

# Commissioners of St. Mary's County Meeting Minutes (Tuesday, March 17, 2015)

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## Members present

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

## 1. WELCOME

Commissioner President Guy called the meeting to order at 9:00 am. in the Chesapeake Building meeting room, Governmental Center.

### Approval of Minutes

I move to approve the minutes of March 10, 2015, as presented.

Motion by Commissioner Tom Jarboe, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

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

## 2. RECOGNITIONS

**PROCLAMATIONS WERE PRESENTED FOR NATIONAL FINANCIAL LITERACY MONTH AND NATIONAL AGRICULTURE WEEK**

## 3. COUNTY ADMINISTRATOR

### **A. Draft Agendas for March 24 and 31, 2015**

### **B. CIRCUIT COURT - Office of Problem-Solving Courts**

I move to approve the grant application for the Adult DWI, Juvenile Drug Court Program, and Family Recovery Court, project MD1625, from the Office of Problem-Solving Courts, in the amount of \$410,741, and authorize the Department to submit electronically, consistent with the document reviewed by the Commissioners of St. Mary's County.

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

Final Resolution: Motion Carries

Yea: Commissioners President Guy, Hewitt, Jarboe, Morgan, O'Connor

**C. BOARD OF EDUCATION - MyCrew@3:00 21st Century After School Program**

(1) I move the Commissioners of St. Mary's County approve the grant award of the 21st Century Community Learning Centers Grant in the amount of \$166,387 for FY2015, and increase the FY2015 Restricted Fund Revenue and Expenses by \$166,387 as approved by the Board of Education on February 25, 2015; and,

(2) I move the Commissioners of St. Mary's County sign the Letter to the Board of Education, indicating approval of same.

Motion by Commissioner Tom Jarboe, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

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

**D. ST. MARY'S COUNTY HEALTH DEPARTMENT - MOU between Health Dept. and CSMC and BAs for transfer of Approved FY15 Substance Abuse funding**

I move to approve and authorize the Commissioner President to execute the MOU between the Commissioners of St. Mary's County and the Health Department on behalf of the Department of Aging and Human Services to provide behavioral health and substance abuse treatment and prevention oversight; and execute the related budget amendment in the amount of \$31,861; and to approve and authorize the Commissioner President to execute the budget amendment in the amount of \$35,000 from the Health Department to the Sheriff's Office, in accordance with the MOU executed on January 6, 2015; and execute the budget amendment realigning the balance of the \$100,000 distribution in the amount of \$33,139 to remain in the Health Department to meet their obligations to the approved plan.

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

Final Resolution: Motion Carries

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

**E. DEPT. OF AGING AND HUMAN SERVICES - Interim Notification of Grant Award (NGA) for FY2015 Title III Federal Grants for Aging Services**

I move to approve and authorize the commissioner President to execute 1) the FY2015 Interim Notification of Grant Award for the Federal Title III grants, project numbers US1502, 1504, 1505, 1508, 1509, and 1533 from the Maryland Department of Aging on behalf of the St. Mary's County Department of Aging and Human Services for various programs and services to be provided to the seniors of St. Mary's County in the amount of \$56,687 of the expected overall Federal Award of \$288,755 and 2) the five related budget amendments to adjust project budgets accordingly.

Motion by Commissioner Tom Jarboe, second by Commissioner John E. O'Connor.

Final Resolution: Motion Carries

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

**F. DEPT. OF AGING AND HUMAN SERVICES - Behavioral Health Administration FY2015 MOU agreement Modification entitled "Substance Abuse Prevention, Intervention and Treatment Services."**

I move to approve and authorize the Commissioner President to execute the Memorandum of Understanding Modification between the County and the Maryland Department of Health and Mental

Hygiene on behalf of the Department of Aging and Human Services, adding \$6,765 for FY15 Substance Abuse Prevention, Intervention and Treatment Services.

Motion by Commissioner John E. O'Connor, second by Commissioner Tom Jarboe.

Final Resolution: Motion Carries

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

**G. DEPT. OF PUBLIC WORKS AND TRANSPORTATION - St. Mary's Transit System (STS) Annual Transportation Plan for FY 2016**

I move to approve and authorize the Commissioner President to execute the St. Mary's Transit System (STS) Annual Transportation Plan for FY 2016 to submit to the Maryland Transit Administration, on behalf of the Department of Public Works and Transportation in the amount of \$3,281,264.

Motion by Commissioner Tom Jarboe, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

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

**H. DEPT. OF PUBLIC WORKS AND TRANSPORTATION - FY 2016 Job Access and Reverse Commute (JARC) I, II and III Inter-Governmental Agreements and budget authority approval for JARC III.**

I move to approve and authorize the Commissioner President to execute the Inter-Governmental Agreements for Job Access Reverse Commute I, II and III, Project # US1672, #US1673 and #MD1676 with the Maryland State Department of Human Resources and Department of Social Services on behalf of the Department of Public Works & Transportation, in the amounts of \$20,000, \$20,000, and \$40,000 respectively, and execute the Certification of Lobbying.

Motion by Commissioner Todd B. Morgan, second by Commissioner Tom Jarboe.

Final Resolution: Motion Carries

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

**I. DEPT. OF PUBLIC WORKS AND TRANSPORTATION - FY 2016 Maryland Department of Transportation (MDOT) Program Priorities Letter**

I move to approve and authorize the Commissioners to sign the FY 2016 Transportation Program Priorities letter, with the inclusion of the alternate language requesting Maryland Department of Transportation consideration and participation in the Pegg Road Extended project in lieu of the St. Marys River Bridge /MD Route 5 improvements in the Great Mills area.

Motion by Commissioner Michael L. Hewitt, second by Commissioner Tom Jarboe.

Final Resolution: Motion Carries

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

Nay: Commissioner Todd B. Morgan

**J. DEPT. OF RECREATION AND PARKS - Addendum to Contract of Sale for Three Notch Trail Property Acquisition**

I move to approve and authorize the Commissioner President to execute the Addendum to Contract of Sale for the Three Notch Trail property acquisition project.

Motion by Commissioner John E. O'Connor, second by Commissioner Michael L. Hewitt.  
Final Resolution: Motion Carries  
Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

**K. FINANCE - Budget Amendment to transfer DeWolfe Plan Budget Funding to the Commissioners Reserve**

I move to approve and authorize the Commissioner President to execute the budget amendment transferring funds in the amount of \$134,938 from the State's Attorney's Personal Services Reserve account to the Commissioners' Reserve due to unexpended funds budgeted but not required for the DeWolfe Ruling Plan.

Motion by Commissioner Tom Jarboe, second by Commissioner Michael L. Hewitt.  
Final Resolution: Motion Carries  
Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

**L. COUNTY ADMINISTRATOR - Appoint Members to Boards Committees and Commissions**

I move to appoint the following persons to Boards, Committees, or Commissions with the terms to expire as indicated.

**Airport Advisory Board**

Ted Klapka 12/31/17

Margaret Sawyer 06/31/17

**Commission for People with Disabilities**

Sheral St. Clair 12/31/18

**Wicomico Shores Golf Course Advisory Board**

Peter Delman (Partial Term) 12/31/16

Motion by Commissioner Todd B. Morgan, second by Commissioner Michael L. Hewitt.  
Final Resolution: Motion Carries  
Yea: Commissioners Guy, Hewitt, Jarboe, Morgan, O'Connor

**4. COMMISSIONER'S TIME**

The Commissioners highlighted events of the past week.

**5. RECESS**

**6. FY16 BUDGET WORK SESSION**

The Commissioners discussed and provided direction on Revenue and Fund Balance Use, Boards and State Agencies and final Direction on the Operating Budget.

## 7. ADJOURNMENT

The meeting adjourned at at 3:00 pm.

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

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Sharon Ferris, Senior Administrative Coordinator

## 8. PUBLIC HEARING

### **Public Hearing to amend the comprehensive Water and Sewerage Plan (CWSP) for Woodmore Property, 43946 Sandy Bottom Road, Hollywood Town Center**

Commissioner Guy opened the Public Hearing at 6:30 pm in the Chesapeake Building meeting room, Governmental Center.

**Present:** Phil Shire, Director, Dept. of Land Use and Growth Management

Mr. Shire provided notice of public hearing published in The Enterprise Newspaper on February 27 and March 3, 2015, photos of property postings, and return receipts from letters notifying property owners of the hearing. The proposed 50-lot Woodmore subdivision is 1/2 miles west of Three Notch Road within the Hollywood Town Center. The proposed water/sewer lines would be installed at the developer's expense along a County owned right-a-way and will not disturb land of any current property owners. The Planning Commission conducted a public hearing and adopted a resolution recommending approval of this amendment with a vote of 4-2. There are 21 intervening properties that are located and will remain within W-6D and S-6D service areas. Connection for these properties would require one EDU each and would not be possible without amending the CWSP service category maps like the developer is going through now. Marley Station has the capacity to serve the 50 EDUs. Mr. Shire reminded everyone that before any amendment to the CWSP is finalized it must be reviewed by the state for compatibility with state laws and programs. Mr. Shire emphasized that as the law is written now, residents in the area will not be forced to connect to the lines.

**Public Comments.** *(Comments as noted below are intended as highlights of testimony given and are not verbatim.)*

#### **Carole Russell, 43929 Sandy Bottom Rd., Hollywood, MD**

Property is directly across from this property. Understand the change to the amendment is one of many steps you must go through to have this development approved. Sandy Bottom Road is a one mile stretch of a narrow road with no shoulder and no sidewalks. The road connects to Lawrence Hayden Road so many residents of Wildewood use the road which has increased traffic in the area. Saint Mary's County Land Use and Growth Management has stated that each vehicle from the proposed development makes 10 trips a day. With 50 houses and most households having 2 vehicles, that's 1,000 trips a day. Concerned with impact on schools since they have already redistricted children next year to Walter Duke when Sandy Bottom is 1.9 miles from Hollywood and 1.9 from Evergreen Elementary School. We all know Leonard's Grant and Clarks Rest are not built to capacity. Will the schools redistrict again? I'm one of three houses hooked up to water, so don't have a problem with water, but do have a problem with

water pressure. The proposed property is not a good candidate for development. Consider residents who have lived there all of their lives and supported this County.

**Scott Raley, 43737 Sandy Bottom Rd., Hollywood, MD**

Own property opposite side of the road. My property is not affected because it is in the Maryland Forestry Program and protected by regulations. I have to maintain a certain number of trees and wildlife conservation (no hunting). Concerned with stormwater management. Seven ditches converge onto my property and cut it in half. During the rain last week 3 acres of my land was like a marsh. Also concerned with school system initiating redistricting this year. I live two miles from Hollywood Elementary and next year my son will be going to Duke Elementary, and my daughter has the option to finish her 5th grade at Hollywood Elementary. We need to slow down on construction. There are lots of developments not completed in the County, why start another one. Schools are an issue.

**Theresa Pilkerton, 44006 Sandy Bottom Rd., Hollywood, MD**

Think we are putting the cart before the horse. Low density subdivision is supposed to discourage residential zoning. Comprehensive Plan encourages development placed on existing plotted lots within neighborhood be consistent with current pattern design with enhanced resources and developed with one house per acre. Thompson property has approximately 27 acres with 15 acres of non-buildable land. I went to MetCom and asked what would happen if they installed the lines and after three years my well/septic failed and I didn't want to hook up to MetCom. They told me I would be rejected and mandated to connect to water. Technically we will eventually be required to connect. Do not want the CWSP to change. If subdivision never comes, water/sewer is not needed. It costs over \$10T to change from private to public system.

**Chris Insley 44028 Sandy Bottom Rd., Hollywood, MD**

Owns property across the road from development. Concerned with policy to mandate hookup. Don't want to see it put on residents on that road. Understand if policy changed, it would have to come back to Commissioners. Mandate would not be subject to my street. My family has nine homes subject to this part of hook up, and there is no guarantee that won't happen. Twenty or twenty-five years ago when the Industrial Park was going in we had the same issue that water/sewer lines were coming in. I came before the Commissioners at that time and they voted no, and now here we are again with the same problem. Four generations of my family have lived on their property in this area and have managed private wells and sewers with no problems. No one has the desire to hook up. I want to retire on my property and don't need the additional cost. Also want you to consider stormwater management. On the other side of my property on the south side of Sandy Bottom Road is where the St. Mary's River starts and all development from the Hollywood area feeds to it. When Bean Building came in Dr. Shah set aside 14 acres as a buffer to neighbors. It also was our idea to leave a tree line in front of the building. My point here is they listened.

**Chris Insley, 44018 Sandy Bottom Rd., Hollywood, MD**

You say residents will not be required to hook up to water/sewer once the line is installed. Residents are concerned. We can say anything here tonight, but is there any way you can send citizens a signed letter saying no one will be forced to hook up if their well or septic fails? Storm water management is another issue. The Bean Building recently had a survey done, and I heard a rumor that they were going to build another building.

*Commissioner Guy asked Mr. Shire if it was possible to send a letter about the forced hookup. Mr. Shire stated it is his understanding that the Health Department will not issue a permit if a system fails in*

*an area where public water/sewer is available and noted this is a Health Department regulation not a County one. Commissioner Guy requested Mr. Shire verify with MDE if it is a policy at the state level or at the local Health Department level.*

Commissioner Guy closed the public hearing at 7:00 pm for public comment noting the record would be left open for public comment for 10 days.