

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
GOVERNMENTAL CENTER  
Tuesday, August 29, 2006**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
George G. Forrest, County Administrator  
Betty Jean Pasko, Senior Admin. Coordinator (Recorder)

The meeting was called to order at 9:13 am.

**APPROVAL OF CHECK REGISTER**

**Commissioner Jarboe moved, seconded by Commissioner Raley, to authorize the Commissioner President to sign the Check Register, 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 August 22, 2006, as corrected. Motion carried 5-0.**

**DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION: ADOPTION OF ST. MARY'S COUNTY TRANSPORTATION PLAN**

**Present:** George Erichsen, P.E., Director, DPW&T  
John Groeger, P.E., Deputy Director, DPW&T

The purpose of the St. Mary's County Transportation Plan is to evaluate proposed transportation improvements and to develop additional improvement projects based on the needs. The plan addresses all aspects of transportation in the County including motor vehicles, mass transportation, horse and buggy, bicycles, pedestrians, waterways, and air transportation.

The presented Transportation Plan, dated August 2006, incorporates changes based on input received at the July 11, 2006, Board of County Commissioners Meeting and public testimony received during the ten day open record period.

The Board directed staff to make the following additional changes and to resubmit the Plan for adoption during the afternoon session:

- Update the Plan to reflect that work is moving forward and that the new lot at the Rt. 5 & Rt. 6 intersection is undergoing the development and review process. (Section V. Park and Ride Lots, Table 1, St. Mary's County Park and Ride Lot Utilization)
- Regarding constructing a Leonardtown Ring Road (Section II. Roadways, B. Roadway Improvements), add language that the road may possibly continue to Browns Road, back to Rt. 4.

**Commissioner Jarboe moved, seconded by Commissioner Mattingly, to adopt the St. Mary's County Transportation Plan, as amended today. Motion carried 5-0.**

#### **COUNTY ADMINISTRATOR**

1. Draft Agendas for September 5, 2006 (no meeting September 12, 2006)

*Commissioner Mattingly questioned who will be the Transportation Task Force representative. Mr. Forrest, County Administrator, will provide a response.*

2. **Department of Aging** (*Lori Jennings-Harris, Director; and Jennie Page, Deputy Director*)

**Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the St. Mary's County Department of Aging Area Plan Update for FY2007 for the Maryland Department of Aging. Motion carried 5-0.**

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Notification of Grant Award on the State Grants and the related Budget Amendment. Motion carried 5-0.**

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Notification of Grant Award on the Medicare Waiver Grant and the related Budget Amendment. Motion carried 5-0.**

3. **Department of Public Works and Transportation and Finance** (*George Erichsen, P.E., DPW&T*)

**Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Public Works Agreement for Brooks Cluster Subdivision, Section 1, located in the 3rd Election District, with an Expiration Date of June 1, 2007. Motion carried 5-0.**

**Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Public Works Agreement for Riverbay Townhomes Subdivision, Section 1, located in the 8th Election District, with an Expiration Date of August 1, 2007. Motion carried 5-0.**

**Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Public Works Agreement for Hickory Hills Subdivision, Phase 3D, located in the 8th Election District, with an Expiration Date of August 1, 2007. Motion carried 5-0.**

**4. Department of Finance** (*Elaine Kramer, CFO*)

Ms. Kramer requested direction as to whether the FY2007 allocation of \$25,000 to the College of Southern Maryland was only for current scholarships, or if it is to be allocated between the endowment and the current scholarships. If it is to be split, identification of the amount for each purpose is needed.

**Commissioner Jarboe moved, seconded by Commissioner Mattingly, to endorse the concept of moving \$5,000 toward endowment and \$20,000 toward scholarships for the College of Southern Maryland. Motion carried 5-0.**

**5. States Attorney's Office, Child Support Div.** (*Lyle Long, Investigator*)

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Child Support Cooperative Reimbursement Agreement and the related Budget Amendment, requiring the use of \$20,210 of the County Commissioners reserve, aligning the grant budget with the actual agreement. Motion carried 5-0.**

**6. Sheriff's Dept.** (*Capt. Kenny Cusic; Erin Shoemaker, Fiscal Manager*)

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Child Support Cooperative Reimbursement Agreement and the related Budget Amendment, establishing the grant budget with the actual agreement amount. Motion carried 5-0.**

**Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Federal Annual Certification Report for the St. Mary's County Sheriff's Office, Summary of Equitable Sharing Activity for the FY ending 2006. Motion carried 5-0.**

**7. Department of Recreation, Parks, and Community Services** (*Phil Rollins, Director, RP&CS*)  
(*Cynthia Brown, Community Services Div. Mgr., RP&CS; Capt. Kenny Cusic*)

**Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Budget Amendments transferring the CSAFE (OCS) MD0721 and CSAFE MSP MD0716 grant budgets from the Recreation, Parks and Community Services budget to the Sheriff's Office budget, and, to sign the related MSP Contract for Extraordinary Law Enforcement Services and Letter of Agreement. Motion carried 5-0.**

**Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Budget Amendment increasing the Derelict Boat and Debris Removal Grant, Project #PL0302 by \$10,000, aligning the project budget with the grant award. Motion carried 5-0.**

**Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Budget Amendment closing out the remaining balance of \$158 for the completed Dorsey Park Improvement Project, #PA0002. Motion carried 5-0.**

**Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Budget Amendment increasing the Abell's Wharf Public Landing Project #PL0001 by \$25,000, aligning the project budget with the grant award. Motion carried 5-0.**

*(Cynthia Brown, Community Services Division Manager, RP&CS; Jack Marrkand, Executive Director for Patuxent Habitat for Humanity; and Ed Forsman, Southern Maryland Applied Research and Technology Consortium)*

**Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Memorandum of Agreement between the Board of County Commissioners and the Corporation for National and Community Service for the assignment of AmeriCorps\*VISTA volunteers to the Division of Community Service. Motion carried 5-0.**

**Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Memorandum of Agreement between the Board of County Commissioners and the Patuxent Habitat for Humanity for the assignment of AmeriCorps\*VISTA volunteers, and also, to sign a similar Memorandum of Agreement between the Board of County Commissioners and SMARTCO for the likewise assignment of AmeriCorps\*VISTA volunteers. Motion carried 5-0.**

**8. St. Mary's County Schools** *(Daniel Carney, Chief Financial Officer)*

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the FY2006 General Fund categorical requests as presented, that was approved by the Board of Education on August 9, 2006. Motion carried 4-1.**

**Commissioner Raley voted against the motion.** Regarding Category Transfer approval, Commissioner Raley questioned if changes for St. Mary's County will be

proposed during the next Legislation session. The Board of County Commissioners is supposed to approve Category Transfers prior to change incurrence.

## **COLLEGE OF SOUTHERN MARYLAND (CSM): WELLNESS CENTER**

Present:                   Dr. Brad Gottfried, President, CSM  
                              Dean F. J. Talley, Leonardtown Campus, CSM  
                              Melanie Hennigan, Architect  
                              John Frey, Construction Consultant

A design presentation for the construction of a Wellness Center building at the Leonardtown Campus was provided. Situated at the corner of the main campus building (Building A) and Building B, the proposed building features a fitness/multi-purpose room, wellness studios, a therapy pool, and a competition pool. The state will fund \$.75 on the dollar, with the remaining 25% to be funded by the County.

Currently in the construction design phase, the project timeline is: Bidding process - March/April '07; State funding - May '07; County funding - July '07, Groundbreaking – approximately July '07.

## **COMMISSIONER'S TIME**

### Commissioner Dement

Along with the other Commissioners, on Aug. 23<sup>rd</sup>, participated in the 1<sup>st</sup> day of school meetings (to greet the students) for four schools.

Happy 80<sup>th</sup> Birthday to Walter Blair.

Attended the Bay District Volunteer Fire Department new firehouse dedication on Sunday. Apologized for not being able to attend other County functions due to family illness.

### Commissioner Mattingly

Extended congratulations to the Board of Education relative to the 1<sup>st</sup> day of school. His first stop for the “greet the students” meeting was Chopticon. Very impressed with Principal North and acknowledged all of the school’s principals in the County.

Congratulations to the League of Women Voters on their candidate forum last week.

Along with Commissioner Raley, attended the Chaptico Classic Race over the weekend.

Also extended a Happy Birthday to Walter Blair.

Added that the new Bay District Volunteer Fire Department facility, which was constructed by a local contractor, is great for the community and the revitalization effort.

### Commissioner Jarboe

Represented the Board of County Commissioners on Saturday at the retirement of Bubby Norris.

Commissioner Raley

Also congratulated the Board of Education regarding the 1<sup>st</sup> day of school and acknowledged the ribbon cutting at the new Bay District Firehouse.

On behalf of the Red Cross, urged everyone to please consider giving blood.

Commissioner McKay

Along with the others, also congratulated the private and parochial school openings for the new school year.

**PUBLIC HEARING: PROPOSED AMENDMENTS TO COMPREHENSIVE WATER & SEWER PLAN SERVICE AREA MAPS III-34 AND IV-34 TO CHANGE SERVICE AREA CATEOGRY FROM W-6 AND S-6 TO W-3D AND S-3D FOR .68 ACRES (TAX MAP 35A, GRID 7, PARCEL 51, LOT B, (ZABIEGALSKI CLINIC)**

Present: Jeff Jackman, Sr. Planner, Dept. of Land Use & Growth Management

Notice of this Public Hearing was published in the August 13 and August 20, 2006, editions of St. Mary's Today and posted on the property. Notification letters were also mailed to adjoining property owners. The purpose of the Public Hearing was to promulgate amending the service area maps III-34 and IV-34 to change the service area category from W-6 and S-6 (service in 6-10 years) to W-3D and S-3D (service in 3-5 years, developer financed) for 0.68 acres described as Tax Map 35A, Grid 7, Parcel 51, Lot B in the 8<sup>th</sup> Election District in anticipation of service to a 5,200 square foot office building.

The Planning Commission approved the concept site plan.

As there were no comments from the public, the hearing was closed. The record will be kept open for 10 days for written comments.

**PUBLIC HEARING: PROPOSED AMENDMENTS OF THE OFFICIAL ZONING MAPS FOR PROPERTIES OF CHARLOTTE HALL CENTER, INC. TO CORRECT ZONING ERRORS (TAX MAP 4, GRID 5, PARCELS 21, 297 AND 453)**

Present: Jeff Jackman, Sr. Planner, Dept. of Land Use & Growth Management

Due to a potential conflict of interest, Commissioner Jarboe abstained from Commissioners' discussion and moved into the audience.

Notice of this Public Hearing was published in the August 13 and August 20, 2006, editions of St. Mary's Today and posted on the property. Notification letters were also mailed to adjoining property owners. The purpose of the Public Hearing was to promulgate fixing errors to zoning maps as follows:

- 1). Change the zoning of Tax Map 4, Parcel 21 (as described in Deed 54 / 205) from Industrial (I) in part and Rural Preservation District (RPD) in part to Industrial (I);
- 2). Change the zoning of Tax Map 4, Parcel 297 (as described in Deed EW A 666 / 378) from Industrial (I) in part and Rural Preservation District (RPD) in part to Industrial (I); and

3). Change the zoning of Tax Map 4, Parcel 453 (as described in Deeds EWA / 1009 / 491 and EWA / 1258 / 450) from Industrial (I) in part and Office Business Park (OBP) in part to Industrial (I).

The Planning Commission has reviewed the amendments and recommends that the Board of County Commissioners amend the zoning maps to correct the zoning mapping errors.

Public Comments:

Larry Jarboe, 39556 Mason Drive, Mechanicsville MD

Reiterated that he or his family did not create this potential conflict of interest. Has supported in the past zoning change that made this happen (industrial property on the other side of his property).

Always had a good relationship with Mr. Burroughs.

“The line that differentiates the town center from the rural preservation district is on a transmission line. That high-voltage transmission line is not the key concern. The key concern is, not only to me, but to others in the County, is what is underneath that line. There’s an oil pipe line that runs to Chalkpoint. That oil pipeline ruptured in 1999 and ruined the Patuxent River. We have to look closely at this particular request because when you put heavy-duty road construction (run heavy industrial traffic) across a road like that, with a stream bog near by, you can have the potential for disaster. I would ask the Commissioners to consider holding the line at this point, looking to the future of the County, and address this through a complete and comprehensive review when we do the comprehensive plan review here in the next year or two.”

As there were no additional comments from the public, the hearing was closed. The record will be kept open for 10 days for written comments.

**PUBLIC HEARING: PROPOSED AMENDMENT OF THE OFFICIAL ZONING MAPS TO CORRECTLY LABEL THE LDA OVERLAY IN THE VICINITY OF CHESAPEAKE INDUSTRIAL PARK**

Present: Jeff Jackman, Sr. Planner, Dept. of Land Use & Growth Management  
Sue Veith, Environmental Planner, LU&GM

Notice of this Public Hearing was published in the August 13 and August 20, 2006, editions of St. Mary’s Today and posted on the property. Notification letters were also mailed to adjoining property owners. The purpose of the Public Hearing was to promulgate:

- 1) amending Official Zoning Maps to rezone subject property from Resource Conservation Area (RCA) Critical Area Overlay to Limited Development Area (LDA) Critical Area Overlay;
- 2) amending County Commissioners Ordinance No. Z-93-08 to revise the open space requirements that were a condition of the growth allocation that was awarded in 1993.

Properties subject to the request are Tax Map 40, Grid 6, Parcels 253, 14, 53 (part), 54 (part), 55, 135, 164, 119, 190, 191, and 188 (Lots 1-6) in the 3rd Election District.

The Planning Commissioner recommends correction of the error.

Present at the Public Hearing, Jean Marie Dabney, one of the neighbors along Camp Calvert Rd., requested and was provided (by Mr. Jackman and Ms. Veith) clarification on the portion of 253 that is to be developed.

As there were no additional comments from the public, the hearing was closed. The record will be kept open for 10 days for written comments.

### **TRI-COUNTY YOUTH SERVICES BUREAU: FUNDING UPDATE**

Present: Laurel T. James, Executive Director, Tri County Youth Services Bureau  
Harriett Nettles, Board President  
Bennett Connelly, Executive Director – Local Mgmt. Board of St. Mary’s  
County  
Ella May Russell, Director of the Dept. of Social Services for St. Mary’s  
County  
Iva Berg, Counselor at Spring Ridge  
Jeff Morris, Case Manager, Dept. of Juvenile Services  
Dennis Nicholson, Executive Director - Housing Authority  
Katie Werner - Secretary of the Board for Tri-County

The Board of Directors of Tri-County Youth Services Bureau requested that the St. Mary’s County Government restore funding for children, youth, and family services to the level of \$116,479, in order to minimize the devastating outcomes to families in St. Mary’s County. The programs to be funded include: Attendance Mentor/Truancy Prevention at Spring Ridge Middle School, Children in Need of Supervision/Youth Development at the Department of Juvenile Services, and the Family Development Program in Lexington Park.

The funding of Tri-County Youth Services Bureau is shared between the Governor’s Office of Children and the local Governments of each county. County funding matches that of the state. A reduction in funding from the local government reduces state funding. In FY06, the state funding was \$133,910 and County funding was \$116,479. If County funding is reduced by 50% in FY07, the state’s funding will be reduced by 37% (\$49,910), and those funds would be diverted to the other counties. The total loss of funding to allow Tri-County Youth Services Bureau to effectively provide prevention services to children, youth, and families in St. Mary’s County would be \$108,149.

Each of the presenters provided justification and support for the program.



Commissioner McKay stated that the Board will talk to Ms. Kramer, Chief Financial Officer, concerning procedure and committed to addressing this issue very quickly.

**ADJOURNMENT**

The meeting adjourned at 3:00 PM.

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

\_\_\_\_\_  
Betty Jean Pasko, Senior Administrative Coordinator