

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
GOVERNMENTAL CENTER
Tuesday, February 20, 2007**

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, Acting County Administrator
Betty Jean Pasko, Senior Admin. Coordinator (Recorder)

CALL TO ORDER

The meeting was called to order at 9:00 am.

ADDITIONS / DELETIONS TO AGENDA

Commissioner Russell announced that the meeting with Senator Mikulski, originally scheduled for today at 3:00 PM, has been rescheduled to 2:00 PM.

APPROVAL OF CHECK REGISTER

Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register. Motion carried 5-0.

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners' meeting of February 13, 2007, as amended. Motion carried 3-0. (Commissioners Jarboe and Raley abstained).

Commissioner Mattingly moved, seconded by Commissioner Dement, to adopt the minutes of the Public Forum of February 14, 2007, as presented. Motion carried 3-0. (Commissioners Jarboe and Raley abstained).

COUNTY ADMINISTRATOR

1. Draft Agendas for February 27, March 6, and 13, 2007
2. **Land Use & Growth Management** (*Jeff Jackman, Sr. Planner; Teresa Wilson, Historic Preservation Planner*)

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the CLG Educational Set-Aside Application to allow Historic Preservation Commission members and staff to attend approved educational conferences. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Maryland Historical Trust Certified Local Government Sub-grant Application, Federal Fiscal Year 2007 Grant Application, and to sign the letter of support, for Phase II of the St. Mary's County Historic Roads Survey. Motion carried 4-1. Citing reservation regarding funding for consultant versus using in-house resources, Commissioner Raley voted against the motion.

3. Dept. of Finance and Health Department *(Elaine Kramer, Chief Financial Officer)*

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Budget Amendment, in the amount of \$7,297, reducing the allocation for Mosquito Control to the Health Department, to reflect the actual amount needed to pay the State for the 2006 season. Motion carried 5-0.

4. Dept. of Recreation, Parks, & Community Services *(Arthur Shepard, Recreation Div. Mgr.)*

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the St. Mary's County Arts Council, Community Arts Development Grant Application, to support funding the Summerstock Production. Motion carried 5-0.

5. Dept. of Economic and Community Development *(John Savich, Director)*

Commissioner Mattingly moved, seconded by Commissioner Raley, to sign the letter to Governor O'Malley requesting his assistance, in seeking federal support from the Department of Defense, with establishing and funding a Joint Land Use Study Regional Coordinating Committee, spearheaded by the Maryland Military Installations Council, for a multi-state review of encroachment threats affecting the Navy's Patuxent River complex. Motion carried 5-0.

DEPT. OF ECONOMIC & COMMUNITY DEVELOPMENT: ADOPT RESOLUTION TO ESTABLISH MD AGRICULTURE LAND PRESERVATION DISTRICTS ON PROPERTY OWNED BY CECELIA ANN HOLLEY AND ELIZABETH MASON HOLLEY

Present: Donna Sasscer, Agriculture Manager

Ms. Sasscer certified that a Public Hearing on this matter was held on February 6, 2007, and that no public comments were received during the subsequent open record period. The proposed Resolution approves property located at 40333 Holly Acres Farm Lane, Leonardtown, Maryland (acreage 53.2, Tax Map 40, Grid 1, Parcel 97), for participation in the Maryland Agriculture Land Preservation Program.

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and sign Resolution approving petitions and designation of property owned by Cecelia Ann Holley and Elizabeth Mason Holley as Maryland Agriculture Land Preservation District ALPD #06-150-023. Motion carried 5-0.

TRI-COUNTY COUNCIL UPDATE ON MARYLAND BROADBAND COOP AND PLANS FOR FIBER CONSTRUCTION AND CONNECTIVITY IN SOUTHERN MARYLAND

Present: Wayne Clark, Exec.Director, Tri-County Council
Ellen Flowers-Fields, Regional Economic Development Director, TCC
Tom Tudor, SMECO
Dave Howard, IT Director, CSM
Pat Mitchell, MD Broadband Cooperative

Formed by Maryland's five Regional and Tri-County Councils, the Maryland Broadband Cooperative (Mdbc) is a Maryland consumer cooperative, established in accordance with the Maryland Consumer Cooperative Act. Governor O'Malley has budgeted \$4 million in the FY08 budget to connect the build-out of fiber from the Eastern Shore of Maryland, across the Chesapeake Bay and down into Southern Maryland.

The presenters provided an overview of the project, including the strategy and project deliverables. Also included in the presentation was discussion on the challenges of providing broadband to rural communities and the advantages; e.g., expanded ISP (Internet Service Provider) service and competition.

To date, prospective sites to local access points have been toured with the Mdbc Project Director. Sites included three potential access points to the Patuxent River Naval Base, CSM Campus, a MetroCast site (MOU in place), and SMECO utility stations. Mdbc will be connected to all higher education facilities (MHEC, St. Mary's College, and CSM). Preliminary maps with multiple end points have been developed. An extensive amount of fiber does currently exist in Southern Maryland. The Mdbc will provide connectivity fiber between two asset holders if they join the Cooperative. A project plan will be developed to address connectivity where fiber assets do not currently exist.

The target date to have broadband connectivity ready in Southern Maryland is mid-summer 2007.

DEPT. OF PUBLIC SAFETY: EMERGENCY PUBLIC INFORMATION BRIEFING - RESULTS OF RADIO STATION DEMONSTRATION

Present: David Zylak, Director, Dept. of Public Safety
Michelle Lilly, Emergency Planner, EMA Division

Also present were Bob Kelly, Director, Information Technology, and Ermanno DiLorenzo, Information Station Specialists (ISS).

On January 26, 2007, AM broadcast station signal strength was demonstrated/tested at four County locations: Leonardtown, St. James Pub, Seventh District Park, and Mechanicsville. The results were generally moderate to low coverage, with the best signal reception via vehicle radio (AM station) or

inside, near a window. Pros and cons on the establishment of an am radio station were discussed, including partially funding the project with Homeland Security funds. Mr. Zylak is requesting a six-month extension of the March 31, 2007, deadline for the use of Homeland Security funds.

SOMAR Communications is exploring entering into an agreement for Emergency Public Information broadcasting. Public Safety is actively exploring this option with SOMAR Communications and a MOU has been drafted and is in the review phase. SOMAR has recently purchased three generators. The generators are scheduled for installation in April, 2007.

Staff was directed to:

- Continue dialog with SOMAR and MOU finalization.
- Pursue similar MOU arrangement with radio station in Virginia (Northern Neck).
- Prioritize list for alternatives for spending (Homeland Security grant) and return to the Board.

DEPT. OF RECREATION, PARKS & COMMUNITY SERVICES: ADOPTION OF CHARLOTTE HALL PROPERTY MASTER PLAN

Present: Phil Rollins, Director, Dept. of Recreation, Parks, & Community Service
John Savich, Acting County Administrator and Director, Dept. of Economic and Community Development
Lori Jennings-Harris, Director, Dept. of Aging
Dennis Nicholson, Exec. Dir., Housing Authority
Pat Myers, Commission on Aging

As a follow-up to the presentation to the Board on January 23, 2007, Mr. Rollins presented the Charlotte Hall Master Plan for approval and adoption. It was emphasized that the Charlotte Hall Property Master Plan is a concept plan, not a development plan, as it reflects only the potential for developing the 43-acre site.

As presented on January 23, 2007, Mr. Rollins reiterated the concept plan includes a mixture of senior housing, including 100 cottage units and 150 apartment building units intended for independent living and 60 units that would be available for assisted living. This project will span over several years and could be a decade-long process. There are a number of issues that will need to be addressed as the project moves forward: traffic, public sewer, property zoning for density, and 18 of the acres are classified as forest conservation, which will need to be transferred. Other concerns included the need for infrastructure to support the plan, the adequate public facilities (APF) impact, increased demand for public services (e.g., emergency medical calls), and overall community acceptance. The project will move on two tracks -- housing and recreation (pool and multi-generational recreation center).

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and adopt the Charlotte Hall Master Plan as presented to the Board on January 23, 2007. Motion carried 5-0.

Citing the opposition to public water in the Mohawk Drive area, Commissioner Jarboe added that having public sewer is key to making the master plan work and requested that the Department of Land Use and Growth Management review the Dunkirk (Calvert County) Master Plan. Calvert is concerned about growth, but also recognized the need to have the infrastructure for government services, seniors, hospitals, libraries, and those types of facilities. In order to get a restaurant, such as an Olive Garden, it will require public water and sewer. Commissioner Jarboe also emphasized the need to listen to the community and work together to make things happen in a positive manner. Along with community interest to improve Whalen Road, let's look at what we can do to improve the infrastructure. The Trails Project was initially met with some opposition, but we listened to the concerns, "split the difference with the community" and the Charlotte Hall Trail is now being used extensively by pedestrians, Amish buggies, and veterans alike.

COMMISSIONER'S TIME

Commissioner Jarboe

Key West "fact finding" was not a government-sponsored trip, it was a great vacation. Thanked his wife for coordinating their vacation. It was nice to get away for a while, but even better to get back.

Commissioner Raley

Was under the weather last week (out with the flu). Watched the Board meeting last week; ready to hit the road running.

Commissioner Mattingly

Thanked the public that came out to the forum last week (in Ridge) and for the way the forum was conducted. Good questions and dialog. Questions may be forwarded to the Board or the Youth Challenge Academy.

Attended the Soil Conservation District Annual Cooperative Dinner; congratulations to Allie Raley, "Conservationist of the Year."

Attended the Naval Air Systems Change of Command ceremony. Vice Admiral David Venlet assumed command from Vice Admiral Walter Massenburg. Congratulations to Vice Admiral Massenburg on his retirement after 30+ years.

Had a meeting last week with the Chairman of the ALS taskforce to get that process moving.

Commissioner Dement

Apologized for missing the Soil Conservation District dinner.

Public Forum at Ridge was very positive; 200 or so citizens attended.

Representing Commissioner Jarboe, presented a Proclamation to James Briscoe in celebration of his 90th birthday.

Commissioner Russell

Welcomed Karen Everett, Public Information Officer.

Commented that the rescued pelicans have been well cared for. Recognized individuals from Animal Control, Rick's Marine, and Point Lookout Marina for their contributions to the pelican rescue project.

MOTION TO ENTER INTO EXECUTIVE SESSION

Commissioner Raley moved, seconded by Commissioner Jarboe, to enter into Executive Session for the purpose of discussing real property acquisition matters; namely FDR and lease for the Alternative Learning Center. Motion carried 5-0.

EXECUTIVE SESSION

Real Property Acquisition

Present: Commissioner Francis Jack Russell, President
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
John Savich, Director, DECD
Christy Chesser, County Attorney
George Erichsen, Director, Dept. of Public Works & Transportation
Liz Passarelli, Real Property Manager
Donna Gebicke, Administrative Assistant to the BOCC, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 11:46 am – 12:08 pm
Action Taken: The Commissioners discussed real property matters.

SENATOR MIKULSKI

Commissioners Russell and Mattingly participated in a discussion of community and federal topics with the Senator Barbara A. Mikulski and other local officials. The meeting, which was open to the public, took place at the offices of Eagan, McAllister Associates Inc., 47332 Eagan McAllister Lane, Lexington Park, Maryland.

ADJOURNMENT

The meeting adjourned at approximately 3:00 pm.

Minutes Approved by the Board of County Commissioners on _____

Betty Jean Pasko, Senior Administrative Coordinator