

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
GOVERNMENTAL CENTER
Tuesday, August 07, 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, County Administrator
Betty Jean Pasko, Sr. Administrative Coordinator (Recorder)

CALL TO ORDER

The meeting was called to order at 9:02 AM.

APPROVAL OF CHECK REGISTER

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to authorize the Commissioner President to sign the Check Register dated August 7, 2007, as presented. Motion carried 5-0.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners' meeting of July 31, 2007, as presented. Motion carried 5-0.

PROCLAMATION: ST. MARY'S COUNTY SHERIFF'S OFFICE 2007 NATIONAL NIGHT OUT

Present: Captain John Horne
Lieutenant Edward A. Willenborg
Sergeant Ted Bellevoine
Sr. Deputy First Class Chad D. Hartzell

This evening, St. Mary's County neighborhoods will join forces with thousands of communities nationwide for the 24th Annual National Night Out. The Commissioners presented a proclamation acknowledging the importance of crime prevention programs and called upon citizens to join the Office of the Sheriff and the National Association of Town Watch in promoting cooperative, police/community crime and drug prevention efforts.

COUNTY ADMINISTRATOR

1. Draft Agendas for August 21, 2007 (no meeting 8/14)
2. **Dept. of Recreation, Parks, and Community Services** (*Phil Rollins, Director*)

*(Cynthia Brown, Division Manager, Division of Community Services;
Kelsey Bush, VISTA Supv.)*

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve the Corporation for National and Community Services (CNCS)

AmeriCorps*VISTA Project application and authorize staff to submit the application electronically through the AmeriCorps*VISTA E-Grant system and to approve and authorize the Commissioner President to sign the Budget Amendment in the amount of \$832.00 decreasing county deficit funding in accordance with the CNCS VISTA project application. Motion carried 5-0.

*(Cynthia Brown, Division Manager, Division of Community Services, RPC&S;
Jacqueline Beckman, Community Traffic Safety Program Coordinator, RP&CS)*
Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President Russell to sign the FY08 St. Mary's County Highway Safety Grant Application and Project Agreement. Motion carried 5-0.

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the FY2009 Waterway Improvement Fund Application and Project Agreement for the St. George's Pier replacement project. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the SMECO Easement Agreement for the electric service for the new restroom building at Seventh District Park. Motion carried 5-0.

3. **Department of Aging** (*Lori Jennings-Harris; Director; Rebecca Cranston, Manager, Home & Comm. Services; Peggy Maio, Fiscal Supervisor*)

Commissioner Dement moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the Medicaid Waiver Application for a Grant to Provide Local Administration of Medicaid Waiver for Older Adults during fiscal year 2008. Motion carried 5-0.

4. **Department of Public Works and Transportation** (*George Erichsen, Director*)

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Public Works Agreement

**Addenda listed in George Erichsen's memo of August 2, 2007, as A. through E.
Motion carried 5-0.**

The following Public Works Agreement Addenda were approved as presented:

- a. Heritage Manor Subdivision, located in the 1st Election District, with an expiration date of June 1, 2008. (*The roads included in this Agreement are: Heritage Hill Lane (3,347') and Heritage Court (600')*)
- b. Helen's Retreat Subdivision, Section 1, located in the 4th Election District, with an expiration date of July 1, 2008. (*The road included in this Agreement is: Troy Court (2,685')*).
- c. Orchid Park of Wildewood Subdivision, located in the 8th Election District with an expiration date of July 1, 2008. (*The roads included in this Agreement are: Orchid Drive (254') and Azalea Court (537')*).
- d. Westbury PUD Subdivision, Phase 2, Sections 3, 4 & 5, with an expiration date of July 1, 2008. (*The roads included in this Agreement are: Westbury Boulevard West (1,976'), Gooseneck Drive (1,549'), Saltmarsh Drive (546'), Jettison Drive (523'), Lookout Drive (873'), Croaker Court (186'), Port Court (211'), Starboard Court (178'), Compass Court (258'), Saltmarsh Court (526'), and Jettison Court (91')*).
- e. Clements Landing Subdivision, Phases 1 and 2, with an expiration date of May 1, 2008. (*The roads included in this Agreement are: Alydar Drive (651'), and Seabiscuit Court (1,099')*).

Concerning the consent letter to Secretary Porcari, Commissioner Mattingly commented that the State is looking for direction from the County and funding could be redirected if a conclusion is not soon reached on the County's request. Therefore, he requested a strengthening of the language in the letter and the inclusion of an aerial map.

Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Budget Amendment realigning airport capital improvement funds and to sign the Grant Agreement with the Federal Aviation Administration for the wetlands mitigation project in support of the 2002 Airport Master Plan Update and the 2006 Environmental Assessment. Motion carried 5-0.

5. **Dept. of Land Use & Growth Management** (*Jeff Jackman, Sr. Planner; Teresa Wilson, Historic Preservation Planner*)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the grant contract between the Maryland Historical Trust and St. Mary's County for the Scenic and Historic Roads Survey Phase II. Motion carried 4-1. Commissioner Raley voted against the motion.

6. **Dept. of Economic & Community Development** (*Bob Schaller, Director, DECD; Hans Welch, Manager, Business Development; Cynthia DellaGatta, Econ. Dev. Coordinator*)

Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize Commissioner President Russell to sign the Request for Release of Funds and Certification for Hunting Creek Infrastructure Project. Motion carried 5-0.

7. **Depts. of Economic & Community Development and Land Use and Growth Management:** (*Bob Schaller, Director, DECD; Denis Canavan, Director, LU&GM*)

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the annual fee in lieu value for the Open Lands Trust Fund in the amount of \$18,000 for Fiscal Year 2008. Motion carried 4-1. Citing concern for affordable housing aspect
(smaller homes should be exempt), Commissioner Jarboe voted against the motion.

DEPARTMENT OF HUMAN RESOURCES: OVERVIEW OF RISK MANAGEMENT PROGRAM

Present: Sue Sabo, Director

Ms. Sabo noted that the Risk Management Program represents a culmination of efforts by HR staff and acknowledged June Robrecht, Deputy Director/Risk Management Division., Kathy Arnold, Risk Analyst, and Jennifer Earhart, HR Specialist, who were also in attendance.

Ms. Sabo presented an overview of the program, which included specific plans, tasks, and recommendations to meet Risk Management expectations. Other information covered by the presentation included:

- A Loss Control Team focus group was formed in January 2007 that reviews and evaluates significant losses and loss trends.
- Risk updates and status reports are provided at quarterly Employee Safety Committee meetings.
- The Employee Safety and Health Policy, currently under revision, incorporates county employee safety and health guidelines and regulations, OSHA/MOSHA required policies, procedures, and forms.

FORMS OF GOVERNMENT TASK FORCE REPORT

Present: Patrick Murphy, Chair
Judy Spalding, Vice-chair, and
members of the Forms of Government Task Force

Tasked with evaluating the forms of government for St. Mary's County as allowed under Maryland law and recommending one of three courses of action to the Board of County Commissioners; i.e., no change, proceed with the process for a referendum on adoption of Code Home Rule, proceed with the process for development of a charter and a referendum on adoption of Charter government), the Forms of Government Task Force was formed by the Board in March 2007.

The Forms of Government Task Force Report provides detailed information about the actions taken by the Task Force and the three forms of government available in Maryland; i.e., Commissioner, Code Home Rule, and Charter, and identifies the Task Force majority and minority recommendations and the rationale for each.

Based on meeting discussions, research, and presentations by several stakeholders and subject matter experts invited to speak to the group, the Task Force recommendations were as follows:

- 12 of 15 members recommend a change, 3 members recommend no change
- 9 of those 12 recommend a change to the charter form of government (of those 9, 6 recommend an elected administrator, 3 recommend an appointed administrator)
- 3 of those 12 recommend a change to the code home rule form of government

The Commissioners and presenters discussed the feasibility of convening a charter writing committee and whether such a committee could be voted on and formed by the Board or should it be placed on the ballot for the citizens to decide. Commissioner Jarboe noted that St. Mary's County has been a commissioner form of government for 350 years and has maintained a good track record. No significant problems with the current form of government were identified by the Task Force. Potential methods and venues to educate the public on the Task Force findings were discussed; e.g., forum hosted by the Center for Democracy and other community forums.

Commissioner President Russell thanked the Task Force for the extensive time and effort that was put into the report and noted that the information and recommendations provided will be taken under advisement by the Board of County Commissioners.

COMMISSIONER'S TIME

Commissioner Jarboe

Regarding hunting and the Elms property, a resolution won't happen over night. Requested John Savich research whether the Hackerman property (800 acres, leased to Swill River Hunt Club, posted as off-limits) is or could be opened for general public hunting.

Commissioner Raley

No additional input for today's meeting.

Commissioner Mattingly

Went to Solomons Island event (also attended by Senator Dyson, Calvert County Commissioner Shaw, and DNR personnel) to release fish in preparation for the upcoming State contest.

Attended the UAV (unmanned aerial vehicles) systems demo yesterday, great success, took a recent Leonardtown graduate involved in the robotics program (who will be going to VA Tech).

Extended condolences to the family of Charles “Jenks” Mattingly, Sr.

Commissioner Dement

Attended Janice Hummel’s retirement event (Lexington Park Library Branch Manager).

Presented a County seal at the Smokey Joe’s open house.

Participated in “Shop with the Cops,” to purchase school supplies and clothes for 70 children (each child received \$160). The FOP provided lunch. Local deputies and state police volunteer their time to support this program..

Commissioner Russell

Condolences to the family of Richard Ince, of Rick’s Marine.

ADJOURNMENT

Commissioner Jarboe moved, seconded by Commissioner Dement, to adjourn the meeting. Motion carried 5-0.

POST-MEETING CEREMONIES AND EVENTS

The Commissioners attended the following ribbon cutting and ground breaking ceremonies:

- Ribbon Cutting Ceremony, at 2:00 PM, for the P-8A Poseidon Program Integrated Test Team Facility at NAVAIR/Patuxent River, Test & Evaluation Squadron One.
- Groundbreaking Ceremony, at 3:30 PM, for New Corporate Headquarters of Smartronix (at the intersection of Rt. 235 and Clarke’s Landing Road, Hollywood).

The Commissioners attended local neighborhood events in support of the Office of the Sheriff and National Association of Town Watch 24th Annual National Night Out.

Minutes Approved by the Board of County Commissioners on _____

Betty Jean Pasko, Senior Administrative Coordinator