

Commissioners of St. Mary's County Meeting Minutes (Tuesday, August 23, 2022)
Generated by Julie Burch on Wednesday, August 24, 2022

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 August 2, 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. PROCLAMATION

A proclamation was presented for Women's Equality Day 2022.

3. COMMENDATIONS

Commendations were presented to the participants of the Special Olympics 2022 USA Games.

4. MAIN AGENDA ITEM

A. DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT - Decision -
Proposed Cannabis Ordinance

MOTION 1: I move for the Commissioners of St. Mary's County to adopt the proposed Text Amendment amending Chapter 285 of the Code of St. Mary's County, Maryland, by adding Use 51.3.84.a. "Medical Cannabis Growing Facility"; by adding Use 51.3.84.b. "Medical Cannabis Processor"; by adding Use 51.3.76.a. "Medical Cannabis Dispensary"; by amending Chapter 90 by adding definitions of "medical cannabis", "medical cannabis grower", "medical cannabis processor" and "medical cannabis dispensary" and to execute all related documents.

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

Motion Carries

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

MOTION 2: I move to direct staff to have an independent audit conducted for process improvement related to cannabis in preparation for recreational use and the process development and direct staff to coordinate that.

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

Final Resolution: Motion Carries

Yea: Commissioners Colvin, Morgan, O'Connor

Nay: Commissioners Guy, Hewitt

5. PUBLIC HEARING

A. OFFICE OF THE COUNTY ATTORNEY - Public Hearing to consider the amendment of Ch. 267 of the Code of St. Mary's County, Maryland to Provide for an Exemption from the St. Mary's County Transfer Tax

Commissioner President Guy opened the public hearing at 9:40 a.m.

Present: Neil Murphy, Deputy County Attorney

Notice of the public hearing was published on August 5 and August 12, 2022, in Southern Maryland Newspaper. The public hearing was to receive public comments on the proposed transfer tax exemption.

Commissioner President Guy requested David 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 9:46 a.m.

6. COUNTY ADMINISTRATOR

A. DRAFT AGENDAS FOR AUGUST 30 AND SEPTEMBER 13, 2022. There will be no meeting of the Commissioners on September 6, 2022.

B. DEPARTMENT OF FINANCE - Soil Conservation District Request for Revised Fee Schedule

I move to approve the transfer of \$85,000 from the Commissioners Emergency Reserve to the St. Mary's County Soil Conservation District Board of Supervisors and to withdraw any fee increase requests from the Soil Conservation District and the Commissioner President to sign any related documents.

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

C. DEPARTMENT OF ECONOMIC DEVELOPMENT - The Barns at New Market – Contract Services

I move to approve the change in scope to allow the Department of Economic Development to use the approved \$25,000 for contract services to help manage The Barns at New Market farmers market and have the Commissioner President sign all related documents.

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

Final Resolution: Motion Carries

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

D. DEPARTMENT OF INFORMATION TECHNOLOGY - Accept the Meers Grant MOU from the Board of Education of St. Mary's County - MD2313

I move to approve the Budget Amendment reducing the Commissioners Emergency Reserve by \$334,000 and MOU between the Board of Education of St. Mary's County and the Commissioners of St. Mary's County to connect 21 Public School Student addresses to the Internet and authorized the Commissioner President to sign all related documents.

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

Final Resolution: Motion Carries

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

E. DEPARTMENT OF RECREATION AND PARKS - Child Care Stabilization Grant Phase 2 Award

I move to approve the Childcare Stabilization Fund Grant award from the Maryland State Department of Education in the amount of \$38,915 and authorize the Commissioner President to sign the related documents.

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

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan

Not Present at Vote: Commissioner O'Connor

F. DEPARTMENT OF RECREATION AND PARKS - Governor's Child Care Stabilization Grant Program Round 3- Maryland State Department of Education application

I move to approve the Department of Recreation and Parks to submit the online application for the Governor's Child Care Stabilization Grant Program Round 3- Maryland State Department of Education in the amount of \$35,000 for the purpose of financially supporting the School Age Care Programs and authorize the Commissioner President to sign all 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

G. DEPARTMENT OF RECREATION AND PARKS - Program Open Space Grant Application John Baggett Park Playground and Land Preservation Parks and Recreation Plan FY 2023

I move to approve the Program Open Space Development and Capital Renewal Application and Project Agreement for the John Baggett Park Playground replacement in the amount of \$300,000 and the Program Open Space Planning Grant Application and Project Agreement in the amount of \$25,000 for the development of the 2027 Land Preservation, Parks and Recreation Plan, and authorize the Commissioner President to execute the related documents.

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

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan

Not Present at Vote: Commissioner O'Connor

H. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION - Buck Hewitt Road Property Acquisition

I move to approve the two (2) option Agreements as presented for the fee simple and easement acquisitions in support of the Buck Hewitt Road Phase 4 project and authorize the Commissioner President to execute all related documents.

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

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan

Not Present at Vote: Commissioner O'Connor

I. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION - Clements Convenience Center Improvements Budget Amendment SW-1901

I move to approve the budget amendment reducing the FIN23 Capital Reserve by \$140,000 and increase the Clements Convenience Center Improvement project SW-1901 by \$140,000 to fund

necessary improvements identified during construction and authorize the Commissioner President to sign all the related documents.

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

Final Resolution: Motion Carries

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

J. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION - Sheriff's District 1 Office - Budget Amendment

MOTION 1: I move to approve the budget amendment decreasing the Sheriff's Headquarter Facility project and increasing the capital reserve in the amount of \$335,000 and authorize the Commissioner President to sign all the related documents.

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 2: I move to approve the budget amendment increasing District 1 Sheriff's Office project and decreasing the capital reserve in the amount of \$335,000 to fund the force protection improvements for the current facility and authorize the Commissioner President to sign all the related documents.

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

Final Resolution: Motion Carries

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

K. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION - Airport Terminal Cafe, Bird Dog Bistro, Lease Agreement

I move to approve the lease agreement between Bird Dog Bistro and the Commissioners of St. Mary's County to provide food service in the St. Mary's County Regional Airport Terminal and authorize the Commissioner President to sign all related documents.

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

Motion Carries

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

L. DEPARTMENT OF FINANCE - American Rescue Grant Update

I move that we approve the IT realignment that was requested and authorize \$3.5 million for broadband expansion out of the ARP Funds.

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

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, John E. O'Connor

Nay: Commissioners Hewitt, Morgan

7. COMMISSIONERS' TIME

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

MOTION TO ENTER INTO CLOSED SESSION

I move to enter into closed session for the purpose of discussing Litigation and Personnel.

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

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan

Not Present at Vote: Commissioner O'Connor

8. CLOSED SESSION

Commissioner John E. O'Connor recused himself from closed session.

A. PERSONNEL

Present: James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
David Weiskopf, Interim County Administrator
Catherine Pratson, Director, Dept. of Human Resources
Sharon Ferris, Recorder

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

Time Held: 11:42 a.m. - 11:48 p.m.

Location: Savich Conference Room

Purpose: To consider or discuss the assignment or appointment of member if a public agency or employee.

B. LITIGATION

Present: James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
David Weiskopf, Interim County Administrator

Victoria M. Shearer, Law Offices of Eccleston and Wolf
Sharon Ferris, Recorder

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

Time Held: 11:49 a.m. - 12:06 p.m.

Location: Savich Conference Room

Purpose: To discuss strategy for a case in litigation.

9. ADJOURN

The meeting adjourned at approximately 12:06 pm.

Minutes approved by the Commissioners of St. Mary's County on August 30, 2022.

JB

Julie Burch, Senior Admin Coordinator