

**ST. MARYS COUNTY
BOARD OF COUNTY COMMISSIONERS MEETING
CHESEAPEAKE BUILDING
Tuesday, September 30, 2008**

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
Betty Jean Pasko, Sr. Administrative Coordinator (Recorder)

OFF-CAMPUS EVENT

Beginning at 9:30 am, the Commissioners attended the dedication ceremony for the recently completed Leonardtown Elementary School, 22885 Duke St., Leonardtown, MD.

CALL TO ORDER

Commissioner President Russell called the meeting to order at 11:19 am.

APPROVAL OF CHECK REGISTER

Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register for checks dated September 30, 2008, as submitted. Motion carried 5-0.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to adopt the minutes of the Commissioners meeting of September 16, 2008, as presented. Motion carried 5-0.

Commissioner Dement moved, seconded by Commissioner Mattingly, to adopt the minutes of the Commissioners meeting of September 23, 2008, as presented. Motion carried 5-0.

COUNTY ADMINISTRATOR

1. Draft Agendas for October 7 and 14, 2008
2. **Sheriffs Office** (*Lt. Ed Willenborg; Erin Shoemaker, Fiscal Manager*)

Targeted Enforcement and Education Grant Award

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and accept the Targeted Enforcement and Education Grant Award from the Governors Office of Crime and Prevention; and, to approve and authorize the Commissioner President to sign the budget amendment, in the amount of \$49,485, that will closeout MD0934 for funding reclassification from state revenue to federal revenue for the Targeted Enforcement and Education Grant, which will increase the Supplemental Reserve Accounts; and, to approve and authorize the Commissioner President to sign the budget amendment that will reflect the set-up of \$40,200 in federal revenues and expenses for the Targeted Enforcement and Education Grant and decrease the Supplemental Reserve Accounts. Motion carried 5-0.

Compstat Program Award

Commissioner Raley moved, seconded by Commissioner Dement, to approve and accept the Compstat Program Award from the Governors Office of Crime and Prevention; and, to approve and authorize the Commissioner President to sign the budget amendment, in the amount of \$32,334, that will closeout MD0915 for funding reclassification from state revenue to federal revenue for the Compstat Program, which will increase the Supplemental Reserve Accounts; and, to approve and authorize the Commissioner President to sign the budget amendment that will reflect the set-up of \$15,080 in federal revenues and expenses for the Compstat Program and decrease the Supplemental Reserve Accounts. Motion carried 5-0.

School Bus Safety Enforcement Award

Commission Mattingly moved, seconded by Commissioner Jarboe, to approve and accept the School Bus Safety Enforcement Award from the Governors Office of Crime Control and Prevention; and, to approve and authorize the Commissioner President to sign the budget amendment, in the amount of \$14,500, that will decrease the project budget revenues and expenses and increase the supplemental reserve accounts, aligning the project budget with the grant award. Motion carried 5-0.

Sex Offender Registration Grant

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the budget amendment, in the amount of \$22,800, to set-up the expenses and revenue for the Sex Offender Registration grant. Motion carried 5-0.

Commercial Vehicle Enforcement Award

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and accept the Commercial Vehicle Enforcement Award from the State Highway Administration; and to approve and authorize the Commissioner President to sign the budget amendment, in the amount of \$800, that will increase the project budget revenues and expenses and decrease the supplemental grant reserve accounts, aligning the project budget with the grant award. Motion carried 5-0.

- 3. Dept. of Recreation and Parks** (*Phil Rollins, Director; Christy Chesser, County Attorney, Bob Schaller, Director, DECD*)

Declaration of Covenant Establishing Replacement Property for Port of Leonardtown Winery (POS)

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Declaration of Covenant document establishing the replacement property for the Port of Leonardtown, Leonardtown Winery, as specified in the Program Open Space Consent and Release agreement approved by the Board of County Commissioners on June 10, 2008. Motion carried 5-0.

- 4. Dept. of Public Safety** (*David Zylak, Director; Joyce Ford, Office Manager*)

MOA with MEMA allowing SHA to retain funds for construction of tower

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Memorandum of Agreement with the Maryland Emergency Management Agency allowing the Maryland State Highway Administration to retain the awarded funds for the construction of one tower to provide microwave connectivity at Mary McLeod Bethune School, and to sign the budget amendment, in the amount of \$143,200, closing grant number US0940. Motion carried 5-0.

Budget Amendment Close out Pre-Disaster Mitigation Grant Funds

Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the budget amendment to close-out the \$290,000 in Pre-Disaster Mitigation grant funds, Project US0980, and return the budgeted match of \$96,667 to the BOCC Emergency Appropriation Reserve. Motion carried 5-0.

Memorandum of Agreement with MEMA, Charles, Calvert, and St. Marys County for the expansion of the National Public Safety Planning Advisory Committee (NSPAC) channels

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the budget amendment, in the amount of \$30,000, moving funds from Public Safety to the BOCC Emergency Appropriations Reserve Fund, realigning accounts to cover partial match of the NPSPAC grant. Motion carried 5-0.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the Memorandum of Agreement between the Maryland Emergency Management Agency, Charles County, Calvert County, and St. Marys County for the expansion of the National Public Safety Planning Advisory Committee (NSPAC) channels and to sign the associated budget amendment. Motion carried 5-0.

5. Dept. of Human Services (*Bennett Connelly, Director*)

Designate Dept. of Human Services as Local Management Board for SMC

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and sign the resolution to rescind prior designation of the Local Management Board of St. Marys County, Inc. as the Local Management Board and to designate the Department of Human Services as the Local Management Board for St. Marys County, with an effective date of October 14, 2008. Motion carried 5-0.

B. VISTAs for Div. of Community Services & Patuxent Habitat (BA \$22,776)

(Cynthia Brown, Manager, Community Services; Kelsey Bush, Youth Coordinator)

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Memorandum of Agreement between the Corporation for National and Community Services and the Office of Community Services, for the assignment of two cost-share AmeriCorps *VISTA members to the Division of Community Services and one non-county VISTA to the Patuxent Habitat for Humanity; and, to approve and authorize the Commissioner President to sign the related Memorandum of Agreement between the Patuxent Habitat for Humanity and the Board of County Commissioners; and, to approve and authorize the Commissioner President to sign the related Sub-recipient Agreement between the Patuxent Habitat for Humanity and the Board of County Commissioners; and, to approve and authorize the Commissioner President to sign the budget amendment in the amount of \$22,776 to realign funds to match the Agreement. Motion carried 5-0.

6. Dept. of Land Use & Growth Management (*Denis Canavan, Director*)

Budget Amendment: \$10,000 From Planning - Consultants & Zoning Admin./ Other Contract Service - to Supplemental Reserve Accounts

Commissioner Dement moved, seconded by Commissioner Mattingly to approve and authorize the Commissioner President to sign the budget amendment moving \$10,000 from the Planning Consultants and Zoning Administration Other Contract Services Accounts to the Supplemental Reserve Revenue and

Supplemental Reserve Expense Accounts, to cover the shortfall in state funding projected in FY2009. Motion carried 4-1, Commissioner Raley voted no.

COMMISSIONERS TIME

The Commissioners highlighted upcoming events, events attended over the past week and personal interest items.

RECESS

The Board recessed at 12:48 pm.

RIBBON CUTTING EVENT

The BOCC attended the Wicomico Shores Clubhouse Ribbon Cutting which began at 4:00 pm.

PUBLIC HEARING ON PROPOSED AMENDMENTS TO ANIMAL CONTROL REGULATIONS

Present: David Zylak, Director, Department of Public Safety

Mr. Tony Malasina, Animal Control Supervisor, and Michelle Lilly, Mgr., Emergency Management Division, were also in attendance.

The public hearing commenced at 6:30 pm at the Chesapeake Building Meeting Room, Governmental Center Campus. Mr. Zylak noted for the record that the public hearing was advertised in the September 19 and 26, 2008, editions of the Enterprise newspaper. Mr. Zylak also noted two committee members were in attendance: Kim Engman and Trish Cole.

Mr. Zylak and Mr. Tony Malaspina conducted a detail review of the committee-proposed changes at the BOCC meeting on September 9, 2008. Copies of a document outlining all of proposed changes were made available to the public hearing attendees.

Mr. Zylak highlighted reviewed the more significant changes relative to medical treatment, bi-annual inspections, and changes to licenses fees; i.e., Section 212.7.A. (5) changed license fees from \$25.00 to \$50.00 and the penalty from \$5.00 to \$200.00. Commissioner Raley questioned the penalty change from \$5 to \$200. Mr. Malaspina responded that the change is relative to having a commercial license to operate a business.

Commissioner President Russell opened the hearing for public comments at 6:38 pm. There was no public testimony. Commissioner President Russell closed the hearing at 6:39 pm and set the ten day open record period.

MOTION TO ADJOURN

**Commissioner Mattingly moved, seconded by Commissioner Dement, to adjourn.
Motion carried 5-0.**

The meeting adjourned at 6:40 pm.

Minutes Approved by the Board of County Commissioners on _____

Betty Jean Pasko, Sr. Admin. Coordinator