

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Governmental Center  
Tuesday, April 15, 2003**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
Alfred A. Lacer, County Administrator  
Donna Gebicke, Administrative Assistant to BOCC (Recorder)

**CALL TO ORDER**

The meeting was called to order at 9:04 a.m.

**ADDITIONS/DELETIONS TO AGENDA**

**Commissioner Dement moved, seconded by Commissioner Jarboe, to accept the agenda as amended. Motion carried.**

**APPROVAL OF CHECK REGISTER**

**Commissioner Raley moved, seconded by Commissioner Dement, to authorize Commissioner McKay to sign the Check Register. Motion carried.**

**APPROVAL OF MINUTES**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' meeting of Tuesday, April 8, 2003, as submitted. Motion carried.**

**STUDENT PRESENTATION: VISUAL ARTS**

**Present:** Lynn Morgan, Supervisor Fine Arts, SMCPS  
Mariluz Fermaint, student at Esperanza Middle School

In the fall of 2001, Ms. Fermaint's still life painting was one of 24 pieces selected to appear in the first Superintendent's Art Gallery. Ms. Fermaint presented the painting to Commissioner Mattingly who had admired the painting over the last two years.

## **PROCLAMATION: CHRISTMAS IN APRIL**

Present: Mary Ann Chasen, Board member  
Ann Mayer, President of the Board  
Spencer Scriber and Sandra Johnson, Board members

Saturday, April 26, 2003, is Christmas in April day. Over the past twelve years, over 20,800 volunteers repaired over 408 homes in St. Mary's County. Everyone is invited to join volunteers who will be working on 32 different sites on April 26.

## **INVITATION TO THE MARCEY HOUSE 10<sup>TH</sup> ANNUAL GOLF TOURNAMENT**

Present: Larry Harvey, Director, Marcey House  
Tyrone Harris, Board Member

The 10<sup>th</sup> annual Golf Tournament sponsored by Eagan, McAllister Associates, Inc., and in association with Verizon, Constellation Energy Group, and Washington Gas, will take place on Friday, May 23, 2003, at Wicomico Shores Municipal Golf Course. Among the guests will be keynote speaker Senator Roy Dyson, Delegates Bohanan and Wood, and Dr. Peter Luongo, Director of Alcohol and Drug Abuse Administration for the State of Maryland. The featured guest will be Head Basketball Coach for the University of Kentucky Wildcats, Tubby Smith. Proceeds will benefit Marcey House residents.

## **STATE BOARD OF ELECTIONS PRESENTATION: IMPLICATIONS OF THE FEDERAL "HELP AMERICA VOTE ACT OF 2002"**

Present: Joseph Torre, Director, Maryland State Board of Elections & Procurement  
David Heller, Project Manager, Roll-Out  
Ben Lambert, Administrative Assistant  
Catherine Countiss, Director SMC Board of Elections  
Board of Elections Members  
Tom Feeham, Diebold Representative

In November 2002, President Bush signed into law the "Help America Vote Act" which requires every state to have a uniform voting system by January 1, 2006. St. Mary's County will receive 337 direct recording electronic units at a cost of approximately \$600,000 with six payments to the State due in years 2005-2007 at approximately \$200,000 each budget year. Final pricing and contract details are in negotiation. The State will provide the Commissioners with budget figures next week.

## **COUNTY ADMINISTRATOR**

Present: **Alfred A. Lacer, County Administrator**

1. Draft Agendas: April 29, 2003 (No business meeting will be held April 22. A budget Public Hearing will be held at 7:00 p.m. on April 22 and 23 at Chopticon High School.)
2. To authorize staff to schedule Public Hearing on the Proposed 2<sup>nd</sup> Amendment to Sheriff's Office Retirement Plan (*Al Lacer, County Administrator and Chair, Board of Trustees, Sheriff's Office Retirement Plan; Elaine Kramer, Director of Finance and Trustee, Randy Schultz, Director of Human Resources and Plan Administrator*)

**Commissioner Mattingly moved, seconded by Commissioner Dement, to authorize staff to schedule a public hearing on the proposed 2<sup>nd</sup> Amendment to the Sheriff's Office Retirement Plan. Motion failed 1-4.**

*Commissioner Mattingly requested that Commissioners receive a copy of the full retirement plan. A briefing on the plan will be scheduled in the future.*

3. Department of Human Resources (*Randy Schultz, Director; Dee Snyder, Plan Coordinator*)  
To approve two newly elected Sheriff's Office representatives to the Sheriff's Office Retirement Plan Board of Trustees

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve the newly elected Sheriff's Office representatives to the Retirement Plan Board of Trustees. Motion carried.**

*Commissioner Mattingly asked that ballots be mailed to eligible voters' homes in the future.*

4. Dept. of Economic and Community Development (*John Savich, Director, DECD; Karen Everett, Program Manager, DECD; Linda Springrose, Assistant County Attorney; George Erichsen, Director, DPW&T; Cynthia Thorne-Carter, President, Smart-Ride; Robin Briscoe, Tri-County Council of Southern Maryland*)  
To review and approve proposed lease to use Walter F. Duke Airport space to provide van shuttle service to BWI Airport

**Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve the lease with Smart-Ride. Motion carried.**

5. SMC Housing Authority (*Dennis Nicholson, Executive Director; John Savich, Director, DECD*)

- \*a. To authorize Commissioner President McKay to execute Community Development Block Grant Agreement for a loan to Southern Maryland Tri-County Community Action Committee for the acquisition of Great Mills Court Loan (\$400,000)

**Commissioner Raley moved, seconded by Commissioner Dement, to authorize Commissioner McKay to execute the Block Grant and subrecipient agreements. Motion carried.**

- b. To sign letter of support endorsing an application to Maryland Affordable Housing Trust for funds to further the design of the Gateways housing complex in Lexington Park

**Commissioner Jarboe moved, seconded by Commissioner Dement, to sign the letter of support endorsing an application for funds to further the design of the Gateways housing complex in Lexington Park. Commissioner McKay abstained from the vote. Commissioners Mattingly and Raley voted against the motion. Motion failed 2-2.**

## COMMISSIONERS' TIME

### Commissioner Dement

- Enjoyed attending the Blessing of the Bikes at the fairgrounds and Earth Day activities on Leonardtown Square. Thousands of bikers attend the Blessing every year bringing revenues into the County.

### Commissioner Mattingly

- Attended the Leonardtown County Council meeting where the concept plan was approved for the redevelopment of Leonardtown wharf.
- Congratulations to Bobby Johnson from Mechanicsville who retired after 27 years at the NAS Fire Department.
- Attended along with Commissioner McKay the Human Awareness Day breakfast. Compliments on a great turnout and breakfast.
- St. Mary's College held an excellent lecture on terrorism. The lecture was well attended and staff did an excellent job as always.

### Commissioner Jarboe

- To the credit of all those bikers attending the Blessing, it was a lawful and good assembly.
- There is a problem in the county with outlaw all terrain vehicles that are trespassing over private property and creating noise and property damage (particularly in Ridge). Request that the Sheriff take a look at this situation.

- Please obey the County's leash laws, which are designed to protect the animals and their owners, as well as your neighbors.

**Commissioner Raley**

- Congratulations to SMECO for their annual program awarding math and science teachers for their contributions. It is a worthwhile program and Bernadette Lewis, Program Coordinator, deserves a hearty thank you.
- Congratulations to the Hospice Team, winner of the GMHS Spelling Bee.
- Regrettably, will be unable to attend the public forum at the Leonardtown Library this evening.

### **Commissioner McKay**

- County offices will be closed Good Friday and will reopen Monday, April 21.
- No Board of County Commissioners meeting will be held Tuesday morning, April 22.
- There will be a public hearing on the budget conducted at Chopticon High School starting at 7:00 p.m., April 22 and 23. Please plan to attend.
- Join the Commissioners on April 26 at Bushwood Wharf for a ribbon cutting ceremony.
- Congratulations to those who organized the 17<sup>th</sup> Annual Human Awareness Day breakfast. Community awards were given to Ruth Porte, Lennie Shea, and Meredith Taylor. The Student Award was given to Cerela Butler. BAE Systems received the Corporate Award. Congratulations to all.

### **EXECUTIVE SESSIONS**

**Commissioner Dement moved, seconded by Commissioner Jarboe, to meet in Executive Session on April 15, 2003, to discuss matters of Litigation, per Article 24, Section 4-210(a) 8, and to meet in Executive Session on April 17, 2003, to discuss matters of Personnel, per Article 24, Section 4-210(a)1. Motion carried.**

### **Litigation**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly  
Commissioner Daniel H. Raley  
Alfred A. Lacer, County Administrator  
Donna Gebicke, Recorder

**Authority:** Article 24, Section 4-210(a) 8

**Time Held:** 12:34 p.m. – 1:00 p.m.

**Action Taken:** Commissioners discussed matters of litigation and gave direction to staff.

### **EXECUTIVE SESSION ACTION**

**In open session, Commissioner Jarboe moved, seconded by Commissioner Dement, to direct staff to proceed on litigation matter as outlined in staff's recommendations during Executive Session. Motion carried.**

### **LIBRARY BOARD ANNUAL REPORT & TOUR OF NEW LEXINGTON PARK LIBRARY**

**Present:** Mary Wood, Library Director

Janice Hummel, Manager

The annual report was presented to the Commissioners. A tour of the library was conducted by library staff.

### **WALKING TOUR OF LEXINGTON MANOR**

The Commissioners visited the Lexington Manor housing complex and spoke with residents.

### **PUBLIC FORUM AT NEW LEXINGTON PARK LIBRARY**

Janice Hummel, 24940 Gallant Man Drive, Hollywood – stated that the library is a great service to the community; however, additional funding in the FY04 budget needs to be identified to provide additional staff (\$44,738), a full-time security guard (\$23,400), and additional smartcards (\$7,232).

Julian Taylor, 21844 Ronald Drive, Lexington Park – has served for the past year as the library's security guard. On a daily basis, library rules are broken and staff is unable to deal with the issues. Please add enough funding to the budget to maintain a full-time security guard.

Robert Gant, Lexington Park – serves on Housing Authority Board and is pleased with the open communications with the Commissioners. Anticipate working as a team in the future when addressing the flattops and citizen housing concerns.

Nick Gibson, 24721 Cloverdale Ct., St. Clements – expressed his concerns with the Department of Planning and Zoning regarding family property. County government needs to be sensitive, easier to understand, inclusive, and customer friendly. *Commissioner McKay agreed and stated that the issue would be looked at again and Mr. Gibson would be advised of the results.*

Tommy Quade, 29645 Charlotte Hall, Charlotte Hall - stated concern about traffic entering the Northern Senior Center. Due to the incredible growth of the area over the past 35 years, traffic has become a problem. The citizens sent a letter to the Commissioners addressing this problem. *The referenced letter will be forwarded to the Office on Aging and DPW&T for their action.*

Joseph Lee, Lexington Park, MD - asked if he should be prepared to move from the flattops now or later. He asked to see the plans and wanted to know if a place could be reserved in advance. *Mr. Lee was referred to Robin Finnacom who can address his housing questions.*

Cynthia Frank, 21888 Magnolia Dr., California – strongly encouraged funding for full time security staff in the library. She wants to feel secure using the facility with her 5 year old without police interference.

Jerry Borders, Cullison Road, Great Mills – concluded it was a waste and a shame to leave a \$2 million dollar facility without full time security staffing.

Jimmy Coontz, 47002 East Rennell Ave., Lexington Park – as member of the Lexington Manor Survival Team, wanted to thank the Commissioners for coming into his neighborhood. Progress is being made at the flattops. There is also a need to secure the library.

Greg Prewitt, 29691 Charlotte Hall Road, Charlotte Hall – stated there is an adverse impact on the historic neighborhood and the lives of his community due to increased traffic at the Northern Senior Center. The traffic study conducted by DPW&T needs to be compared to last years study. It is inaccurate and needs to be retaken over a seven day period because the weekends are particularly busy. Recommend posting stop signs, a lower speed limit, or speed bumps to correct this problem. *Commissioner McKay invited Charlotte Hall residents to attend the Board's public forum on May 13 that will be held at the library or Veteran's Home. The Board will follow up on this issue and advise.*

Minnie Russell – thanked the Board for resolving her concerns for charter boat captains in the Comprehensive Zoning Ordinance. Also asked when Route 235 will be finished. *The anticipated completion is expected to be July.*

Robin Finnacom, Director, Lexington Park Plan, announced there would be a community clean- up day in the woods near the library on a Saturday in May. Please look for the time and date in the local newspapers and on the County's website.

The public forum adjourned at 7:30 p.m.

**Minutes Approved by the  
Board of County Commissioners on \_\_\_\_\_**

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**Donna Gebicke, Administrative Assistant  
To the Board of County Commissioners**