

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, August 3, 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 9:00 am.

APPROVAL OF CHECK REGISTER

There were no bills for signature.

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve the minutes of the meeting of Tuesday July 27, 2010, with noted clarification of "annual TDR in Lieu of" on page 3 of 9. Motion carried 5-0.

PROCLAMATIONS WERE PRESENTED TO THE CPL CHAD HARTZELL AND SHERIFF TIMOTHY CAMERON OF THE ST. MARY'S COUNTY SHERIFF'S OFFICE AND LT MIKE THOMPSON OF THE STATE POLICE DEPARTMENT FOR NATIONAL NIGHT OUT

COUNTY ADMINISTRATOR TIME

1. Draft Agendas for August 10, 2010 and August 24, 2010. There will be no BOCC meeting on August 17, 2010.
2. *Sheriff's Office (Sheriff Timothy Cameron)*

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize Departmental Staff to execute the Sex Offender Registration grant agreement, MD1146, from the Department of Public Safety and Correctional

Services in the amount of \$24,800, and to authorize the Commissioner President to execute the related budget amendment to decrease the project budget by \$1,000. Motion carried 5-0.

3. Department of Human Services (*Cynthia Brown, Interim Director*)

(Anita Ray, Substance Abuse Coordinator)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to execute the FY2011 Revised Budget Submission for project #MD1137, MD1154, MD1189, MD1193, MD1194, MD1197, MD1198, MD1199, US1153, and US1155 from Maryland Alcohol and Drug Abuse Administration on behalf of the Department of Human Services for substance abuse treatment services funding in the amount of \$3,245,428. Motion carried 5-0.

(Jackie Beckman, CTSP Coordinator)

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to execute the budget modification for the St. Mary's County Community Traffic Safety Program grant, Project US1021, for the total grant amount of \$120,698 and the related budget amendment increasing the project budget by \$11,398 specifically for DUI Enforcement. Motion carried 5-0.

Commissioner Mattingly moved, seconded by Commissioner Dement, to authorize Department Staff to submit the grant application documents electronically for the St. Mary's County Community Traffic Safety Program grant, project number US1121, from the Maryland Highway Safety Office in the amount of \$99,500, consistent with the hard copy reviewed by the BOCC. Motion carried 5-0.

4. Department of Public Works & Transportation (*John Groeger, Deputy Director*)

Commissioner Dement moved, seconded by Commissioner Raley, to approve and sign a resolution adopting streets in Dahlia Park, Phases 1 and 2, in the Wildewood PUD Subdivision and Resolutions posting a 25 mph speed limit and stop signs. Motion carried 5-0.

5. Office of the County Attorney (*George Sparling, County Attorney*)

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and sign the Resolution establishing the Marcey House Advisory Board and to authorize the Commissioner President to sign the revised bylaws of the Marcey House Advisory Board with changes recommended to Article IV, Section 8 that

to be eligible for membership on the Board, individuals must be residents of St. Mary's County or own property in St. Mary's County and Section III, that election of officers shall take place the first meeting of the calendar year. Motion carried 4-1. Commissioner Jarboe voted nay.

Commissioner Jarboe moved, seconded by Commissioner Mattingly, that we modify the bylaws of the Marcey House Advisory Board to report to one Director as recommended by the Board and we would delete "and Director of Department of Human Services" as they recommended. That is in Article III. Motion denied 1-4. Commissioners Russell, Raley, Mattingly, and Dement voted nay.

OFFICE OF THE COUNTY ATTORNEY: DECISION ON PROPOSED AMENDMENT OF CHAPTER 267 OF THE CODE OF PUBLIC LAWS OF ST. MARY'S COUNTY TO ALLOW A PROPERTY TAX CREDIT FOR PROPERTY LEASED TO A NONPROFIT SCHOOL

Present: George Sparling, County Attorney

Mr. Sparling summarized steps taken to date on the proposed amendment noting that a public hearing was held on July 13, 2010, to consider allowing a property tax credit for property leased to a nonprofit school, letters were received in support of adoption of ordinance, and the proposal is now before the Board for a decision.

Commissioner Dement moved, seconded by Commissioner Raley, to amend Chapter 267 of the Code of Public Laws of St. Mary's County, Maryland, to allow a property tax credit for property leased to a nonprofit school. Motion carried 5-0.

Commissioner Raley asked that the County Attorney advise the Dept. of Assessment and Taxation that the Ordinance has been adopted and inquire as to what steps are necessary to implement and recapture the tax credit should the school vacate the property in the future.

COMMISSION ON THE ENVIRONMENT (COE): ENVIRONMENTAL INITIATIVES STUDY RESULTS/RECOMMENDATIONS

Present: Barne Wheeler, Chair, COE

Mr. Wheeler provided a presentation on the results of an 18 month COE initiative to identify environmental concerns of citizens in St. Mary's County. Surveys were distributed to citizens and organizations throughout the County and the top three concerns were: correcting pollution of waterways, low impact/sustainable development and environmental education. The COE

recommended that Commissioners direct staff agencies to review initiatives outlined in the study, and require a report on which initiatives should be adopted, which should not, and the reasons why.

COMMISSIONER'S TIME

The Commissioners highlighted upcoming events and those attended over the past two weeks. Commissioner Mattingly commented on the March results for the NACo prescription card program that were recently received by the Commissioners and suggested that participation might be increased by making the card information available at local pharmacies.

WORK SESSION ON PROPOSED COMPREHENSIVE ZONING ORDINANCE DRAFT-PART I (DEPT. OF LAND USE AND GROWTH MANAGEMENT)

Present: Derick Berlage, Director; Phil Shire, Deputy Director; Harry Knight, Permits Services Chief; Jeff Jackman, Senior Planner; SueVeith, Senior Planner; Yvonne Chaillet, Zoning Administrator;
John Groeger, Deputy Director, Department of Public Works and Transportation

The Comprehensive Zoning Ordinance work session focused on: (1) PUD grandfathering; (2) Private road standards; (3) Adult entertainment uses, and (4) "agri-industry."

ADJOURNMENT

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

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)