

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, May 22, 2012**

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)

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Morris moved, seconded by Commissioner Jarboe, to adopt the minutes of May 15, 2012, as amended. Motion carried 5-0.

PROCLAMATION WAS PRESENTED FOR NATIONAL PUBLIC WORKS WEEK

COUNTY ADMINISTRATOR

1. Draft Agendas for May 29 and June 5, 2012.

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

Commissioner Morgan moved, seconded by Commissioner Jones, to approve and authorize Commissioner President Russell to execute the Memorandum of Understanding between the County and State Highway Administration on behalf of the Department of Public Works & Transportation for Right-of-Way Services associated with the FDR Boulevard Project, HW1202, in the amount of \$188,643, which is consistent with the approved FY2012 and recommended FY2013 budgets. Motion carried 4-1. Commissioner Jarboe voted nay.

3. Sheriff's Office (*Erin K. Shoemaker, Fiscal Manager*)

Commissioner Jarboe moved, seconded by Commissioner Morris, to authorize the Sheriff's Office staff to submit the grant application documents for the 2012 NADDI LE Grant in the amount of \$5,000 with a hard copy to be submitted for review at the award stage. Motion carried 5-0.

4. Department of Aging and Human Services (*Lori Jennings-Harris, Director; Cynthia Brown, Division Human Services Manager*)

Commissioner Morris moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the FY2013 Shelter Plus Care Grant (Agreement MH 488 OTH) documents related to Project US1396, from the Maryland Mental Hygiene Administration on behalf of the St. Mary's County Department of Aging and Human Services for the Shelter Plus Care Housing Program in the amount of \$162,492 and the related budget amendment to increase the project budget by \$1,969. Motion carried 5-0.

Commissioner Morris moved, seconded by Commissioner Jones, to approve and authorize Commissioner President Russell to execute the FY2013 Five County Crownsville Project Jail Services and Administration Letter of Agreement, Projects MD1353 and MD1392, the related scope of services and 432 Budget documents from the Anne Arundel County Mental Health Agency in the amount of \$78,222 to support the development, enhancement and maintenance of community based mental health services. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Jones, to approve and authorize Commissioner President Russell to execute the FY2013 PATH Grant MOU related to Project US1389 from the Maryland Mental Hygiene Administration on behalf of the St. Mary's County Department of Aging and Human Services in the amount of \$45,950, and the related sub-recipient agreement. Motion carried 5-0.

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

Commissioner Jones moved, seconded by Commissioner Morgan, to approve and sign the required resolution authorizing the reapplication of \$1,300,197 of the proceeds from the Consolidated Public Improvement Bonds of 2009 to the Leonardtown Middle School Renovation project and to approve and authorize Commissioner President Russell to execute the related budget amendment in the amount of \$145,424. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the budget amendment establishing Federal revenue authority and Insurance Proceeds revenue authority, and reverting budget back to the BOCC Emergency Appropriation account, in the amount of \$395,982. Motion carried 5-0.

Commissioner Jones moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the budget amendment reducing the BOCC Emergency Appropriations and increasing the FIN12 Capital Reserve Paygo, in the amount of \$1,192,183. Motion carried 5-0.

ST. MARY'S COUNTY HISTORIC PRESERVATION COMMISSION ANNUAL AWARDS

Present: Grace Mary Brady, Historic Planner, Dept. of Land Use and Growth Management
Carol Moody, Chair, Historic Preservation Commission
Mary Farrar, Secretary, Historic Preservation Commission
Rob Gibbs, Historic Preservation Commission Member
George Donely, Historic Preservation Commission Member

The Board and Historic Preservation Commission presented the following Annual Historic Preservation and Service Awards:

Preservation Project Award - **Ms. Francis (Tina) Taylor** and the parishioners of the St. Ignatius Church for restoration work performed by the Society for the Preservation of St. Ignatius Church.

Preservation Project Award - **Mr. John Sothorn and the Charlotte Hall School Alumni Association** for interpreting the story of the Charlotte Hall School and preserving the artifacts which are displayed at the White House in Charlotte Hall.

Preservation Service Award - **Mr. Silas Hurry (HSMC); Nancy Dodge (Cremona); Bill Cullison (Cullison Trucking and Mount Chance Farm) and Wayne Guy and sons, (Guy's Firewood)** for contribution to the "Historic Barns of Maryland" Public Television Show.

Lifetime Achievement Award - **Sotterley Garden Guild** for planning, preparing and maintaining the historic gardens and sundry horticulture features that make Sotterly the premier plantation on the Patuxent watershed since 1976.

Preservation Project Award - **Father Brian Sanderfoot and the parishioners of St. Francis Xavier Church** for the restoration of historic oil painting of St. Francis Xavier; for raising

funds to preserve and survey the cemetery of St. Francis Xavier Church founded in 1661; and other preservation efforts.

ST. MARY'S COUNTY PUBLIC SCHOOLS: LEONARDTOWN EDUCATIONAL AND RECREATIONAL SITE SUBDIVISION PLAT

Present: Brad Clements, Chief Operating Officer, St. Mary's County Public Schools

Mr. Clements noted that the subdivision plat he presented at the May 15th Board of County Commissioners' meeting has been modified as requested. The subdivision plat presented today shows the 16.221 acres required for the elementary school and early childhood center and includes the road to the site, a 50 ft access easement for county government, and a stormwater management easement along Leonards Grant Parkway.

Commissioner Morris stressed his concern with the ingress/egress to the property.

Commissioner Morgan expressed his desire to provide the 16.221 acres for the elementary school at this time and revisit the concept plan for the remainder of the property.

Commissioner Jarboe indicated his desire to proceed with the original concept plan used to annex the property into the town of Leonardtown.

Commissioner Morgan moved, seconded by Commissioner Jones, to approve and authorize the Board of Education of St. Mary's County to proceed with the submission of the subdivision plat for the Leonardtown Educational and Recreational Site to the Town of Leonardtown as presented which is the 16.221 acres for the elementary school. Motion carried 3-2. Commissioners Russell and Jarboe voted nay.

Commissioner Jarboe moved, seconded by Commissioner Morris, to maintain the existing boundary lines as in the original plan accepted by the town of Leonardtown. Motion failed 2-3. Commissioners Morgan, Morris, and Jones voted nay.

Mr. Clements will return to the Board of County Commissioners' meeting on May 29th for final approval of the subdivision plat for the elementary school based on the concept plan (16.221 acres) presented today.

FEE SCHEDULE UPDATE FOR SOLID WASTE ACCEPTANCE FACILITIES

Present: George Erichsen, Director, Dept. Public Works and Transportation

Mr. Erichsen presented the proposed Fee Schedule for the Solid Waste Acceptance Facilities.

The residential flat fee for ¼ ton pickup trucks will remain at \$10. The fee for residential excessive loads (household rubble, construction materials, etc.) remains at \$65 per ton. A new Green Waste tipping fee for residential oversized loads (yard waste) is proposed at \$40 per ton.

Commissioner Morris moved, seconded by Commissioner Morgan, to approve and sign the Resolution to Set Fees for Solid Waste Acceptance Facilities as presented by staff for the purpose of establishing a Green Waste Fee with an effective date of July 1, 2012. Motion carried 5-0.

DEPT. OF ECONOMIC AND COMMUNITY DEVELOPMENT: PRESENTATION OF NEW TRAVEL AND TOURISM WEBSITE

Present: Carolyn Laray, Tourism Manager, Dept. Economic and Community Development
Rebecca Lira, Tourism Coordinator, Dept. Economic and Community Development
Jeremy Snider, President, CDF Web Solutions
Jon Enten President, Enten Marketing

Ms. Laray presented an overview of the new St. Mary's County Travel and Tourism Website scheduled to launch on June 1, 2012. The site introduces viewers to the rich culture of the County and depicts recreational activities, cultural events, festivals, and historic point of interest. Tourism, the second largest industry in St. Mary's County, is expected to increase with the launch of this website. The site not only targets travelers but provides a tool for newcomers and potential residents to the area.

PUBLIC HEARING: TO CONSIDER AMENDMENT OF THE ST. MARY'S COUNTY ROAD ORDINANCE

Commissioner Russell opened the Public Hearing at 11:35 am.

Present: George Erichsen, Director, Dept. of Public Works and Transportation (DPW&T)

Mr. Erichsen read into the record the Notice of Public Hearing and provided the Affidavit of Public Hearing Postings. The first reading of the draft Road Ordinance update was presented to the BOCC on February 7, 2012. The draft document was posted on the County Website, emailed to the DPW&T developer/engineer database and a press release was issued through the County Public Information Officer. Three public comments have been received to-date.

Commissioner Russell opened the Public Hearing for public comments.

There were no public comments.

Commissioner Russell closed the Public Hearing at approximately 11:45 am.

COMMISSIONER'S TIME

The Commissioners highlighted upcoming events and events attended over the past week.

Commissioner Morgan was unavailable for the remainder of the meeting.

DISCUSSION ON CURRENT SIGN REGULATIONS PERTAINING TO TEMPORARY SIGNS

Present: Phil Shire, Director, Dept. of Land Use and Growth Management
Brian Taylor, Deputy Code Official, Dept. of Land Use and Growth Management
Yvonne Chaillet, Zoning Administrator, Dept. of Land Use and Growth Management

Mr. Shire explained the regulations/definitions of Temporary and Miscellaneous Signs in the Comprehensive Zoning Ordinance, Section 65.2.4. The ordinance allows temporary signs on-site for 60 days. These signs are displayed mainly by retail stores, especially liquor and convenience stores advertising new products, sale items, new services, etc. Inspectors from the Department of Land Use and Growth Management issued notices to retail establishments with excessive amounts of temporary signs that enforcement actions would begin after April 1, 2012. Enforcement of time limitations is extremely difficult with multiple signs posted at numerous sites. Discussions centered on finding a reasonable compromise that would not overly restrict retailers while trying to curb the number of temporary signs displayed throughout the County. It was suggested that the Dept. of Land Use and Growth Management revisit current regulations regarding signs, determine zoning regulations in Calvert and Charles County, conduct a workshop to allow businesses an opportunity to weigh in on the process and return to the BOCC with amendment recommendations for a manageable compromise.

Commissioner Morris requested that no enforcement action be taken against business owners until this issue has been revisited.

FINAL DRAFT OF WATERSHED IMPLEMENTATION PLAN (WIP) PHASE II DOCUMENT

Present: Sue Veith, Planner and WIP Coordinator, Dept. of Land Use and Growth Management

Ms. Veith presented the draft of the Final Local Phase II WIP document which included an updated narrative, milestones through 2017 based on existing commitments, and implementation milestones to consider for the future.

Commissioner Jones requested more time to review the documentation.

Commissioner Morris suggested a public hearing to get input from residents.

Mr. Savich suggested making the Draft Plan accessible on the County website for community input.

Commissioner Jarboe suggested drafting a letter to accompany the Plan emphasizing that Commissioners are complying with the requirement to submit a report but they are doing so without formally adopting the plan.

The Plan will be accessible on the County Website and the Public Information Officer will send out a public announcement that the Plan is available for review/input. Ms. Veith will return in two weeks for final direction.

ADJOURNMENT

Commissioner Russell adjourned the Board of County Commissioners meeting at 2:37 pm.

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)