

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, June 8, 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 9:00 am.

ADDITIONS/DELETIONS TO THE AGENDA

Commissioner President Russell asked that a proposed employment contract be added as a topic of discussion at the Executive Session scheduled later in the day.

MOTION TO ENTER INTO EXECUTIVE SESSION

Commissioner Mattingly moved, seconded by Commissioner Raley, to enter into Executive Session later today to discuss personnel matters, specifically, board & committee appointments and a proposed, temporary employment contract. Motion carried 4-1.
Commissioner Jarboe voted nay.

APPROVAL OF CHECK REGISTER

Commissioner Mattingly moved, seconded by Commissioner Raley, that the bills submitted for June 8, 2010, be approved as presented. Motion carried 5-0.

It was clarified that the Metropolitan Commission will be submitting payment to the County for one-half of the MetCom Task Force staff assistance expense.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the minutes of the meeting of Tuesday, June 1, 2010, as presented. Motion carried 5-0.

PROCLAMATIONS WERE PRESENTED IN RECOGNITION OF NATIONAL NURSING ASSISTANT'S WEEK AND FLAG DAY

COUNTY ADMINISTRATOR

1. Draft Agenda for June 22, 2010 and June 29, 2010 (*There will be no meeting on June 15*)
2. **State's Attorney's Office** (*Lyle Long, Investigator; Pam Soffos, Legal Assistant II, SAO*)

Commissioner Jarboe moved, seconded by Commissioner Dement, to accept the Child Support Cooperative Reimbursement Incentive Funds from the Maryland Department of Human Resources, on behalf of the St. Mary's State's Attorney's Office, in the amount of \$6,064 and to authorize Commissioner President Russell to execute the related budget amendment aligning the budget to the award amount. Motion carried 5-0.

3. **Circuit Court** (*Lyle Long and Pam Soffos, on behalf of the Circuit Court*)

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to accept the Child Support Cooperative Reimbursement Incentive Funds from the Maryland Department of Human Resources, on behalf of the Circuit Court, in the total amount of \$105, and to authorize the Commissioner President to execute the related budget amendment aligning funds with the awarded amount. Motion carried 5-0.

4. **Dept. of Public Safety** (*David Zylak, Director*) *Doug Medley, Second VP, Bay District Volunteer Fire Department; Warren Rice, III, VP, PNC Bank*

Commissioner Dement moved, seconded by Commissioner Raley, that the Board consent to the scheduling of the TEFRA (Tax Equity and Fiscal Responsibility Act of 1982) hearing for June 29, 2010, related to the proposed loan by Bay District Volunteer Fire Department. Motion carried 5-0.

Commissioner Mattingly moved, seconded by Commissioner Raley, to accept the FFY2009 Interoperability Emergency Communications Grant award, US1069, on behalf of the Department of Public Safety, in the amount of \$97,043, for the purpose of providing training for personnel and to conduct a communications exercise in the Southern Region, and to authorize the Commissioner President to execute the related budget amendment to decrease the project budget by \$6,457. Motion carried 5-0.

5. **Finance Department** (*Elaine Kramer, CFO and Contracting Officer*) *Frank Taylor, Chamber of Commerce President also present.*

Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize staff to proceed with the reduced contract for the Welcome Center and approve a budget amendment re-aligning the \$36,409 savings to the Commissioners Emergency Reserve, with the understanding that DECD will return to the Board of County Commissioners meeting by the end of July with an updated plan and estimated costs for their electronic marketing initiative, at which time we would consider restoring the funding; and I would also expect that the proposal would receive a recommendation from the IT Department and also they could comment on Commissioner Jarboe's thoughts about having some volunteer efforts toward the Welcome Center. Motion carried 5-0.

Commissioner Jarboe asked Mr. Schaller, DECD Director, to reach out to the community to find volunteers that would be interested in covering the 3 days per week during the busy season that the Welcome Center will not be staffed under the new contract.

Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to execute the budget amendment reverting \$955,000 in CIP Paygo from PS0807 Land Acquisition to the General Fund. Motion carried 5-0.

6. **Department of Aging** (*Lori Jennings-Harris, Director*)

(Debbie Barker, Senior I&A Mgr.)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to execute the FY2011 NGA for Medicare Improvements for Patients and Providers Act 2008 (MIPPA), project US1113, from the Maryland Department of Aging on behalf of the St. Mary's County Department of Aging to provide specific projects that are innovative and new to the Senior Health Insurance Program in the amount of \$3,475. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize Commissioner President Russell to execute the Senior Health Insurance Program (SHIP), project US1114, from the Maryland Department of Aging on behalf of the St. Mary's County Department of Aging, to provide counseling, education, and outreach to assist Medicare beneficiaries in the amount of \$14,600, and the related budget amendment to increase the project budget by \$1,112. Motion carried 5-0.

(Rebecca Kessler, Div. Mgr., Home & Community Based Services)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Assignment and Novation Agreement between the County and St. Mary's Adult Medical Day Care, Inc., effective July 1, 2010. Motion carried 5-0.

7. Department of Public Works and Transportation *(John Groeger, Deputy Director)*

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign Public Works Agreement Addenda identified as items A and B in Mr. Erichsen's memo dated June 2, 2010, for Gardiner's Place Subdivision, Section 1, and The Woods at Myrtle Point Subdivision, Section 1, as proposed by staff. Motion carried 5-0.

8. Department of Economic and Community Development *(Bob Schaller, Director; and John Groeger, Deputy Dir., Dept. of Public Works and Transportation) James Brown, President, Victory Housing; Brian Lopez, Executive VP, Osprey Property Co.; Andrew Hanson, Development Mgr., Osprey)*

Commissioner Mattingly moved, seconded by Commissioner Dement, that in order to build the Victory Woods Senior Housing Project at FDR Boulevard in Lexington Park, Maryland, to approve and authorize the Commissioner President to sign the following documents: Adequate Public Facilities Ordinance Agreement, Addendum and Assignment to Agreement for Payment in Lieu of Taxes, Temporary Railroad Right-of-Way Easement Agreement, Temporary Easement Agreement, Temporary and Permanent Easement Agreement, and the FDR Blvd. Public Works Agreement. Motion carried 5-0.

ST. MARY'S NURSING CENTER, INC.: DECISION ON NURSING CENTER'S PROPOSAL OF PROPERTY TRANSFER

Present: Elaine Kramer, Chief Financial Officer
Christy Chesser, County Attorney

The St. Mary's Nursing Center's (SMNCI) Governing Board of Trustees is requesting a transfer of property and the building currently occupied by SMNCI. This real property is currently titled to the St. Mary's County Building Authority Commission and was funded through bonds issued from this Commission that will not retire until July 15, 2016. SMNCI proposes to use the real property as collateral to secure commercial financing to provide the County with the approximately \$3.5 million outstanding balance owed on the bonds. The funds paid to St. Mary's County would be placed in escrow and paid to the bond holders as they come due.

Sue Sabo
Karen Everett
Sarah Cannavo
Donna Gebicke, Recorder
Authority: Article 24, Section 4-210(a)1
Time Held: 11:23 am – 1:21 pm
Subject Discussed: Temporary Employment Contract and Boards and Committee
Appointments

MOTION IN OPEN SESSION

Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the proposed employment contract appointing Mr. George Sparling as County Attorney to be effective June 14, 2010. I also move to approve the establishment of one temporary FTE in the position of County Attorney until such time as the incumbent is sworn in as District Court Judge, at which time the temporary FTE will terminate. Motion carried 5-0.

RIBBON CUTTING

The Commissioners attended a ribbon cutting ceremony at the Carver Heights Community Park Playground and a tour of the Recreation Center at 4:00 pm in Lexington Park.

ADJOURN

The meeting adjourned at approximately 5:00 pm.

Minutes Approved by the Board of County Commissioners on _____

Donna M. Gebicke, Administrative Assistant (Recorder)