

Commissioners of St. Mary's County Meeting Minutes (Tuesday, September 29, 2020)
Generated by Julie Burch on Wednesday, September 30, 2020

Members present

Commissioner President James R. Guy
Commissioner Eric Colvin
Commissioner Michael L. Hewitt
Commissioner Todd B. Morgan
Commissioner John E. O'Connor (Via Webex)
Dr. Rebecca Bridgett, County Administrator
ALisa Casas, Communications Director

1. WELCOME

Commissioner President Guy called the business meeting of the Commissioners of St. Mary's County to order at 9:03 a.m. in the Chesapeake Meeting Room, Governmental Center.

Approval of Consent Agenda

I move to approve the Consent Agenda, which includes the Minutes of September 22, 2020, as presented.

Motion by Commissioner Eric Colvin, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

2. PUBLIC HEARING

A. DEPARTMENT OF AGING & HUMAN SERVICES- PUBLIC HEARING & DECISION - CDBG - Emergency Rental Assistance-COVID Round-2 - Citizens Participation Plan

Commissioner President Guy opened the Public Hearing at approximately 9:05 a.m.

Present: Lori Jennings- Harris, Director

A public hearing was held to receive public comments on the submission of an application for a Community Development Block Grant. The grant will provide assistance to individuals facing eviction.

Commissioner President Guy requested Dr. Bridgett to provide the format for the public hearing and open the hearing for public comment. No public comment was given. Dr. Bridgett closed the public hearing for public comment. The public hearing at closed approximately 9:16 a.m.

MOTION: I approve the Emergency Rental Assistance Grant Application to the Community Development Block Grant for \$1,000,000 and authorize the Commissioner President to sign the related documents.

Motion by Commissioner Eric Colvin, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

3. PROCLAMATION

A proclamation was presented for World Architecture Day

4. PRESENTATION

A. Sheriff's Office District 4 Virtual Ribbon Cutting

Present: Sheriff Tim Cameron

Following the virtual ribbon cutting presentation for the District 4 Sheriff Office, Sheriff Cameron stated the importance of the project to the Lexington Park area and its citizens.

MOTION TO ADJOURN AS COMMISSIONERS OF ST. MARY'S COUNTY

I move to adjourn as Commissioners of St. Mary's County and reconvene as the St. Mary's County Board of Health.

Motion by Commissioner Todd B. Morgan, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

5. ST. MARY'S COUNTY BOARD OF HEALTH

A. BOARD OF HEALTH

Present: Dr. Meenakshi Brewster, Health Officer

Dr. Brewster presented the COVID-19 data dashboard on the Health Department's Website. There have been 1,333 COVID-19 cases in St. Mary's County with 57 deaths. Twenty percent of county residents have been tested. Major sources of community spread of the COVID-19 virus continue to be gatherings, large parties and events. Dr. Brewster advised there is no appointment, insurance or Doctors' order needed for the walk-up testing sites in Leonardtown

and Lexington Park. The Lexington Park location has expanded hours of operation on Tuesdays and Thursdays to accommodate the needs of the community for after work hours. There are also pop up testing sites available in the county.

MOTION TO ADJOURN AS ST. MARY'S COUNTY BOARD OF HEALTH

I move to adjourn as St. Mary's County Board of Health and reconvene as the Commissioners of St. Mary's County.

Motion by Commissioner Eric Colvin, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

6. MAIN AGENDA ITEM

A. DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT - DECISION -
Proposed Ordinance to Repeal and Reenact §§ 50.4.48 and 51.3.48 of Chapter 285 of the Code of St. Mary's County, Maryland to allow a convenience store as a "Permitted" use in the Rural Service Center (RSC) zone.

No Motion/ No Vote

7. LEGISLATION

A. OFFICE OF THE COUNTY ATTORNEY - DECISION - 2021 Legislative Proposals

MOTION 1: I move to request amendment of Section 27-11 of Article 19 - Public Local Laws of St. Mary's County so that the METCOM debt be de-coupled from the Commissioners of St. Mary's County debt and to approve and authorize the Commissioner President to sign letters of support to the Delegation and to the House and Senate Committees for hearings on this bill.

Motion by Commissioner Todd B. Morgan, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 2: I move to request amendment of Section 113-6 of Article 19 - Public Local Laws of St. Mary's County to reduce the amount of outstanding debt METCOM can incur from 25% to 2% and to approve and authorize the Commissioner President to sign letters of support to the Delegation and to the House and Senate Committees for hearings on this bill.

Motion by Commissioner Todd B. Morgan, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 3: I move to request authority to issue (\$34.7 million)/("TBD") in public facilities bonds for the FY 2022 budget and to approve and authorize the Commissioner President to sign letters of support to the Delegation and to the House and Senate Committees for hearings on this bill.

Motion by Commissioner Michael L. Hewitt, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Hewitt, Commissioner Todd B. Morgan

Nay: Commissioners Colvin, O'Connor

MOTION 3 - AMENDMENT: I move to remove the 34.7 million from the motion.

Motion by Commissioner John E. O'Connor, second by Commissioner Eric Colvin.

Final Resolution: Motion Fails

Yea: Commissioners Colvin, O'Connor

Nay: Commissioner, Guy, Hewitt, Morgan

MOTION 4: I move to request authority under Title 20 of the Local Government Article of the Annotated Code of Maryland to enact either a Building Excise Tax or Impact Fee but not both, in St. Mary's County and to approve and authorize the Commissioner President to sign letters of support to the Delegation and to the House and Senate Committees for hearings on this bill.

Motion by Commissioner John E. O'Connor, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 5: I move to request to repeal Chapter 138-1.F of Article 19 - Public Local Laws of St. Mary's County – to remove the October 1, 2024 termination date of the Real Property Transfer Tax and to approve and authorize the Commissioner President to sign letters of support to the Delegation and to the House and Senate Committees for hearings on this bill.

Motion by Commissioner Todd B. Morgan, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 6: I move to request amendment of §20-405 of the Local Government Article of the Annotated Code of Maryland to request authority to increase the cap of the St. Mary's County Public Accommodations Tax rate from five (5) percent to seven (7) percent and to approve and authorize the Commissioner President to sign letters of support to Delegation and to the House and Senate Committees for hearings on this bill.

Motion by Commissioner Eric Colvin, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

Nay: Commissioner Hewitt

MOTION 7: I move to request to repeal the St. Mary's County Open Meetings Act located in §9-501 through §9-516 of the Local Government Article of the Annotated Code of Maryland and to require that St. Mary's County follow the State Open Meetings Act located in §3-101- §3-501 of the General Provisions Article of the Annotated Code of Maryland and to approve and authorize the Commissioner President to sign letters of support to the Delegation and to the House and Senate Committees for hearings on this bill.

Motion by Commissioner Eric Colvin, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

Nay: Commissioner Hewitt

MOTION 8: I move to request amendment of §10-402 of the Judicial Proceedings Article of the Annotated Code of Maryland to allow St. Mary's County Animal Control Officers to wear body worn cameras to record their encounters and activities and to approve and authorize the Commissioner President to sign letters of support to the Delegation and to the House and Senate Committees for hearings on this bill.

Motion by Commissioner Michael L. Hewitt, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 9: I move to request to amend §29-106(b)(2) of the Local Govt Article of the Annotated Code of MD to include sexual orientation and gender identity within the protected classes of people under the Duties of the St. Mary's County Human Relations Commission and to approve and authorize the Commissioner President to sign letters of support to the Delegation and to the House and Senate Committees for hearings on this bill.

Motion by Commissioner Todd B. Morgan, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 10: I move to request amendment of the local gaming provisions for St. Mary's County located in §13-2101, §13-2103, §13-2105, §13-2106, §13-2107 and §13-2115 of the Criminal Law Article of the Annotated Code of Maryland relating to bingo and to approve and authorize Commissioner President to sign letters of support to the Delegation and to the House and Senate Committees for hearings on this bill.

Motion by Commissioner Todd B. Morgan, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 11: I move to request amendment of §20-104.3 of the Transportation Article to exempt Golf Carts from Motor Vehicle Registration Requirements on Old Horse Landing Road

in Mechanicsville and to approve and authorize the Commissioner President to sign letters of support to the Delegation and to the House and Senate Committees for hearings on this bill.

Motion by Commissioner Eric Colvin, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 12: I move to support the request of a Bond Bill in the amount of \$750,000 to repair/reconstruct the water management pond/dam in Breton Bay and to approve and authorize the Commissioner President to sign letters of support to the Delegation and to the House and Senate Committees for hearings on this bill.

Motion by Commissioner Todd B. Morgan, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION 13: I move to support the request for amendment of Title 28 of the Alcoholic Beverages Article to add section 404 to establish an on-site consumption permit for Class 1 Distillery License and to approve and authorize the Commissioner President to sign letters of support to the Delegation and to the House and Senate Committees for hearings on this bill.

Motion by Commissioner Todd B. Morgan, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

8. COUNTY ADMINISTRATOR

A. DRAFT AGENDAS FOR OCTOBER 6th AND 20th, 2020. There will be no meeting of the Commissioners on October 13, 2020.

B. DEPARTMENT OF FINANCE - CARES grant reconciliation

I move to approve the changes in the CARES Spending Plan as presented.

Motion by Commissioner Todd B. Morgan, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

9. COMMISSIONERS' TIME

The Commissioners highlighted events over the past week and provided general comments.

MOTION TO ENTER INTO CLOSED SESSION

MOTION: I move to enter into Closed Session to discuss Litigation and Personnel

Motion by Commissioner Eric Colvin, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

10. CLOSED SESSION

A. LITIGATION

Present: James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor (Via Webex)
Dr. Rebecca Bridgett, County Administrator
David Weiskopf, County Attorney
Sharon Ferris, Recorder

Authority: §9-512(a)(2) of the *Local Government* Article of the Annotated Code of Maryland

Time Held: 12:19 p.m. to 12:35 p.m.

Location: CSMC Meeting Room

Purpose: To discuss strategy in Litigation

B. PERSONNEL

Present: James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner (Via Webex)
Dr. Rebecca Bridgett, County Administrator
Catherine Pratson, Director, Dept. of Human Resources
David Weiskopf, County Attorney
Sharon Ferris, Recorder

Authority: §9-512(a)(1) of the *Local Government* Article of the Annotated Code of Maryland

Time Held: 12:35 p.m. to 1:17 p.m.

Location: CSMC Meeting Room

Purpose: To consider or discuss the assignment, promotion, resignation, salary, demotion, dismissal, reprimand, or appointment of a member of a public agency.

11. ADJOURN

The meeting adjourned at 1:17 p.m.

Minutes approved by the Commissioners of St. Mary's County on October 6, 2020.

JB
Julie Burch, Senior Admin Coordinator