commissioner Jones moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the Crime Analyst-RCA2 grant award, Project US1364, from the Governor's Office of Crime Control and Prevention on behalf of St. Mary's County Sheriff's Office for a TPT Crime Analyst in the amount of \$58,495. Motion carried 5-0.

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

Commissioner Morgan moved, seconded by Commissioner Jarboe, that the BOCC recognize and concur with Commissioner President Russell's execution of the Maryland Energy Administration Clean Communities Grant #2010-74-431FB and further move to authorize the Commissioner President Russell to execute additional extensions if required by the State. Motion carried 5-0.

Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Easement needed to provide electrical service to the new Naval Air Museum & Visitor Center, Project PF-0103, as presented by SMECO. Motion carried 5-0.

Commissioner Jones moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the Maryland Department of General Services Capital Projects Grant Agreement amendments, #2005-G112, in the amount of \$350,000 and #2005-G113, in the amount of \$150,000 as presented. Motion carried 5-0.

8. County Attorney (*George Sparling*)

Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Addendum to Lease Agreement between the Commissioners of St. Mary's County and St. Mary's Adult Medical Day Care, Inc., revising Paragraph 8, Utility Charges, by adding more specific language as to the division of electric and water/sewer charges between the Landlord and Tenant of the property. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Morris, to authorize Commissioner President Russell to execute the Lease Addendum terminating the Lease with St. Mary's Hospital dated March 18, 1988. Motion carried 5-0.

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

Commissioner Jones moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the budget amendment transferring funds in the amount of \$500,000 of non-county appropriation from the FIN12 Capital Reserve to the FIN13 Capital Reserve to establish a capital reserve in fiscal year 2013. Motion carried 5-0.

10. County Administrator (*John Savich*)

Commissioner Morris moved, seconded by Commissioner Jones, to approve and authorize staff to prepare the necessary loan documents for a seven year loan for the Hollywood Volunteer Rescue Squad, Inc. in the amount of \$142,401 from the Fire & Rescue Revolving Loan Fund to replace one ambulance, and that we authorize Commissioner President Russell and staff to execute the necessary documents, with the understanding that the County Attorney will have approved them for legal sufficiency prior to execution of the documents. Motion carried 5-0.

STATE HIGHWAY ADMINISTRATION (SHA): MD 5 HIGHWAY IMPROVEMENTS

Present: Lee Starkloff, District Engineer, District 5, State Highway Administration
Greg Phillips, Transportation Engineer, Manager, District 5, SHA
Jim Holls, Whitney Bailey Cox & Magnani, LLC

Mr. Holls provided an overview of the Corridor Study for MD 5 between MD 243 and MD 245. The study included traffic volume, speed checks, roadway geometry, crash history, potential development along the corridor and traffic projections for 2022. Interim solutions considered to alleviate traffic issues along the corridor until a major revamp can be accomplished were: No-build Alternative – keep existing condition no geometric upgrades; Alternative 1 - one lane each direction with a two way left turn lane and wide shoulders; Alternative 2 – one lane each direction with a center two way left turn lane and reversible lanes to provide a second through lane in the peak direction; and Alternative 3 – one lane southbound, a two way left turn and two lanes northbound. SHA's proposal, which is the most cost effective, is to maintain the existing lane geometry but add lane use pavement markings, overhead signage warning of left turns, speed limit pavement markings, and special speed awareness signage.

The Commissioners requested SHA revisit traffic issues at the Great Mills/Rt. 5 intersection, Wildewood Boulevard/St. Andrews Road intersection, and in the area of Little Flower School/Holy Face Catholic Church on Rt. 5; and consider an overhead warning sign at the turn into the St. Andrews Landfill.

DECISIONS ON PROPOSED TEXT AMENDMENTS

(1) TO AMEND SCHEDULE 32.1 OF CHAPTER 285 OF THE CODE OF ST. MARY'S COUNTY TO MODIFY THE PRINCIPLE STRUCTURE MINIMUM SETBACKS IN DMX AND TMX ZONES AND

(2) TO AMEND ZONING TEXT AMENDMENT TO SECTION 60.5 OF CHAPTER 285 OF THE CODE OF ST. MARY'S COUNTY MARYLAND TO MODIFY PROVISIONS REGARDING PRE-APPLICATION MEETINGS

Present: Phil Shire, Director, Dept. of Land Use and Growth Management
Bob Bowles, Planner, Dept. of Land Use and Growth Management

Mr. Bowles noted the first readings on the proposed text amendments were presented April 17, 2012, and direction was given for the Planning Commission to proceed with a public hearing and prepare a recommendation to the Board of County Commissioners. The Planning Commission held public hearings on May 14 and recommended approval of both amendments. The BOCC conducted public hearings on June 26, 2012, with no public comments during the meeting or the 10-day open comment period.

Commissioner Jones moved, seconded by Commissioner Jarboe, to amend Schedule 32.1 of Chapter 285 of the Code of St. Mary's County to modify the principle structure minimum setbacks in DMX and TMX Zones. Motion carried 5-0.

Commissioner Jones moved, seconded by Commissioner Morris, to amend Section 60.5 of Chapter 285 of the Code of St. Mary's County to modify the provisions regarding pre-application meetings to make them voluntary. Motion carried 5-0.

COMMISSIONER'S TIME

The Commissioners highlighted events attended over the past two week.

MOTION TO ENTER INTO EXECUTIVE SESSION

Commissioner Morgan moved, seconded by Commissioner Jones, to enter into Executive Session for the purpose of discussing Real Property matter. Motion carried 5-0.

EXECUTIVE SESSION

Real Property

Present: Commissioner Francis Jack Russell, President
Commissioner Lawrence D. Jarboe
Commissioner Cynthia L. Jones
Commissioner Daniel L. Morris
Commissioner Todd B. Morgan

John Savich, County Administrator
George Sparling, County Attorney
George Erichsen, Director, DPW&T
Donna Gebicke, Administrative Assistant

Authority: Article 24, Section 4-210(a)11

Time Held: 10:54 am – 11:15 am

Subject Discussed: Real Property

ADJOURNMENT

The meeting adjourned at 11:15 am.

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)