

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, July 19, 2011**

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

CALL TO ORDER

Commissioner President Russell called the meeting to order at 9:00 am.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Morris, to adopt the minutes of the meeting of Tuesday, July 12, 2011, as presented. Motion carried 5-0.

ADDITIONS/DELETIONS TO AGENDA

Appointment of a commissioner representative to the SMIEC Executive Governance Group was added to the agenda.

Commissioner Jarboe moved, seconded by Commissioner Morris, to appoint Commissioner President Jack Russell as the Commissioner Representative from St. Mary's County to the Southern Maryland Interoperability Executive Committee, Executive Governance Group. Motion carried 5-0.

COUNTY ADMINISTRATOR

1. Draft Agendas for July 26, 2011 and August 2, 2011.
2. **Department of Public Works and Transportation** (*George Erichsen, Director*)

Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Airport Land Acquisition Grant Agreement and General Conditions and Provisions to the Maryland Aviation

Administration on behalf of the St. Mary's County Regional Airport in the amount of \$2,158 for the purpose of Airport Road and Lawrence Hayden Road relocation in support of the approved Airport Master Plan. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the budget amendment to return \$90,647 from the Patuxent Road Revetment Program (MA 0502) to the FIN 11 Capital Reserve. Motion carried 5-0.

Commissioner Morris moved, seconded by Commissioner Jones, to approve and authorize Commissioner President to execute the budget amendment to transfer \$64,709 from project SW0601 New Transfer Station to the FIN11 Capital Reserve in order to close out the New Transfer Station Project. Motion carried 5-0.

Commissioner Jones moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the budget amendment to transfer \$6,065 from project PF0805, Building Maintenance & Repairs- Programmatic, to the PF0507 STS Bus Barn Project for the purpose of conducting the needed geotechnical and soils testing required for the above referenced bid documents. Motion carried 5-0.

Commissioner Jones moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to sign:

- a. Public Works Agreement guaranteeing construction of the streets in Elizabeth Hills Subdivision, Phase 1, located in the 8th Election District with an Expiration Date of July 1, 2012.**
- b. Public Works Agreement Addendum guaranteeing the construction of Kessler Court, Section 1, located in the 1st Election District, with an Expiration Date of August 1, 2012.**
- c. Claim Letter in the amount of \$234,700 to the American Southern Insurance Company issued for the Addition to Greenbrier Subdivision Public Works Agreement, located in the 8th Election District, and based on the Department's certified correspondence dated June 29, 2011, indicating that claim proceedings would be started on the Bond, and the most recent Field Report dated May 25, 2011.**

Motion carried 5-0.

3. Department of Recreation and Parks (*Phil Rollins, Director*)

Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the FY2012 budget amendment that will decrease various Park Capital Improvement Projects by \$78,261 in revenues and expenses (county funds) and to increase the Charlotte Hall Athletic Fields Project #RPO902 accounts by that amount. Motion carried 5-0.

4. Department of Aging (*Lori Jennings-Harris, Director; Peggy Maio, Fiscal Supv.*)

Commissioner Jarboe moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Revised Notification of Grant Award for the FY2011 Title III Federal Grants from the Maryland Department of Aging on behalf of St. Mary's County Department of Aging to provide various programs and services to the seniors of St. Mary's County in the total amount of \$318,560 and a related budget amendment to realign budgets based on the revised Notification of Grant Award. Motion carried 5-0.

Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the Senior Health Insurance Program Notification of Grant Award, project US1214, from the Maryland Department of Aging on behalf of the St. Mary's County Department of Aging to provide counseling, education, and outreach to assist Medicare beneficiaries in the amount of \$14,600 and the related budget amendment to realign the accounts to agree with the Notification of Grant Award. Motion carried 5-0.

5. Department of Public Safety (*Bob Kelly, Director, Dept. of Public Safety and Information Technology; Thomas A. Mattingly, Jr., Emergency Comm. Mgr.*)

Commissioner Jones moved, seconded by Commissioner Morgan, to accept the spending plan for funding requests under Project MD1138 from the Emergency Number System Board on behalf of the Department of Public Safety and Information Technology for the amount of \$1,200,000. Motion carried 5-0.

6. County Administrator (*Sue Sabo, Acting*)

Commissioner Jarboe moved, seconded by Commissioner Morgan, to appoint the following persons to Commissions with all terms to expire on June 30, 2014.

Commission on the Environment

- **James Steven Tripp (Primary)**
- **Laura Friess (Alternate)**
- **Martha Johnson (Alternate)**

Wicomico Scenic River Commission

- **Lee Moreland**

Motion carried 5-0.

DECISION ON PROPOSED ZONING TEXT AMENDMENT TO ALLOW A DISTILLERY IN THE RPD AND RSC, VMX AND TMX DISTRICTS

Present: Yvonne Chaillet, Zoning Administrator, Dept. of Land Use and Growth Management

Ms. Chaillet noted that a public hearing was held on June 28, 2011, with testimony provided by several individuals. One additional response was received during the 10-day open record period. Mr. Robert Jarboe, who testified at the public hearing on June 28, reiterated his concern for increased traffic on private roads if special events are held at a distillery. Ms. Chaillet addressed his concern stating that under Maryland law, distillers can only manufacture distilled spirits, bottle, and sell to a wholesaler; therefore, traffic for special events would not be an issue. The request today is for approval of the proposed text amendment to allow a distillery.

Commissioner Jones moved, seconded by Commissioner Morris, to amend Sections 50.4, 51.3, 64.3.1, and Chapter 90 of Chapter 285 of the Code of St. Mary's County to allow a distillery as a permitted use in the Rural Preservation District, Rural Service Center District, Village Mixed Use District, and Town Center Mixed Use District. Motion carried 5-0.

COMMISSIONER'S TIME

The Commissioners highlighted events attended over the past week.

ADJOURNMENT

The meeting of the Board of County Commissioners adjourned at approximately 9:59 am.

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)