

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Tuesday, January 19, 2010**

**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  
Donna Gebicke (Recorder)

**CALL TO ORDER**

Commissioner President Russell called the meeting to order at 9:02 am.

**APPROVAL OF CHECK REGISTER**

**Commissioner Raley moved, seconded by Commissioner Mattingly, to authorize the Commissioner President to sign the Check Register for checks dated January 19, 2010, as submitted by staff. Motion carried 4-1. Commissioner Jarboe voted nay.**

**APPROVAL OF MINUTES**

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to adopt the minutes of the meeting of Tuesday, January 12, 2010, as presented. Motion carried 5-0.**

**COUNTY ADMINISTRATOR**

1. Draft Agenda for January 26 and February 2, 2010
2. **Department of Public Works & Transportation** (*George Erichsen*)

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the budget amendment in the amount of \$138,623 to restore the Department of Public Works & Transportation budget accounts to the pre-storm level of funding. Motion carried 5-0.**

*(Jackie Fournier, Trans. Mgr; Mary Ann Coontz, Trans. Supv.)*

**Commissioner Dement moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to execute the Transportation Grant Agreement from the Maryland Department of Transportation, on behalf of the Department of Public Works and Transportation, for the FY2010 Operating Grants for St. Mary's Transit System in the amount of \$2,138,534 and the six related budget amendments that include realigning all bus insurance costs from Risk Management accounts to cover the increase in required County funding, and one budget amendment to close out the Western Route. Motion carried 5-0.**

**3. Dept. of Land Use and Growth Management** *(Derick Berlage, Dir.; Sue Veith, Environmental Planner)*

**Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to execute the 2010 Critical Area Grant Amendment, Project # MD1027, from the State of Maryland Chesapeake Bay on behalf of the Department of Land Use and Growth Management for the implementation of the Critical Area Program, in the amount of \$11,000: and the related budget amendment decreasing the Project Budget and realigning \$13,000 from the Land Use and Growth Management accounts. Motion carried 5-0.**

*It was noted that while it is practice for County employees not to go conduct inspections (such as those related to the Critical Area program ) on private property unannounced, Commissioner Raley asked that it be a firm policy not to do so. Commissioner Mattingly suggested that the updated Comprehensive Plan include a statement about the lack of financial support for programs that the state is requiring counties to enforce, such as stormwater management regulations and Critical Area provisions.*

**4. Department of Aging** *(Lori Jennings-Harris, Director; Peggy Maio, Fiscal Supervisor)*

**Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to execute the Senior Rides grant agreement, project # MD1005, from the State of Maryland Department of Transportation on behalf of the St. Mary's County Department of Aging in the amount of \$25,000 for transportation services for low income to moderate-income seniors. Motion carried 5-0.**

*There was Board consensus that the Department of Aging should proceed with the grant application process for another three-year Senior Rides Grant Agreement.*

**5. Department of Public Safety** *(David Zylak, Director)*

**Commissioner Dement moved, seconded by Commissioner Mattingly, to authorize the Public Safety Director to continue working with the State Department of Information and Technology to move forward on the Public Safety Tower site located at George B. Cecil Park in Valley Lee. Motion carried 5-0.**

*The Departments of Public Safety and Land Use and Growth Management will provide the Board with a summary of next steps (regulatory and communications to the public) to complete this project.*

**6. County Attorney (Christy Holt Chesser, County Attorney)**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to execute the Governor's Office of Crime Control and Prevention (GOCCP) Applicant/Grantee Authorization Form as the authorizing official, which also indicates Sub-units of government other than the Board of Education and the Health Department cannot directly apply for grant funds. Motion carried 5-0.**

**COMMISSIONERS TIME**

The Commissioners highlighted upcoming events and those attended over the past week as well as personal interest items.

Commissioner Raley asked the County Attorney to confirm that the County currently has the authority granted by the state to exempt Ag-tourism events from collecting and submitting admissions taxes to the state; and if this is the case, to prepare an Ordinance for the Board's consideration formalizing this exemption for St. Mary's County.

At the request of citizens who believe it was most likely an oversight in the Governor's oyster sanctuary plan, Commissioner Jarboe asked if the Commissioners would support submitting a letter to the Governor requesting that the Wicomico River be added to the list of oyster sanctuary rivers. Commissioner President Russell agreed, but with the stipulation that the commercial fishing industry be provided an opportunity for input as to where the sanctuaries should be located.

Commissioner Mattingly reported that the Mechanicsville Volunteer Fire Department is still interested in trying to resolve the remaining issues involved in identifying a specific piece of county land that could be transferred to them for the construction of a fire sub-station. The proposed site that the County and the MVFD were discussing previously is located on the Chaptico Park property. Mr. Savich will ask the Department of Recreation and Parks to follow up with the MVFD to determine the status and next steps.

**ADJOURN**

The meeting adjourned at 10:26 am.

Minutes Approved by the Board of County Commissioners on \_\_\_\_\_

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Donna M. Gebicke, Administrative Assistant (Recorder)