

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, April 13, 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
Donna Gebicke (Recorder)

CALL TO ORDER

Commissioner President Russell called the meeting to order at 9:04 am.

APPROVAL OF CHECK REGISTER

Commissioner Mattingly moved, seconded by Commissioner Raley, that the bills submitted for April 13, 2010, be approved as presented. Motion carried 5-0

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve the minutes of the meeting of Tuesday, March 30, 2010, as presented. Motion carried 5-0.

**INVITATION TO CHRISTMAS IN APRIL AND REQUEST TO WAIVE
TIPPING FEES**

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and sign a Resolution providing for the waiving of tipping fees for the 2010 Christmas in April project on April 24, 2010. Motion carried 5-0.

**PROCLAMATIONS PRESENTED FOR: LIBRARY MONTH AND 100TH
ANNIVERSARY OF THE KNIGHTS OF COLUMBUS COUNCIL #1470**

**DEPT. OF LAND USE & GROWTH MANAGEMENT: PRESENTED NEWLY
PUBLISHED BOOK, *I'M GOIN' DOWN COUNTY: AN ARCHITECTURAL
HISTORY OF ST. MARY'S COUNTY, MARYLAND***

DEPT. OF ECONOMIC & COMMUNITY DEVELOPMENT: PRESENTED ST. MARY'S COUNTY DESTINATION GUIDE AND 2010 CALENDAR OF EVENTS

COUNTY ADMINISTRATOR

1. Draft Agenda for April 20, 2010 and April 27, 2010
2. **St. Mary's County Public Schools**

(Gregory V. Norse, Director of Fiscal Services; Theo L. Cramer, Director of Student Services & Academic Support; Mark Smith, Coordinator of Special Programs; Sarah Tyson, Program Mgr.)

Commissioner Dement moved, seconded by Commissioner Jarboe, to approve the St. Mary's County Board of Education's request to incorporate the new Future Leaders of the World Mentoring Program grant and increase their FY 2010 Restricted Fund budget in the amount of \$83,985, pursuant to their action taken on November 24, 2009, and to execute the consent letter evidencing this approval. Motion carried 5-0.

(Brad Clements, Chief Operating Officer, SMCPS)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to execute the budget amendment as approved by the Board of Education on March 11, 2010, reducing the PS0404, and PS0601 capital projects and closing the PS0706, PS0707, and PS1002 capital projects totaling \$1,242,079 to the FIN10 Capital Reserve and that the Board of County Commissioners execute the related letter of consent. Motion carried 5-0.

3. **St. Mary's County Sheriff's Office** *(Sheriff Timothy K. Cameron; Erin K. Shoemaker, Fiscal Manager)*

(Pam McKay, Accreditation Mgr., provided an update on CALEA process)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to execute the Training Grant Application from LGIT on behalf of the Sheriff's Office, in the amount of \$6,600, to provide funding assistance for staff to attend required CALEA training, and authorize the Sheriff's Office staff to complete the itemized breakdown of training costs as provided by CALEA. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Sheriff's Office to submit the grant application documents electronically for the FY10 State Criminal Alien Assistance Program, US1168, from the U.S. Department of Justice in the amount of \$7,044 with the hard copy to be submitted for review at the award stage. Motion carried 5-0.

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

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to execute The Emergency Food Assistance Program grant modification, grant #FNS-09-019-A1, from the Maryland Department of Human Resources on behalf of the St. Mary's County Department of Human Services for a one time only supplemental funding increase in the amount of \$11,060, for associated costs for this program. Motion carried 5-0.

(Anita Ray, Substance, Abuse Coordinator)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to execute the FY 2010 Substance Abuse Treatment Services Grant, #AS180SAS, Conditions of Award, from Maryland Alcohol and Drug Abuse Administration on behalf of the St. Mary's County Department of Human Services for substance abuse treatment services program funding in the amount of \$3,273,617. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to execute the FY 2011 MD Alcohol and Drug Abuse Administration Budget Award, project #'s MD1137, MD1141, MD1154, MD1155, MD1189, MD1191, MD1193, MD1194, MD1195, MD 1197, MD 1198, MD1199, US1153, US1154, US 1123, US1155, from MD Alcohol and Drug Abuse Administration on behalf of the Dept. of Human Services for substance abuse treatment and prevention services program funding in the amount of \$3,340,589. Motion carried 5-0.

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to execute the Sub-Recipient Agreement between the County and Big Brothers Big Sisters of Central Maryland, Inc. on behalf of the St. Mary's County Department of Human Services for integrating the CASASTART Program with the "Bigs in School" mentoring program, project number US1023, in the amount of \$7,500, which is consistent with the FY2010 approved budget. Motion carried 5-0.

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

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the following documents identified as items A., B. and C. on Mr. George Erichsen's memo of April 7, 2010: (1) Public Works Agreement Amendment for Forrest Farm Subdivision, Section 3, Phases 9 and 10, located in the 3rd Election District, with the Expiration of July 1, 2010; (2) Public Works Agreement Addendum for Avonlea Subdivision, Phase 1, Section 2, located in the 5th Election District, with an expiration date of September 1, 2010; and (3) Public Works Agreement

for the Estates at Joy Chapel Subdivision, located in the 6th Election District, with an expiration date of February 1, 2011. Motion carried 5-0.

6. County Administrator

Commissioner Mattingly moved, to appoint the following to Boards and Committees: Xavier Prines and Michael Guy to the Commission on the Environment for terms to expire June 30, 2014; Carolyn Guy to the Library Board of Trustees for a partial term to expire December 31, 2011; Stephen Facini as the alternate representative of Hollywood Volunteer Fire Department, Inc., to the Emergency Services Committee; Hattie Norris as the primary representative of the Advanced Life Support Unit to the Emergency Services Committee; Dennis Gordge as the alternate representative of the Advanced Life Support Unit to the Emergency Services Committee; and Michael R. Huseman as the primary representative of the Seventh District Volunteer Fire Department, Company 5, to the Emergency Services Committee. Motion carried 5-0.

**DEPT. OF PUBLIC WORKS AND TRANSPORTATION:
UPDATE FROM 3/23/10 PUBLIC HEARING ON PROPOSED ST. MARY'S COUNTY
STORMWATER MANAGEMENT, GRADING, EROSION AND SEDIMENT CONTROL
DRAFT ORDINANCE**

Present: George Erichsen, Director; John Groeger, Deputy Director

As a follow-up to the March 23, 2010, Public Hearing on the Draft Stormwater Management Ordinance, Mr. Erichsen provided an update on recent developments in the Maryland General Assembly and a review of public comments received during the open comment period.

The Joint Committee on Administrative, Executive and Legislative Review held a hearing on emergency regulations that would enact the stormwater compromise agreement. The compromise agreement is intended to provide a limited grandfathering process for projects "already in the pipeline" and clarification on the use of alternative measures and partial waivers. The compromise language was included in the draft Ordinance presented to the Commissioners. Several text changes proposed by staff were also reviewed, along with suggested language in Section 2.8 (Appeals) in response to a public comment requesting a "review process to arbitrate the uncertainties in the ordinance."

The Board agreed with the revisions/additions included in the updated Draft as presented, with the exception of the provision that the Board of County Commissioners may establish an internal Administrative Appeals Committee.

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve the Ordinance text changes as discussed and authorize the Commissioner President to execute the draft letter to the MD Department of the Environment as presented, and further, to authorize

staff to finalize the necessary adopting Ordinance for presentation to the Board of County Commissioners on April 20, 2010, with an effective date of May 4, 2010. Motion carried 5-0.

DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT: DECISION ON PROPOSED TEXT AMENDMENTS

Present: Bob Bowles, Planner

A Public Hearing was held on March 30, 2010, for the purpose of updating the Comprehensive Zoning Ordinance, Chapter 22, Administrative Decisions, Chapter 24, Variances, Chapter 75, Forest Conservation, Chapter 90, Definitions and County Ordinance 05-03, User Fees, Section Y, Critical Area and Forest Conservation, fees, bonds and fines for violations, to bring them into compliance with the Annotated Code of Maryland. No public testimony was presented at the hearing or received during the open comment period.

The changes in the Ordinance are intended to meet state law requirements while reducing the burden on applicants as much as possible. At the request of Commissioner Mattingly, the Board agreed to direct staff to add "as required by state law" to the proposed Ordinance where appropriate and to bring back the revised document for adoption at next week's meeting.

COMMISSIONER'S TIME

The Commissioners highlighted upcoming events and those attended over the past week as well as personal interest items.

The Board of County Commissioners Meeting adjourned at 11:54 am.

Minutes Approved by the Board of County Commissioners on _____

Donna M. Gebicke, Administrative Assistant (Recorder)