

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, October 18, 2011**

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

CALVERT CLIFFS EVACUATION EXERCISE (CALVEX)

The Commissioners participated in the Calvert Cliffs Evacuation Exercise (CALVEX) Drill at the Emergency Communications Center, Department of Public Safety, Governmental Center.

**JOINT BOARD OF COUNTY COMMISSIONERS AND BOARD OF EDUCATION
MEETING AT THE COLLEGE OF SOUTHERN MARYLAND, BUILDING C,
ROOM 216, LEONARDTOWN**

Present from BOE and St. Mary's County Public Schools (SMCPS):
Mr. Sal Raspa, Chairman, Board of Education
Ms. Cathy Allen, Vice Chair
Mr. Brooke Matthews, Board Member
Ms. Marilyn Crosby, Board Member
Ms. Mary Washington, Board Member
Dr. Michael Martirano, Superintendent, SMCPS
Mr. Gregory Nourse, Chief of Fiscal Services and Human Resources, SMCPS
Mr. Brad Clements, Chief Operating Officer, SMCPS
Beverly Dahlstrom, Recorder for SMCPS

Additional County Staff Present:
Ms. Elaine Kramer, Chief Financial Officer
Donna Gebicke, Administrative Assistant to the BOCC
Sharon Ferris, Recorder for BOCC
Amy Carter, Videographer

The joint meeting focused solely on the budget process to help create a greater understanding among all parties of the required steps to be taken during the process; externally driven dates, internally driven dates, and the state's impact on both the County's and the Board of Education's budget. This year's process will be streamlined with less work sessions with a defined topic for each session. Ms. Kramer and Mr. Nourse have synchronized the Board of Education's calendar and the Board of County Commissioners' calendar so there will be no miscommunication on due dates. Internal deadlines that could be adjusted have been revised and one of the revisions allows the Board of Education more time to prepare their operating budget. All agreed that communication is the key and with the uncertain economy, this year will be another challenging year and that tough decisions will have to be made on both sides.

CALL TO ORDER

Commissioner President Russell called the business meeting to order at 4:00 pm in the Chesapeake Building meeting room, Governmental Center.

Commissioner Morgan was not available for the following portions of the meeting

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Jones, to adopt the minutes of October 4, 2011, as presented. Motion carried 4-0.

PROCLAMATION WAS PRESENTED FOR DOMESTIC VIOLENCE AWARENESS MONTH

COUNTY ADMINISTRATOR

1. Draft Agendas for October 25 and November 1, 2011.

2. **Circuit Court** (*Teresa Weeks, Legal Analyst*)

Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Cooperative Reimbursement Agreement, project US1227, for the Maryland Department of Human Resources, on behalf of the Circuit Court for Child Support Enforcement, in the amount of \$12,317 and the related budget amendment that includes realigning \$302 from the Circuit Court accounts to cover the increase in County funding. Motion carried 4-0.

3. **State's Attorney's Office** (*Lyle Long, Senior Investigator; Pam Soffos, Legal Assistant II*)

FY2012 Cooperative Reimbursement Agreement

Commissioner Morris moved, seconded by Commissioner Jarboe, with correctly stated dollar amounts, to approve and authorize Commissioner President Russell to execute the FY2012 Cooperative Reimbursement Agreement US1211 from the Maryland Dept. of Human Resources on behalf of the State's Attorney's Office, Child Support Division, in the amount of \$519,184, and the Budget Amendment realigning accounts within the budget to match the award. Motion carried 4-0.

4. **Sheriff's Office** (*Brian Eley, Civilian Administrator; Erin Shoemaker, Fiscal Manager*)

Commissioner Jones moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Child Support Cooperative Reimbursement Agreement, Project US1217, from the State of Maryland Department of Human Resources, on behalf of the Sheriff's Office, in the amount of \$359,913, and the related budget amendment to decrease the Project Budget and increase the Supplemental Appropriation Reserve, the BOCC Emergency Appropriation Reserve and the Project Budget revenues and expenses. Motion carried 4-0.

(Sheriff Tim Cameron)

Mutual Aid Agreement

Commissioner Morris moved, seconded by Commissioner Jones, to table Mutual Aid Agreement until next week when Commissioner Morgan is here and to have more discussions with Mr. Sparling. Motion died on the floor 2-2. Commissioner Jarboe and Commissioner Russell voted nay.

Sheriff Time Cameron noted it was not urgent to get the Mutual Aid Agreement signed today so waiting until Commissioners' concerns were addressed with Mr. Sparling was not an issue; therefore, although motion died on the floor, the Mutual Aid Agreement will be tabled until next week.

Motion: to approve and sign an Ordinance, pursuant to §2-105 of the Criminal Procedure Article of the Annotated Code of Maryland, that Police Officers and other officers, agents and employees of St. Mary's County, together with all necessary equipment, may lawfully go or be sent beyond the boundaries of St. Mary's County to

any place within or outside the State of Maryland for both emergency and non-emergency situations that develop at locations and times in any jurisdiction when sufficient law enforcement resources are not immediately available to enable law enforcement officers to render prompt, effective and professional services to the public, and that a Mutual Aid Agreement between St. Mary's County and the jurisdictions for which aid may be provided by St. Mary's County shall be required prior to the deployment of personnel and equipment as provided for herein.

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

Commissioner Morris moved, seconded by Commissioner Jarboe to approve and authorize Commissioner President Russell to execute the Supplemental Agreement between the County and the Maryland State Highway Administration on behalf of the Department of Public Works and Transportation for the Dr. Johnson Road Culvert Replacement Project. Motion carried 4-0.

COMMISSIONER'S TIME

The Commissioners highlighted events attended over the past week.

Commissioner Jarboe commented on the recent fatal crash involving an Amish horse and buggy in Charlotte Hall and his subsequent discussions with Melvin Stoltzfus, father of the 12 year girl killed in the accident. He asked that staff draft a letter for Commissioners' signature requesting the state to reprogram traffic lights at the intersections of Rt. 5/Golden Beach Road and Rt. 5/Oaks Road to extend the time lapse of the yellow lights to allow more time for Amish buggies to clear the intersections.

Commissioner Morris met with Mayor Norris to discuss what the town of Leonardtown could do to alleviate the traffic issues for people making left hand turns between the intersections of Rt. 5 /Leonardtown Hollywood Road and Rt. 5/Maypole Rd. Until the state comes up with a solution, the plan is to synchronize both stoplights, maintaining red signals for an extended period of time. He asked citizens for their input as to whether they think this is a viable temporary solution.

RECESS

PUBLIC HEARING: TO CONSIDER ADOPTION OF THE 2009 NATIONAL STANDARD PLUMBING CODE ILLUSTRATED AND 2009 NATIONAL FUEL GAS CODE AS THE ST. MARY'S COUNTY PLUMBING AND FUEL GAS CODE WITH LOCAL AMENDMENTS

Commissioner Russell opened the Public Hearing at 6:30 pm.

Present: Phil Shire, Acting Director, Dept. Land Use and Growth Management
Brian Taylor, Code Coordinator, Dept. of Land Use and Growth Mgmt

Mr. Taylor said legal add for notification of Public Hearing was published in *The Enterprise* on September 28th and 30th; October 5th, 7th, 12th and 14th. The Maryland State Board of Plumbing under the Department of Labor, License and Regulation, updates the Maryland Plumbing and Fuel Gas Code every three (3) years. The current model state code is the 2006 version which this will replace. One major change to the ordinance is the requirement for the St. Mary's Plumbing Board to administer an examination to individual homeowners who want to do their own plumbing work.

The Commissioners had several questions concerning the proposed changes:

- If adopted would it mean homeowner would have to pass a test to install something like garbage disposal purchased from Lowes?
- Who administers the test?
- What is cost of test?
- What is the administrative cost to LUGM with new requirements?
- As the code stands today, does homeowner have to complete an application form from LUGM to install plumbing in their personal dwelling?
- Has homeowners been putting in their own plumbing and not passing inspections?
- Do we have documentation?
- Do homeowners now have to submit drawings if they are doing their own work?

Public Comments. *(Comments as noted below are intended as highlights of testimony given and are not verbatim.)*

Dwight Mason, Mason Plumbing

- Think there is a misunderstanding on what we are trying to do
- Not trying to stop homeowners from small jobs but from doing complete houses
- Homeowners pulling permits then get someone else to do job
- Homeowners having others do their plumbing to save money
- Life safety issue with plumbing, back flow issues can cause symptoms often misdiagnosed as food poisoning
- Plumbers are professionals – it takes 6-7 years to get Masters License

Harry Knight, Permits Coordinator, LUGM

- As drafted, would require someone at LUGM complete the application form
- LUGM employee goes to the Plumbing Board Meeting and reports back to department
- Administrative functions will cost something
- If looking to streamline and be more efficient this adds a layer to the process and may cause some people not to come in
- As written may cause more problems

Commissioner Russell closed the Public Hearing for public comment at 6:55 stating that the record for public comment will be open for 10 days.

ADJOURNMENT

Commissioner Russell closed the Public Hearing and adjourned the Board of County Commissioners meeting at approximately 6:57 pm.

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)