

Commissioners of St. Mary's County Meeting Minutes (Tuesday, April 26, 2022)

Generated by Julie Burch on Wednesday, April 27, 2022

Members present

Commissioner President James R. Guy
Commissioner Eric Colvin
Commissioner Michael L. Hewitt
Commissioner Todd B. Morgan
Commissioner John E. O'Connor
David Weiskopf, Interim County Administrator
ALisa Casas, Communications Director, Public Information Office

Commissioner President Guy called the business meeting of the Commissioners of St. Mary's County to order at 9:01 a.m. in the Chesapeake Building Meeting Room, Governmental Center.

Approval of Consent Agenda

I move to approve the Consent Agenda, which includes the Minutes of April 12, 2022, as presented.

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

Final Resolution: Motion Carries

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

2. PROCLAMATIONS

Proclamations were presented for:

- A. National Child Abuse Prevention Month (No one available, not presented)
- B. Travel and Tourism Week
- C. National Afterschool Professionals Week
- D. Administrative Professionals Day
- E. Law Day

3. PUBLIC HEARING

A. DEPARTMENT OF INFORMATION TECHNOLOGY - PUBLIC HEARING - Comcast Cable Franchise Agreement

Commissioner President Guy opened the public hearing at 9:30 a.m.

Present: Bob Kelly, Chief Information Officer

Notice of the Public Hearing was published on April 8 and 15, 2022. This public hearing is for the renewal of the Comcast Cable Franchise Agreement.

Commissioner President Guy requested Mr. Weiskopf provide the format for the public hearing and open the hearing for public comment. No Public comments were given.

Mr. Weiskopf closed the public hearing for public comment and noted that the record would remain open for public comment for an additional seven days. Commissioner President Guy closed the public hearing at approximately 9:35 a.m.

4. MAIN AGENDA ITEMS

A. DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT - Decision on the request to amend the Comprehensive Plan Land Use Map to change the land use from Rural Preservation to Rural Commerce and to change the zoning from the Rural Preservation District to the Rural Commercial Limited zoning district for property located at 41170 Oakville Road, Mechanicsville.

I move to approve the amendment to the Comprehensive Plan Land Use Map to change the land use from Rural Preservation to Rural Commerce and to change the zoning from the Rural Preservation District to the Rural Commercial Limited zoning district for property located at 41170 Oakville Road, Mechanicsville.

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

B. DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT - Request for Public Hearing - Proposed Amendment to the Comprehensive Zoning Ordinance to delete Section 51.3.122.a.(3) Private, Non-commercial swimming pools as accessory uses, in order to allow a property owner to apply for a Critical Area Variance to construct a private swimming pool in the Critical Area Buffer.

I move to authorize the Department of Land Use and Growth Management to schedule a morning public hearing on May 10 at 11:30 a.m. for public comment on an amendment to the Comprehensive Zoning Ordinance to delete Section 51.3.122.a.(3) Private, Non-commercial swimming pools as accessory uses, in order to allow a property owner to apply for a Critical Area Variance to construct a private swimming pool in the Critical Area Buffer.

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

Final Resolution: Motion Carries

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

5. COUNTY ADMINISTRATOR

A. DRAFT AGENDAS FOR MAY 3 AND 10, 2022.

B. DEPARTMENT OF FINANCE - ST. MARY'S METROPOLITAN COMMISSION -
Review of FY2023 Capital Improvement Budget FY2024 - 2028 Plan

Present: Jeanett Cudmore, CFO, St. Mary's County Government
George E. Erichsen, P.E. Executive Director, METCOM
Patricia Stiegman, Chief Financial Officer, METCOM
Christy Hollander, Chief Engineer, METCOM

Mr. Erichsen presented METCOM's FY2023 Capital Improvement Budget and FY2023 - 2028 Capital Improvement Plan.

C. DEPARTMENT OF AGING & HUMAN SERVICES - State of Maryland Emergency Rental Assistance Program (ERAP-2)

I move to accept the State of Maryland Emergency Rental Assistance Program (ERAP-2) sub-recipient agreement award on behalf of the Maryland Department of Housing & Community Development (DHCD) in the amount of \$1,400,000; approve budget amendment to set up project; execute the sub-recipient agreement and related documents, to include the grant agreement, upon arrival.

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

D. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION - Christmas in April 2022 Tipping Fee Waiver

I move to adopt the resolution waiving the landfill fees for Christmas in April projects associated with the annual program scheduled for Saturday, April 30, 2022.

Motion by Commissioner Todd B. Morgan, second by Commissioner Michael L. Hewitt.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

E. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION - FDR Phase 3B Fee/Easement Acquisition (Fenwick Property)

I move to approve the Exercise of Option Contract with Joy and Zina Fenwick and the Commissioners of St. Mary's County and authorize the Commissioner President to sign the related documents.

Motion by Commissioner Michael L. Hewitt, second by Commissioner Eric Colvin.
Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan
Not Present at Vote: Commissioner O'Connor

F. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION - Adult Detention and Rehabilitation Center - FY2022 State Grant Application

I move to approve and authorize the Commissioner President to sign the FY22 State grant application and associated affidavits in support of the Adult Detention and Rehabilitation Center in the amount of \$1,856,000 in accordance with the approved FY22 Capital Budget.

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

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan

Not Present at Vote: Commissioner O'Connor

G. DEPARTMENT OF EMERGENCY SERVICES - EMS Staffing Update

Present: Steve Walker, Director

An update on the staffing for Basic Life Support and Advanced Life Support in St. Mary's County and EMS Billing was provided.

H. DEPARTMENT OF RECREATION AND PARKS - Memorandum of Understanding between the County and the Country Lakes Homeowners Association

Postponed to a later date, No Vote

I. DEPARTMENT OF RECREATION AND PARKS - Snow Hill Park Deed of Gift

I move to authorize the Commissioner President to sign the Snow Hill Deed of Gift, gifting the artifacts to the Maryland Historical Trust.

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

Motion Carries

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

J. DEPARTMENT OF FINANCE - Budget Amendment to Realign County Personal Services and Snow Removal Accounts FY2022

MOTION 1: I move to approve the budget amendment decreasing salary and fringe accounts and increasing the Commissioner's Emergency Reserve account in the amount of \$745,182 due to salary savings.

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

Final Resolution: Motion Carries

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

MOTION 2: I move to approve the budget amendment increasing the snow removal accounts and reducing the Commissioner's Emergency Reserve account in the amount of \$1,729,888.

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

Final Resolution: Motion Carries

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

6. LEGISLATION

A. OFFICE OF THE COUNTY ATTORNEY - Legislative Updates

Present: John Houser Assistant County Attorney

Mr. Houser highlighted and summarized the 2022 Legislative Session. The Commissioners of St. Mary's County Bills included HB 522 - St. Mary's County – Tax Sales - Auctioneer Expenses Passed on 4/7, awaiting Governor's signature, and HB 527 - St. Mary's County – Emergency Services Applicants – Polygraph Examinations Passed on 4/8, awaiting Governor's signature. Bills of interest: SB 290 – Operating Budget – Passed, signed by Governor; SB 291 – Capital Budget – Passed, signed by Governor; SB 378 - Tri-County Council for Southern Maryland - Funding for Southern Maryland Agricultural Development Commission – Passed, signed by Governor; SB 528 - Climate Solutions Now Act of 2022 - Passed, enrolled without signature; HB 695 - Environment - Climate Crisis Plan - Requirement (Better Together to Save Our Weather Act of 2022) – Failed to advance; HB 880 / SB 931 Environment - Impact of Actions on Climate, Labor, and Environmental Justice – Failed to advance; HB 558/SB 296 - Land Use – Agritourism – Definition – Passed, awaiting signature; HB 226 Public Schools - Self-Contained Special Education Classroom Video Recording Pilot Program / SB 577 Public Schools – Self-Contained Special Education Classroom – Use of Video Recording Devices – Failed to advance; HB 633 / SB 933 Education - Accountability and Implementation Board – Membership - Failed to advance; HB 685 / SB 448 Education - Regional Resource Centers and Libraries – Funding – Passed, awaiting signature; HB 1450 - Blueprint for Maryland's Future - Implementation Plans and Funds – Alterations – Passed, enrolled without signature; HB 8/SB 275 - Family and Medical Leave – Passed, Governor's veto overridden; HB 1202 / SB 754 Local Government Cybersecurity - Coordination and Operations (Local Cybersecurity Support Act of 2022) - Passed, awaiting signature; HB 1205 / SB 811 Local State Government - Information Technology - and Cybersecurity Related Infrastructure (Modernize Maryland Act of 2022) – Passed, awaiting signature; HB 1346 / SB 812 Local State Government - Cybersecurity - Coordination and Governance – Passed, awaiting signature; HB 268 / SB 274 - Property Tax - Exemptions for Business Personal Property – Alterations – Passed, awaiting signature; SB 405 – Income Tax - Retirement Income Subtraction Modifications and Senior Credit (Retirement Tax Elimination Act of 2022) – Passed, signed by Governor; HB 445 / SB 543 - Property Tax - Constant Yield Tax Rate - Notice Requirements – Referred to interim study; HB 1196 - Tax Sales - Alternative Collection Programs -Passed, awaiting Governor's signature; HB 1187/SB 726 - Transportation - Highway User Revenues - Revenue and Distribution – Passed, signed by Governor; HB 44 / SB 295 - Maryland Medicaid Assistance Program - Emergency Service

Transporters Reimbursement – Passed, awaiting signature; HB 1019 / SB 838 - Transportation - Elderly and Handicapped Transportation Service - County Funding – Passed, awaiting signature; HB 506/SB 603 - Constitutional Amendment – Beer and Wine Licenses – Retail Grocery Establishments – Failed to advance; HB 1 - Constitutional Amendment - Cannabis - Adult Use and Possession – Passed without Governor’s signature; HB 837 – Cannabis Reform – Passed without Governor’s signature; SB 389 – Maryland Police Accountability Act Revisions and Clarifications – Failed to advance; and SB 763 – Public Safety and Criminal Justice – Transparency and Accountability – Passed, awaiting signature.

7. COMMISSIONERS' TIME

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

MOTION TO ENTER INTO CLOSED SESSION

I move to enter into Closed Session to discuss Personnel.

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

Final Resolution: Motion Carries

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

8. CLOSED SESSION

A. DEPARTMENT OF HUMAN RESOURCES - Personnel

Present: James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner
Catherine Pratson, Director Human Resources
David Weiskopf, Interim County Administrator
Julie Burch, Recorder

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

Time Held: 12:06 p.m. – 12:11 p.m.

Location: Commissioners Meeting Room

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

9. ADJOURN

The meeting adjourned at approximately 12:11 pm.
Minutes approved by the Commissioners of St. Mary's County on May 3, 2022.

JB
Julie Burch, Senior Admin Coordinator

10. PUBLIC HEARING - FY23 RECOMMENDED BUDGET - Chopticon High School,
23590 Colton Point Road, Morganza, MD

A. DEPARTMENT OF FINANCE - Three Public Hearings as related to the FY2023
Recommended Budget

Members present

Commissioner President James R. Guy
Commissioner Eric Colvin
Commissioner Michael L. Hewitt
Commissioner Todd B. Morgan
Commissioner John E. O'Connor
David Weiskopf, Interim County Administrator
Jeannette Cudmore, Chief Financial Officer
ALisa Casas, Communications Director, Public Information Office
Amy Carter, Video Media Producer, Public Information Office
Julie Burch, Sr. Admin. Coordinator to the Commissioners, Recorder

David Weiskopf, Interim County Administrator opened the public hearing for the FY2023 Recommended Budget at 6:32 pm in the Chopticon High School Auditorium. Following introductions of honored guests, Mr. Weiskopf introduced Commissioner President Guy who introduced the other Commissioners and provided welcoming remarks.

Ms. Cudmore noted there would be three public hearings tonight: Constant Yield Tax Rate ("Real Property Tax Increase"); St. Mary's County Fees and Charges; and FY2023 Recommended Budget. She also presented an overview of the proposed FY2023 budget.

Ms. Casas moderated the following 3 public hearings.

CONSTANT YIELD TAX RATE

Ms. Casas opened the meeting at 7:00 pm.

Public comments given by:

Deb Rey, 18364 Chestnut Street, Lexington Park
Brandon Russell P.O. Box 442, Leonardtown
Roy Fedders, 16690 St. Jeromes Neck Road Dameron

The public hearing closed at 7:06 p.m.

COUNTY FEES & CHARGES

Ms. Casas opened the public hearing at 7:06

Public comments given by:

Michael Blackwell, 17947 St Georges Park Road, Tall Timbers

Anthony Damron, 21405 Canoe Neck Way, Abell

The public hearing closed at 7:09 p.m.

FY2023 RECOMMENDED BUDGET

Ms. Casas opened the public hearing at 7:09 p.m.

Public comments given by:

Karin Bailey, Moakley St., Leonardtown

J. Scott Smith, Moakley St., Leonardtown MD

Austin Schultz, Leonardtown

Dr. Janice Wathour, 20493 Partins Lane, Lexington Park

David Deaderick, 23155 Mirfield Lane, Lexington Park

Joanna Bartow, 22160 Bull Road, Leonardtown

Deb Rey, 18364 Chestnut Street, Lexington Park

Brandon Russell P.O. Box 442, Leonardtown

Nick Willett, 48017 Mary Lynn Dr., Lexington Park

Marsha Williams, 45471 Columbine Place, Great Mills

Sheriff Tim Cameron, Leonardtown

Commissioner President Guy thanked citizens for attending the meeting, stated that the comment period would remain open until May 3, 2022, and noted comments should be mailed to the Commissioners of St. Mary's County, P.O. Box 653, Leonardtown, MD 20650 or emailed to: csmc@stmarysmd.com. The public hearing closed at 7:47 p.m.

11. ADJOURN