

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, October 1, 2013**

Present: Commissioner President Francis Jack Russell
Commissioner Lawrence D. Jarboe
Commissioner Todd B. Morgan
Commissioner Cynthia L. Jones
Commissioner Daniel L. Morris
Dr. Rebecca B. Bridgett, County Administrator
Donna Gebicke (Recorder)

CALL TO ORDER

Commissioner President Russell called the business meeting to order at 10:03 am in the Chesapeake Building meeting room, Governmental Center.

APPROVAL OF MINUTES

Commissioner Jones moved, seconded by Commissioner Jarboe, to approve the minutes of September 24, 2013, as presented. Motion carried 5-0.

**PROCLAMATIONS WERE PRESENTED FOR LEARNING DISABILITIES MONTH,
LEONARDTOWN ARTS & ENTERTAINMENT DISTRICT AND RESIDENTS' RIGHTS
MONTH**

COUNTY ADMINISTRATOR

1. Draft Agenda for October 8. There will be no business meetings October 15 and 22, 2013. The Commissioners will participate in the FEMA Calvert Cliffs Graded Exercise on October 22.
2. **Department of Aging and Human Services** (*Lori Jennings-Harris, Director; Cynthia Brown, CSA Coordinator & Div. Mgr., HS*)

Commissioner Morris moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the modified FY 2014 PATH Grant, Project #US1489, from the MD Mental Hygiene Administration on behalf of the St. Mary's County Department of Aging and Human Services in the amount of

\$44,140; a budget amendment reducing other contract services and client support by \$1,810; and the related Sub-recipient Agreement between the County and the Correctional Mental Health Services, LLC. Motion carried 5-0.

Commissioner Jones moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Notification of Grant Award for the FY2014 State Grants, Projects MD1401, MD1402, MD1403, MD1404, MD1406 and MD1414 from the MD Department of Aging on behalf of the St. Mary's County Department of Aging and Human Services for programs and services for seniors of St. Mary's County in the amount of \$199,132, and the related Budget Amendment that includes decreasing the grant by \$335 in accordance with the NGA. Motion carried 5-0.

3. Department of Emergency Services and Technology (*Bob Kelly, Director*)

Commissioner Morris moved, seconded by Commissioner Jones, to approve and authorize Commissioner President Russell to sign the award of scholarship applications in concurrence with the Emergency Services Committee's endorsement. Motion carried 5-0.

Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Emergency Management Performance Grant award, Project US 1412, from the U.S. Department of Homeland Security on behalf of the Emergency Services and Technology Department in the amount of \$87,302 for multiple projects approved at the application stage. Motion carried 5-0.

Commissioner Jones moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the Hazardous Materials Emergency Preparedness Grant Award, Project US1434, from the state of Maryland on behalf of the Emergency Services and Technology Department in the amount of \$6,250 for planning and training. Motion carried 5-0.

4. Department of Finance (*Jeannett Cudmore, Deputy Finance Director*)

Commissioner Morgan moved, seconded by Commissioner Jones, to approve the tentative FY2015 Budget Calendar as presented and direct staff to circulate the instructions and schedule the meetings based on this calendar. Motion carried 5-0.

Ms. Cudmore confirmed that the Metropolitan Commission and the Board of Education agreed to the budget deadlines included on the budget calendar as presented. SMCPs staff Brad Clements and Gregg Nourse indicated their concurrence from the audience.

5. Office of the County Administrator (*Dr. Rebecca Bridgett, County Administrator*)

Commissioner Jones moved, seconded by Commissioner Jarboe, to approve the Board of County Commissioners 2014 Meeting Schedule as presented by staff. Motion carried 5-0.

It was noted that Public Forums will not be held on March 4, 2014 (Budget Work Session afternoon), and August 5, 2014 (National Night Out).

COMMISSIONER'S TIME

The Commissioners highlighted events of the past week.

THE PATUXENT NAVAL AIR STATION: UPDATE ON UCAS-D (NAVY UNMANNED COMBAT AIR SYSTEM-DEMONSTRATOR) WAS CANCELLED AND WILL BE RESCHEDULED AT A LATER DATE

OFFICE OF COUNTY ATTORNEY: REQUEST TO SCHEDULE A PUBLIC HEARING ON THE PROPOSED PROPERTY MAINTENANCE ORDINANCE

Present: George Sparling, County Attorney

Mr. Sparling presented a draft Property Maintenance Ordinance and requested authorization to schedule a public hearing to receive citizen input on the proposal. A history of events leading up to the presentation of a draft Ordinance was provided. The Property Maintenance Task Force submitted its report and recommendation to the Commissioners on November 7, 2011. While drafting a Property Maintenance Ordinance in 2012, the County Attorney's Office became aware that enabling authority was required to adopt the Ordinance. An enabling statute was included in the 2013 legislative package and enacted by the General Assembly with an effective date of October 1, 2013. On June 13, 2013, Mr. Sparling met with members of the Property Maintenance Task Force who requested one change which is reflected in the current draft. The draft Ordinance is limited in geographic scope (applicable only in Development Districts) and emphasizes the rights of property owners.

Commissioner Jarboe expressed concern about the potential for arbitrary and capricious determinations as to what constitutes "blight" (such as the height of grass) and that several definitions of "blight" in the proposed Ordinance are currently in the Code or are the responsibility of the Health Department. He asked that the "pool issue" be corrected prior to tackling the property maintenance issue.

Mr. Sparling will contact Dr. Brewster, County Health Officer, to include her in the dialogue.

Commissioner Morris agreed with the concept of the proposed Ordinance, but would like to see a statement included emphasizing that the guiding principal is the health and safety of the community. Many of the items contained in the Ordinance are duplicative of laws already on the books but not being enforced.

Commissioner Jones commented that the proposed Ordinance attempts to strike a balance between having an effective management tool with a deep respect for property rights and that she is confident it is worth pursuing. She asked that both the Amendments to the Building Code (to include the “pool issue”) and the proposed Property Maintenance Ordinance be scheduled between now and the third week in November.

Commissioner President Russell asked that the entire Draft Ordinance be posted on the website and copies made available to the public and the newspapers prior to and during the hearing and open comment period. Mr. Sparling will also post the Ordinance as part of the public hearing notice.

Commissioner Morgan moved, seconded by Commissioner Jones, to authorize the County Attorney to schedule a public hearing in the evening on the proposed Property Maintenance Ordinance. Motion carried 3-2. Commissioners Jarboe and Morris voted nay.

ADJOURNMENT

Commissioner Russell adjourned the Board of County Commissioners meeting at 11:29 am.

PUBLIC FORUM

Commissioner President opened the Public Forum in the Chesapeake Building meeting room at 6:32 pm.

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

Aloysius Bowman, 45900 Lexington Ct., Great Mills, MD

- Asked Commissioners to join signers of the “Community Creed” which represents something tangible young people can look to for things they can do to help their community.
- Members of the faith-based community are working with the Sheriff’s Office in Lexington Park as “Community Police Force” to help mend the broken community relationships by engaging in conversation with those who are loitering, etc. (rather than receiving citations they can’t pay).

Dexter Heinonen, 45461 Stoney Run Dr., Great Mills, MD

- Has conducted research on switching from traffic lights to roundabouts and believes Rt. 235 and Chancellor's Run Road and Rt. 4 and 235 would benefit from roundabouts.
- Bigger chains are now carrying organic foods which may have negative impact on vendors at Farmer's Market
- Looking into anti-bullying programs and recommends that physical activity programs (such as mixed martial arts and boxing) may be best way for young people to channel their pent up aggressions and build self-respect and confidence.

Mike Schwartz, Mike's Bikes, Lexington Park, MD

- Work with the Delegation to get back the Bureau of Criminal Investigations – it worked
- 95% coverage for first responder radios is not enough. People's lives are on the line. Coverage should be 100%.
- Encryption is the worst idea that has come out of St. Mary's County. It is vital that people know what the police are doing. Having the lines open helps law enforcement (tips).
- It's a matter of trust. The people should be trusted.

Roy Fedders, Box 35, Dameron, MD

- Volunteer on many boards.
- Epidemic of prescription drug abuse in the County. Young ladies are using drugs and getting pregnant and passing addictions on to their children.
- Suggested that legislation be proposed to require drug testing of mothers before they can receive child support payments.

Commissioner President Russell closed the Public Forum at 7:15 pm.

Minutes Approved by the Board of County Commissioners on _____

Donna Gebicke, Admin. Asst. (Recorder)