

**ST. MARYS COUNTY
BOARD OF COUNTY COMMISSIONERS MEETING
CHESEAPEAKE BUILDING
Tuesday, January 6, 2009**

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
Betty Jean Pasko, Sr. Administrative Coordinator (Recorder)

CALL TO ORDER

Commissioner President Russell called the meeting to order at 9:00 am. The meetings invocation was provided by Fr. William Gurnee of Holy Angels Church.

APPROVAL OF CHECK REGISTER

Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register for checks dated January 6, 2009, as submitted. Motion carried 5-0.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners meeting of December 16, 2008, as presented. Motion carried 5-0.

Commissioner Mattingly moved, seconded by Commissioner Raley, to adopt the minutes of the special meeting of December 24, 2008, as presented. Motion carried 5-0.

COUNTY ADMINISTRATOR

1. Draft Agendas for January 13 and 20, 2009
2. **Metropolitan Commission** (*Steven L. King, Director; and Kathleen Werner, Chair*)

Re: Resolution authorizing the re-alignment of debt proceeds, amending BOCC Resolution No. R-2007-35 regarding Infrastructure Bonds, 2007 Series B.

Mr. King stated the purpose was to revise the project list (not the loan amount established via MetComs Resolution 2007-02 and authorized by the BOCC via

Resolution 2007-35). There was discussion about the total cost of the revised project list (\$13,918,000) which exceeds the loan amount of \$10,661,500. Mr. King said the revised list provides additional flexibility for project prioritization. A public hearing on the proposed loan reprogramming (revised project list) was conducted by MetCom on November 18, 2008; no public comments were received.

Commissioner Jarboe voiced concern about the prepared draft motion, relative to project priority, and the budget not being balanced (nearly a difference of four million dollars). Commissioner Jarboe acknowledged that MetCom held a public hearing, but felt the public should have another opportunity to provide comments at the upcoming joint meeting on January 13th. **Commissioner Jarboe moved to delay the review until next week to provide the chance to discuss with both Boards and to allow the public to speak at the meeting, and then to vote the following week to provide a two-week period prior to the BOCC taking action.** The motion was not seconded.

Commissioner Raley moved, seconded by Commissioner Mattingly, to authorize the re-alignment of debt proceeds, as requested by MetCom, and approved by the St. Marys Metropolitan Commission on November 6, 2008, and evidenced in their Resolution 2008-07, in connection with St. Marys County Metropolitan Commission Infrastructure Bonds, 2007 Series B in an aggregate principal amount not to exceed \$11,100,000 (eleven million, one hundred thousand dollars), and to authorize the Commissioner President to execute BOCC Resolution 2009-01. Motion carried 4-1. Commissioner Jarboe voted no.

3. Office of the Sheriff (*Sheriff Timothy Cameron; and Bonnie Lancaster, Fiscal Special II*)

Commissioner Dement moved, seconded by Commissioner Jarboe, to accept the FY09 Collaborative Supervision and Focused Enforcement Grant award, in the total amount of \$31,000, from the Governors Office of Crime Control and Prevention. Motion carried 5-0.

4. Dept. of Public Works and Transportation / St. Marys Co. Health Dept.
(*Daryl Calvano, Director, Environmental Health, SMC Health Dept.;*
George Erichsen, P.E., Director, DPW&T)

Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to execute the Memorandum of Agreement with the Maryland Department of the Environment, and the Memorandum of Agreement with the Health Department, for the supplemental inspections and monitoring of sewage sludge utilization sites, and to sign the related budget amendment, in the amount of \$3,579, decreasing the project budget in accordance with the actual award amount and agreements. Motion carried 5-0.

5. Land Use & Growth Management (*Phil Shire, Acting Director*)

(Jeff Jackman, Sr. Planner)

Commissioner Dement moved, seconded by Commissioner Jarboe, to sign the Ordinance, with an Effective Date of January 20, 2009, amending the Official Zoning Map No. 39, as approved by the Board of County Commissioners on December 9, 2008, to correct the zoning of certain properties in the vicinity of the Harbor View Marina, located in the 3rd Election District, Case Number 08-245-001. Motion carried 5-0.

Since residents of Lots 2, 3, 4, and 5 must drive through the parking lot that is part of Lot 1 to get to their respective driveways, Commissioner Mattingly asked if there are elements in this re-zoning to ensure access to residential Lots 2, 3, 4 and 5 will not be impeded by the commercial activities on Lot 1. Mr. Shire and Mr. Jackman replied that it is the notations on the recorded plat for Harbor View Villas that ensures access to Lots 2, 3, 4, and 5 via Lot 1, and that the Department of Land Use does have the ability to enforce this requirement.

Commissioner Jarboe moved, seconded by Commissioner Raley, to sign the Ordinance, with an Effective Date of January 20, 2009, amending Schedule 50.4 of the Official Zoning Ordinance, as approved by the Board of County Commissioners on December 9, 2008, to permit personal storage and warehousing and storage uses in Office Business Park (OBP) zoning districts. Motion carried 5-0.

6. Dept. of Economic and Community Dev. / Housing Authority

(Bob Schaller, Dir., DECD; Dennis Nicholson, Exec. Dir., Housing Authority; and Housing Authority Commissioners)

Re: Information regarding upcoming 1/13/09 item; i.e., Resolution supporting a MD Neighborhood Conservation Initiative (NCI) application for funding from the MD Dept. of Housing and Community Developments Neighborhood Stabilization Program, (in the approx. amount of 4m). Full consideration and action by the Board is pending review of the Resolution of Support being prepared for BOCC consideration at the January 13th BOCC meeting.

The State of Maryland has been awarded \$26,704,504 of Neighborhood Stabilization program (NSP) funding from the United States Department of Housing and Urban Development (HUD). The state will provide up to \$17,357,928 of the funds as grants through a competitive process to eligible recipients. Funds are to be used for vacant or abandoned foreclosed homes in areas significantly impacted by foreclosure. Most of St. Marys County will not be eligible; however, Lexington Park and adjoining areas are rated as high (95 144 events) and would be eligible.

On December 18, 2008, the Housing Authority held a public hearing. The Housing Authority is submitting a proposal for \$4,000,000 of these funds. The grant application is due January 15th and requires a BOCC resolution, which is scheduled for consideration at the January 13th BOCC meeting.

The award is scheduled to be announced in March 2009, with the release of funds in July 2009.

In response to Commissioner Raleys question, Mr. Nicholson confirmed that the project manager position referred to in the grant application will be funded by the grant and will be eliminated once grant funds are expended.

DEPT. OF ECONOMIC AND COMMUNITY DEVELOPMENT: DECISION ON REQUEST TO SUBMIT AN EASEMENT APPLICATION TO THE MARYLAND AGRICULTURE LAND PRESERVATION FOUNDATION

Present: Bob Schaller, Director
 Lisa Ledman, Sr. Office Specialist

Mr. Schaller stated that the public hearing was held on December 9, 2008, and that no feedback or public comments were received. This is the only new MALPF application for this fiscal year.

Mr. Schaller provided specifics relative to the location and acreage. The property is located in Ridge at 15942 Charles Davis Lane. The property is comprised of 130 acres and contains waterfront.

It was stated by Ms. Ledman that the state typically funds between one to five applications per year. Appraisals are typically done in the spring and the state usually makes offers around the first of June.

Commissioner Dement moved, seconded by Commissioner Raley, having found that the property discussed at the December 9, 2008, public hearing, ALPD #08-150-002, Vallandingham Farms, LLC, meets the Maryland Agriculture Land Preservation Foundation (MALPF) program criteria, I move to sign the Resolution approving the property and to forward to MALPF for consideration of the easement sale. Motion carried 5-0.

COMMISSIONERS TIME

The Commissioners highlighted upcoming events, events attended over the past week and personal interest items.

MOTION TO ADJOURN

Commissioner Mattingly moved, seconded by Commissioner Dement, to adjourn. Motion carried 5-0.

ADJOURNMENT

The meeting adjourned at 10:46 am.

Minutes Approved by the Board of County Commissioners on _____

Betty Jean Pasko, Sr. Admin. Coordinator (Recorder)