

Commissioners of St. Mary's County Meeting Minutes (Tuesday, November 18, 2014)

Generated by Sharon Ferris on Wednesday, November 19, 2014

Members present

Commissioner President Jack Russell
Commissioner Daniel Morris
Commissioner Larry Jarboe
Commissioner Cindy Jones
Commissioner Todd Morgan
County Administrator Dr. Rebecca Bridgett
Sharon Ferris (Recorder)

1. WELCOME

Commissioner President Russell called the business meeting of the Commissioners of St. Mary's County to order at 9:00 am in the Chesapeake Building meeting room, Governmental Center.

Approval of Minutes

I move to approve the minutes of October 28, 2014, as presented.

Motion by Todd Morgan, second by Larry Jarboe.

Final Resolution: Motion Carries

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Cindy Jones, Todd Morgan

2. RECOGNITION(S)

Citizens Academy Certificates of Completion

Presented by: Dr. Rebecca Bridgett

Cetificates were presented to: Steven Bishop; Janet Cook; Barbara Dinsenbacher; Merl Evans; Clarke Guy; Sarah Hayden; Alma Jordon; Tracy Lumpkin; Michael Lunde; Leonard Nimmerrichter; Tanya Parker; Catherine Simpson; Joseph St. Clair; Ewin Verdict; John Walters and Paul Waxman.

Participants receiving certificates but not present were: Janice Bonham; James Bowles; Greg Coombs; Judith Curbow; Amber Ewing; Michael Farr; Tania Jordan; Gary Younger; Anna Zelinski-Gafford and Randolph Serman.

3. COUNTY ADMINISTRATOR

A. STATE'S ATTORNEY'S OFFICE - FY2015 Cooperative Reimbursement Agreement-Child Support Division

Presented by: Lyle Long, Senior Investigator; Pam Soffos, Senior Legal Assistant, State's Attorney's Office

I move to approve and authorize Commissioner President Russell to execute the FY2015 Cooperative Reimbursement Agreement, Project US1511, from the Maryland Department of Human Resources on behalf of the State's Attorney's Office, Child Support Division in the amount of \$622,144, and to execute the related budget amendment to increase the Project Budget in accordance with the agreement, that includes increasing County funding by \$17,812 using the CSMC Emergency Reserve.

Motion by Cindy Jones, second by Daniel Morris.

Final Resolution: Motion Carries

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Cindy Jones, Todd Morgan

B. DEPT. OF LAND USE AND GROWTH MANAGEMENT - Maryland Historical Trust Grant Agreement - Assessing Known Archeological Resources

Presented by: Grace Brady, Dept. of Land Use and Growth Management; Carol Moody, Chair, Historic Preservation Committee

I move to approve and authorize the Commissioner President to execute the Inter-governmental Agreement between the Commissioners of St. Mary's County and St. Mary's College of Maryland under Project US1551, and execute the budget amendment reducing the project by \$10 to the Emergency Reserve, according to the revised Grant Agreement.

Motion by Larry Jarboe, second by Daniel Morris.

Final Resolution: Motion Carries

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Cindy Jones, Todd Morgan

C. SHERIFF'S OFFICE - Local Government Insurance Trust Training Grant

Presented by: Pam McKay, Accreditation Manager; Erin Shoemaker, Fiscal Manager, Sheriff's Office

I move to approve and authorize the Commissioner President to execute the LGIT Training Grant Application, project OT1506 from the Local Government Insurance Trust in the amount of \$3,748 on behalf of the Sheriff's Office, to provide funding assistance for staff to attend required CALEA training.

Motion by Daniel Morris, second by Cindy Jones.

Final Resolution: Motion Carries

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Cindy Jones, Todd Morgan

D. DEPT. OF ECONOMIC DEVELOPMENT - Maryland Economic Development Assistance Act Funding (MEDAAF) Grant Agreement & Resolution

Presented by: Robin Finnacom, Acting Director, Dept. of Economic Development

I move to approve the execution of the Resolution of Support for the Agreement between the County and the Maryland Department of Business and Economic Development, and I move to authorize Commissioner President Russell to execute the Grant Agreement, Project US1403, on behalf of the Department of Economic Development in the amount of \$25,000 for funding to support the Comprehensive Economic Development Strategy (CEDS) Project.

Motion by Todd Morgan, second by Cindy Jones.

Final Resolution: Motion Carries

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Cindy Jones, Todd Morgan

E. DEPT. OF AGING AND HUMAN SERVICES - FY2015 Maryland Access Point (MAP) Aging & Disability Resource Center (ADRC) Grant Application & Memorandum of Agreement

Presented by: Lori Jennings-Harris, Director; Rebecca Kessler, Manager, Home & Community-Based Services, Dept. of Aging and Human Services

I move to approve the Maryland Access Point/Aging & Disability Resource Center (MAP/ADRC) Application in the amount of \$75,000, project US1545 from the Maryland Department of Aging on behalf of the St. Mary's County Department of Aging and Human Services to streamline access to information and services for older adults and promote self-direction, independence and community engagement, and approve and authorize the Commissioner President to execute the related Memorandum of Agreement (MOA) between the Commissioners of Saint Mary's County and the Southern Maryland Center for Independent Living to serve as a federally designated regional service agency.

Motion by Larry Jarboe, second by Daniel Morris.

Final Resolution: Motion Carries

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Cindy Jones, Todd Morgan

F. DEPT. OF PUBLIC WORKS AND TRANSPORTATION - St.Mary's County Regional Airport - SMECO Easement

Presented by: George Erichsen, Director, Dept. of Public Words & Transportation

I move to approve and authorize the Commissioner President Russell to execute the SMECO Easement needed to provide electrical service to the proposed hangar development at the St. Mary's County Regional Airport.

Motion by Cindy Jones, second by Todd Morgan.

Final Resolution: Motion Carries

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Cindy Jones, Todd Morgan

G. DEPT. OF PUBLIC WORKS AND TRANSPORTATION - St. Mary's County Regional Airport - Lease between the Commissioners of St. Mary's County and S. Hunt Aero, LLC.

Presented by: George Erichsen, Director, Dept. of Public Works and Transportation; Ken Reed and Bill McKissic, S. Hunt Aero, LLC Representatives

I move to approve and authorize the Commissioner President Russell to execute the Boundary Line Adjustment Plat prepared by Chesapeake Trails Surveying, LLC, and move that the Commissioners of St. Mary's County accept the Deed of Conveyance from S. Hunt Aero, LLC. I further move to approve and authorize the Commissioner President to execute the Lease between the Commissioners of St. Mary's County and S. Hunt Aero LLC. and the Lease Addendum between the Commissioners of St. Mary's County and Airport Development LLC.

Motion by Larry Jarboe, second by Daniel Morris.

Final Resolution: Motion Carries

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Cindy Jones, Todd Morgan

H. DEPT. OF PUBLIC WORKS AND TRANSPORTATION - Budget Amendment – Vehicle Maintenance Equipment

Presented by George Erichsen, Director; Jacqueline Fournier, Transportation Manager, Dept. of Public Works and Transportation

I move to approve and authorize the Commissioner President Russell to execute the budget amendment using \$47,000 of the Commissioners of St. Mary's County Emergency Reserve to increase the Department of Public Works & Transportation FY 2015 Equipment Shop & Custodial replacement budget for the purchase of a portable lift system in the Vehicle Maintenance Shop.

Motion by Cindy Jones, second by Larry Jarboe.

Final Resolution: Motion Carries

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Cindy Jones, Todd Morgan

I. HUMAN RESOURCES - Budget Amendment for Tuition Reimbursement Program

Presented by: Sue Sabo, Director, Dept. of Human Resources

I move to approve and authorize Commissioner President Russell to execute the tuition reimbursement budget amendment on behalf of the Human Resources Department in the amount of \$7,000.

Motion by Larry Jarboe, second by Daniel Morris.

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Todd Morgan

Not Present at Vote: Cindy Jones

J. COUNTY ATTORNEY - Confirmatory Easement Agreement for Ingress and Egress Easement

Presented by: George Sparling, County Attorney

I move that Commissioner President Russell be authorized to execute a Confirmatory Easement Agreement correcting the location of the easement for ingress and egress granted to Henry T. Waring by an Easement Agreement recorded in Book No. 306 at page 206 on September 4, 1986.

Motion by Todd Morgan, second by Daniel Morris.

Final Resolution: Motion Carries

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Cindy Jones, Todd Morgan

K. COUNTY ATTORNEY - Acquisition of Shannon Farms

Presented by: George Sparling, County Attorney

I move that the Commissioner President be authorized to take all actions and execute all documents, as approved by the County Attorney, necessary and appropriate to perform the obligations of St. Mary's County under the Contract for Sale of Real Estate for the acquisition of Shannon Farms.

Motion by Larry Jarboe, second by Todd Morgan.

Final Resolution: Motion Carries

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Cindy Jones, Todd Morgan

L. DEPT. OF RECREATION AND PARKS - Three Notch Trail Phase VI Construction Contract Award

Presented by: Brian Loewe, Director, Dept. of Recreation and Parks; Elaine Kramer, CFO

I move to authorize the Contracting Officer to award a contract in the amount of \$2,852,000 to Great Mills Trading Post Company, Inc. for the construction of Phase VI of the Three Notch Trail.

Motion by Cindy Jones, second by Daniel Morris.

Final Resolution: Motion Carries

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Cindy Jones, Todd Morgan

M. DEPT. OF RECREATION AND PARKS - Memorandum of Understanding Between Commissioners of St. Mary's County and the Board of Directors of the Leonardtown Volunteer Fire Department, Inc.

Presented by: Brian Loewe, Director, Dept. of Recreation and Parks; Thomas Mattingly, Leonardtown Voluntary Fire Department

I move to approve and authorize the Commissioner President to execute the Memorandum of Understanding between the Commissioners of St. Mary's County and the Board of Directors of the Leonardtown Volunteer Fire Department, Inc. for the FY2015 Fireman's Heritage Museum grant project #RP1502 as a match to the State Bond Bill DGS Item G116, Chapter 463, Acts of 2014, in the total amount of \$105,000.

Motion by Todd Morgan, second by Cindy Jones.

Final Resolution: Motion Carries

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Cindy Jones, Todd Morgan

4. MAIN AGENDA ACTION ITEMS

A. Commissioners Take Positions on 2015 Legislative Proposals

Presented by: George Sparling, County Attorney

A Joint Public Meeting of the Commissioners of St. Mary's County and the St. Mary's County Delegation on the 2015 Legislative Proposals was held November 13, 2014, with Delegates O'Donnell and Wood attending. There were no public comments during the public meeting. Mr. Sparling noted that all the 2015 Legislative Proposals were generated by the County Attorney's Office and then reviewed them once again prior to the Commissioners' vote.

1. Amendment of Section 9-320 of the Tax-Property Article of the Annotated Code of Maryland. The amendment would authorize Commissioners to grant credit against the tax levied against real property owned by or dedicated to the use of community homeowner associations.

2. Amendment of Sections 12-538, 12618, 13-703 and 12-804 of the Local Government Article and repeal Sections 9-1607 and 9-1608 of the Land Use Article of the Annotated Code of Maryland. This would amend various sections of the *Local Government Article* and repeal of the *Land Use Articles of Annotated Code* that would provide clarity and facilitate effective enforcement of penalties for violations of ordinances in St. Mary's County, as well as provide adequate notice of penalties to citizens. The proposed legislation would repeal the five specified provisions and clarify the remaining general provision.

3. Amendment of Section 13-129 of the Local Government Article that would delete archaic limited enabling authority and substitute authority to adopt comprehensive animal control regulations.

4. Amendment of Chapter 93 of the St. Mary's Code - Property Maintenance Ordinance -- that would enable the County and property owner to agree on a course of action to be undertaken by the County and a plan for repayment by the owner to be secured by adding the expense incurred by the County to the real property tax levied against the property.

5. Amendment of Article 19 of the Public Laws of Maryland - Tax delinquency - to provide for the imposition of personal liability on the principals of, or restricting renewal of a business license by, a business entity that fails to file a return or pay a tax required by the Code of St. Mary's County.

Mr. Sparling also requested repeal of 16 antiquated local laws.

Commissioner Morris noted a communication error resulted in his legislative proposal not being considered. He proposed that MetCom not increase a service rate in any fiscal year to a rate greater than 2%. He requested that a consent letter be drafted for his recommendation. After discussion, three of the Commissioners indicated they would not sign the proposed consent letter.

I move that proposals 1, 2, 3, 4 and 5 and the repeal of the public local laws codified as Chapters 8, 19, 38, 43, 54, 61, 68, 71, 73, 77, 92, 106, 131, 133, 136 and 144 be included in the legislative request for the 2015 session of the Maryland General Assembly to be forwarded to the St. Mary's County Legislative Delegation.

Motion by Todd Morgan, second by Daniel Morris.

Final Resolution: Motion Carries

Yea: Jack Russell, Daniel Morris, Larry Jarboe, Cindy Jones, Todd Morgan

5. COMMISSIONER'S TIME

Commissioner Jarboe suggested that the Property Tax Cap he previously requested as an agenda item be discussed by the new Board. He requested that the issue at Blackstone

Beach, Colton's Point, be resolved and suggested that a memorial be placed on the site in memory of Shirley Bowles who fought so hard to get the issue resolved.

The Commissioners highlighted events of the past week. The outgoing Commissioners thanked the citizens of St. Mary's County for allowing them the opportunity to serve the county.

6. ADJOURN

The meeting adjourned at 10:47 am.

Minutes Approved by the Commissioners of St. Mary's County on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)
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