

Commissioners of St. Mary's County Meeting Minutes (Tuesday, September 24, 2019)
Generated by Sharon Ferris on Wednesday, September 25, 2019

Members present

Commissioner President James R. Guy
Commissioner Eric Colvin
Commissioner Michael L. Hewitt
Commissioner Todd B. Morgan
Commissioner John E. O'Connor
Dr. Rebecca Bridgett, County Administrator
Sharon Ferris, Recorder

1. CLOSING IN MILESTONE EVENT, LEONARDTOWN LIBRARY & GARVEY SENIOR ACTIVITY CENTER, 23630 Hayden Farm Lane, Leonardtown, MD

The Commissioners celebrated the closing in of the new Leonardtown Library and Garvey Senior Center.

2. RETURN TO CHESAPEAKE BUILDING

3. WELCOME

Commissioner President Guy called the business meeting of the Commissioners of St. Mary's County to order at 10:00 a.m. in the Chesapeake Meeting Room, Governmental Center.

Approval of Consent Agenda

I move to approve the Consent Agenda, which contains the Minutes of September 17, 2019, as presented.

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

Final Resolution: Motion Carries

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

4. MAIN AGENDA ITEM

A. OFFICE OF THE COUNTY ATTORNEY - 2020 LEGISLATIVE PROPOSALS

PROPOSAL #1

MOTION. I move:

- to request repeal of Section 27-11(A) of Article 19 - Public Local Laws of St. Mary's County as amended by Chapter 424 of the 2017 Session of the General Assembly of Maryland and to replace it with the original language which de-couples the METCOM debt from the County debt, leaving Sections B & C intact,
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

Final Resolution: Motion Carries

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

PROPOSAL #2 (TABLED)

To request authority to issue \$37.2 million in public facility bonds for the FY 2021 budget

MOTION. I move to table this until we get further information.

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

Final Resolution: Motion Carries

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

PROPOSAL #3

MOTION. I move:

- to request \$812,320.00 in funds for FY 2021 to plan/design the expansion and renovation of the St. Mary's County Health Department,
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

Final Resolution: Motion Carries

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

PROPOSAL #4

MOTION. I move:

- to request \$350,000.00 in funding for a multi-phase project to address St. Clement's Island Museum building renovations and public access, as well as update and expand the exhibit and interpretive spaces in the Museum,

- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

Final Resolution: Motion Carries

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

PROPOSAL #5

MOTION. I move:

- to request \$118,150.00 in funds to help pay the non-Federal share of the USACE (US Army Corps of Engineers) feasibility study to determine if a new concept for jetties will be an effective measure against the historic shoaling in the mouth of the creek at the Chesapeake Bay,
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

Final Resolution: Motion Carries

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

PROPOSAL #6

MOTION. I move:

- to request the amendment of §9-320 of the Tax-Property Article of the Annotated Code of Maryland to offer commercial property owners a tax reduction for real property located in the County's growth areas and that has been renovated, rehabilitated or upgraded,
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

Final Resolution: Motion Carries

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

Nay: Commissioner Morgan

PROPOSAL #7

MOTION. I move:

- to request amendment of §9-512(a) of the Local Government Article of the Annotated Code of Maryland (St. Mary's County Open Meetings Act) to align with the state open meetings act list of authorized reasons to hold a closed session meeting to include investment of public funds, to

consult with counsel to obtain legal advice and to discuss cybersecurity,

- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

Final Resolution: Motion Carries

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

Nay: Commissioner Hewitt

PROPOSAL #8

MOTION. I move:

- to request amendment of §9-501(c)(1)(iii, iv, v) and §9-509(c) of the Local Govt. Article of the Annotated Code of MD to add three (3) agencies to the definition of “Public Agency” that are subject to the St. Mary’s County Open Meetings Act: SMC Library System, Metropolitan Commission and the Housing Authority and to encourage the use of new technology,
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

Final Resolution: Motion Carries

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

PROPOSAL #9

MOTION. I move:

- to request amendment of §9-501(C)(2) of the Local Government Article of the Annotated Code of MD to remove “subcommittees” from the definition of Public Agency in the St. Mary’s County Open Meetings Act,
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

Motion Carries

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

Nay: Commissioner Michael L. Hewitt

PROPOSAL #10

MOTION. I move:

- to request amendment of §20-405 of the Local Government Article of the Annotated Code of Maryland to increase the St. Mary's County Public Accommodations Tax enabling legislation from five (5) percent to seven (7) percent,
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

Motion Carries

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

Nay: Commissioner Michael L. Hewitt

PROPOSAL #11

MOTION. 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 Officer to wear body worn cameras to record their encounters and activities,
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

Motion by Commissioner John E. O'Connor, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

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

PROPOSAL #12

MOTION. I move:

- to request repeal of Sections 1-8 of Chapter 526 of the 2005 Session of the General Assembly of MD which authorized the County's Agricultural Land Preservation Program - Installment Purchase Agreement Authority leaving Section 9 (27-11) intact,
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

Final Resolution: Motion Carries

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

PROPOSAL #13

MOTION. I move:

- to request an exception to §12-102(b) of the Tax -General Article of the Annotated Code of Maryland for St. Mary's County to enable us to charge an excise tax on Vaping, E-Cigarettes, and ENDS (Electronic Nicotine Delivery System),
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

Final Resolution: Motion Carries

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

PROPOSAL #14

MOTION: I move:

- to request amendment of §12-535 of the Local Government Article of the Annotated Code of Maryland to allow St. Mary's County to designate Emergency Snow Routes on St. Mary's County roads
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

PROPOSAL #15

MOTION. I move:

- to request amendment of §49.1(E) of Article 19 of the Public Local Laws of St. Mary's County to amend the Emergency Service Tax to allow individual rescue squads the ability to have alternatives funding sources without penalty,
- to sign a letter of support to the Delegation and
- to approve and authorize the Commissioner President to sign letters of support to the House and Senate Committees for hearings on these bills.

Motion by Commissioner John E. O'Connor, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Colvin, Hewitt, O'Connor

Nay: Commissioners Guy, Morgan

PROPOSAL #16

MOTION. I move:

- to request new language in the Alcoholic Beverages Article of the Annotated Code of Maryland to establish and set a fee for an On-Site Consumption Permit for a Class 1 Distillery,
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

PROPOSAL #17 (TABLED)

To request enabling authority to allow the Commissioners of St. Mary's County to enact a Social Host Ordinance that would penalize individuals for hosting an event where underage persons possess or consume alcohol

MOTION. I move to table this to get more information.

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

Nay: Commissioner Hewitt

PROPOSAL #18

MOTION. I move:

- to support the amendment of §16-610 of the Education Article of the Annotated Code of Maryland regarding Local Budget Process Modifications,
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

Final Resolution: Motion Carries

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

PROPOSAL #19

MOTION. I move:

- to request amendment of Article 19 of the Public Local Laws of St. Mary's County, Chapter 113 – Metropolitan Commission - to provide non-substantive and clarifying revisions to

consolidate and reorganize the text of the Chapter,

- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

Final Resolution: Motion Carries

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

PROPOSAL #20

MOTION. I move:

- to request amendment of §13-611 of the Economic Development Article of the Annotated Code of Maryland to alter the funding formula of the Tri-County Council for Southern Maryland,
- to sign a letter of support to the Delegation and
- to approve and authorize Commissioner President Guy to sign letters of support to the House and Senate Committees for hearings on these bills.

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

5. COUNTY ADMINISTRATOR

A. DRAFT AGENDAS FOR OCTOBER 1 AND 8, 2019.

B. BOARD OF EDUCATION - FY2021 - FY2026 State Capital Improvements Program

I move to approve and authorize the Commissioner President to sign the letter of support for the FY2021 – FY2026 State Capital Improvements Program as approved by the Board of Education on September 11, 2019, to be submitted to the Interagency Commission on School Construction, in accordance with state procedures.

Motion by Commissioner Michael L. Hewitt, second by Commissioner John E. O'Connor.

Final Resolution: Motion Carries

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

C. DEPARTMENT OF FINANCE - Resolution authorizing the 5 year financing of vehicles approved in the FY2020 budget

I move to approve and sign the Resolution authorizing the 5-year financing agreement in the amount of \$2,650,000 with Banc of America Public Capital Corporation as recommended by the Finance Department, and authorize Commissioner President and appropriate staff to execute the necessary 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

D. DEPARTMENT OF EMERGENCY SERVICES - Emergency Numbers System Board Grant Request (UPS - Uninterrupted Power Supply for Back Up Center)

I move to authorize the Department of Emergency Services to submit a funding request under MD2038 to the Emergency Numbers Systems Board in the amount of \$58,207.00 for the acquisition of a Uninterrupted Power Supply (UPS) for the Back up 911 Center, which is an increase of \$10,307 to the ENSB Funding Plan and authorize Commissioner President to execute the related budget amendment and further authorize the Director of Emergency Services to sign all required grant submission documents.

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

Final Resolution: Motion Carries

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

E. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION - Piney Point Museum Emergency Pier Repair (MA2002)

I move to approve the Budget Amendment to transfer \$24,995 from the FIN20 Capital Reserve to Project MA 2002 Piney Point Museum Emergency Pier Repair to fund the proposed repairs to the boardwalk.

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

Final Resolution: Motion Carries

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

F. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION - Property Acquisition - Patuxent Park Revitalization Project Section 5

I move to approve the execution of the Option Agreement for a Permanent Storm Drainage Easement and Temporary Construction Easements on the Tubbs, Simpson, and Evans property in the amount of \$1,605 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, O'Connor

6. COMMISSIONERS' TIME

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

7. ADJOURN

The meeting adjourned at 11:17 am.

Minutes approved by the Commissioners of St. Mary's County on October 1, 2019

SLF

Sharon Ferris, Administrative Assistant

8. STATE OF THE COUNTY LUNCHEON - Bay District Volunteer Fire Department, 46900 South Shangri La Drive, Lexington Park, MD

The Commissioners attended the luncheon, sponsored by the Chamber of Commerce and answered questions from the audience.