

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
GOVERNMENTAL CENTER**

Tuesday, September 25, 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

Commissioner President Russell called the meeting to order at 9:00 AM.

APPROVAL OF CHECK REGISTER

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register dated September 25, 2007, as submitted. Motion carried 5-0.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners' meeting of September 18, 2007, and the Bus Tour on September 20, 2007, as amended. Motion carried 5 -0.

COMMISSIONER'S TIME

1. Draft Agendas for October 2 and 9, 2007
2. **St. Mary's County Health Dept.** (*Dr. William Icenhower, M.D., M.P.H, Health Officer*)

Dr. Icenhower explained to the BOCC that the Health Dept. has obtained funding for children's flu immunizations and will not need emergency funding from the St. Mary's County BOCC.

3. **St. Mary's County Public Schools** (*Dr. Michael Martirano, Superintendent of Schools;*
Daniel Carney, CFO)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve an increase to the Board of Education's FY2008 Restricted Fund budget by \$200,000, to reflect the amendment to the 21st Century grant, contingent upon the Board of Education authorizing the same change at their regularly scheduled meeting on Wednesday, September 26, 2007. Motion carried 5-0.

4. **Office of the County Attorney** (*Christy Chesser, County Attorney; Phil Rollins, Director, RP&CS; Jack Hormell, Executive Director, Center for Life Enrichment*)

Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize Commissioner President Russell to sign the Railroad Right of Way Easement Agreement for the purpose of ingress, egress, grading and storm water management outfall, for the Center for Life Enrichment located on Route 235, in Hollywood, Maryland, and that the \$500 administrative fee be waived. Motion carried 5-0.

5. **Recreation, Parks and Community Services** (*Phil Rollins, Director*)

Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to sign the two Waterway Improvement Fund Application and Project Agreements, in the amount of \$5,000 each, to enable the construction of a new floating pier at the Elms Beach Park pond. Motion carried 5-0.

6. **Department of Aging** (*Lori Jennings Harris, Director; Peggy Maio, Fiscal Supervisor*)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize Commissioner President Russell to sign the Notification of Grant Awards on the Senior Medicare Patrol Program grant. Motion carried 5-0.

Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to sign the St. Mary's County Department of Aging Area Plan for FY2008 for the Maryland Department of Aging. Motion carried 5-0.

7. **Dept. of Public Safety** (*Dave Zylak, Director; Shirley Copado, Mgr., Emergency Communications Division*)

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the requested modification to allow for an increase in replacement console purchase from seven to eight and to allow for the purchase of a spare parts kit under Emergency Communications' Exempt Financing Project for Console Upgrades. Motion carried 5-0.

8. **Dept. of Human Resources** (*John Savich, County Administrator presented in the HR Director's absence*)

Commissioner Raley moved, seconded by Commissioner Jarboe, to concur with the recommendation of the Director of Human Resources to deny the request for reclassification for the Fiscal Specialist III (Finance) position. Motion carried 5-0.

9. **Board Appointments** (*John Savich, County Administrator*)

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to appoint Nichole L. Brown to the Marcey House Board, term to expire 12/31/2010. Motion carried 5-0.

10. **Dept. of Land Use & Growth Mgmt.** (*Denis Canavan, Director*)

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize Commissioner President Russell to sign the Budget Amendment increasing the Other Contract Services in the Inspections Division in the Department of Land Use & Growth Management in the amount of \$60,000. Motion carried 5-0.

DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT: A REQUEST TO EXTEND LEGISLATIVE TIME TO CONSIDER PROPOSED CHANGE TO CHAPTER 203 OF THE CODE OF ST. MARY'S COUNTY TO ADD A PROVISION RELATING TO RESIDENTIAL SPRINKLERS SYSTEMS FOR ALL NEW ONE AND TWO FAMILY DWELLINGS

Present: Denis Canavan, Director, LU&GM
Adam Knight, Code Coordinator, LU&GM

Mr. Canavan requested an extension of the legislative time, as required by Resolution 2005-03, to consider the proposed change in the Code to add a provision relating to residential sprinkler systems for all new one and two family dwellings until close of business on December 4, 2007. The Board of County Commissioners held a public hearing on this proposal on September 11, 2007, at which time staff was asked to collect and analyze additional data relevant to the proposal. Staff anticipates bringing the legislation back to the Board in October, but is requesting additional time in case more work is necessary.

Commissioner Jarboe asked if there are any businesses in St. Mary's County certified to install sprinkler systems, and if not, if any are expected to be licensed by December 4th. Adam Knight, Code Coordinator, responded that there are no County businesses licensed at this time. Commissioner Mattingly added that businesses will most likely wait to receive their certification once they know there is a need for this type of work.

Commissioner Mattingly moved, seconded by Commissioner Raley, to expand the legislative time in Resolution No. 2005-03, for consideration of the introduced text amendment requiring installation of a sprinkler system in one and two family dwellings from October 1, 2007, to close of business on December 4, 2007. Motion carried 4-1 (Commissioner Jarboe voted against the motion).

BOARD OF TRUSTEES, MUSEUM DIVISION, ST. MARY'S COUNTY DEPT. OF RECREATION, PARKS AND COMMUNITY SERVICES: ANNUAL REPORT

Present: Lewie Aldridge, Jr., President
Steve Dunlap, Secretary

Mr. Aldridge introduced other board members in attendance: Rose Davis, Thomas Tudor, Shirley Leyland, and George Kennett; and Debra Pence, Director, Museum Division; and Phil Rollins, Director, Recreation, Parks & Community Services.

There are four nationally accredited museums in St. Mary's County; i.e., St. Clement's Island Museum, Piney Point Lighthouse Museum and Historic Park, Drayden African American School, and the U1105 Black Panther Submarine. There were 17,110 visitors during the calendar year 2006.

The presenters reviewed significant 2006 accomplishments and challenges. Plans for 2007 include: continued renovation of the Piney Point Lighthouse Museum and Historic Park; begin development of a Museum Division strategic plan to support grant applications, and development of education plans and signs to interpret the Blackistone Lighthouse replica.

COMMISSIONER'S TIME

Commissioners reviewed County events and activities attended during the previous week and thanked all those involved for their service to the community.

SOUTHERN MARYLAND NAVY ALLIANCE

Todd Morgan, President, thanked the Commissioners for attending the Southern Maryland Navy Alliance dinner and presented a framed print in appreciation of their support.

INFORMATION TECHNOLOGY DEPARTMENT: BRIEFING ON RECENTLY UPDATED WEBSITE AND WEBSITE SERVICES OFFERED TO CITIZENS

Present: Bob Kelly, Director, IT
Mark Stancliff Network Manager, IT
John Roth, Webmaster

Mr. Kelly presented an overview and demonstration of the County's website, including the various information, links, and notification services that are available.

MOTION TO ENTER INTO EXECUTIVE SESSION

Commissioner Mattingly moved, seconded by Commissioner Dement to enter into Executive Session for the purpose of discussing Real Property, specifically, a potential lease agreement. Motion carried 5-0.

EXECUTIVE SESSION

Real Property

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, County Administrator
Christy Chesser, County Attorney
George Erichsen, Director, DPW&T
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)11

Time Held: 11:08 am – 11:30 am

Action Taken: Commissioners discussed potential lease.

ACTION FROM EXECUTIVE SESSION

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the lease as discussed and with the additions as discussed in Executive Session. Motion carried 3-0, with two abstentions. (Commissioners Mattingly and Raley abstained)

PUBLIC FORUM

Commissioner President Russell opened the public forum at 6:30 PM. Commissioner Mattingly was not in attendance due to a previous commitment. There were approximately 25 citizens in attendance. Each of the citizens who spoke at the public forum voiced concerns surrounding recent and proposed development at St. Mary's College of Maryland, specifically, the rowing building.

Commissioner Jarboe clarified that St. Mary's College is state property and therefore not under the Commissioners' jurisdiction; however, the Board can provide support to our state senator's efforts in this regard. Commissioner Jarboe added that what was done legislatively can be revoked and encouraged citizens to work with Senator Dyson and Delegate Bohanan during the upcoming 2008 legislative session.

The following citizens expressed their dissatisfaction with the rowing center and other proposed development at St. Mary's College and made additional comments as noted:

Linda Vallandingham, 21705 Indian Bridge Road, California, MD 20619

(spoke on behalf of her aunt, Mildred Jurovaty, P. O. Box 124, St. Mary's City, MD). Mrs. Vallandingham read and submitted into record Ms. Jurovaty's letter.

Ken Heiakinem, Locust Cove Road, St. Mary's City, MD

Is a member of a newly formed group "Citizens for the Preservation of Historic St. Mary's City." Mr. Heiakinem provided the Commissioners and the recorder with a copy of the group's mission statement and objectives.

Brian Seibert, Scotland, MD

Peggy Bailey, St. Mary's City, MD

Donald Beck, 17265 Point Lookout Road, St. Mary's City, MD

Thomas P. Clark, St. Inigoes, MD

Gladys Segal, St. Mary's City, MD

Added that petitions have been placed in Linda's Café in Leonardtown and Lexington Park and at other locations.

Stu Peterson, St. Mary's City, MD

Robert Jarboe, Leonardtown, MD

The following is a summary of comments made by the citizens noted above:

- Voiced concern regarding preserving and protecting St. Mary's County historical land.
- Questioned how permits could be obtained for the project and how involved was the Board of County Commissioners and were they briefed on the project.
- Voiced concern regarding communications, particularly during the planning phase. Current "ad hoc" committees are "after the fact," citizens never consulted/not involved during planning and have "no power" to make any changes.
- Requested that the rowing center be moved and the River Center project be stopped. (In addition to the rowing building, the River Project includes plans to develop a large parking lot, a large pier, and another building). Alternate sites were offered for relocating the rowing center.
- Referenced letters and editorials that have been in recent editions of the Enterprise and other newspapers.
- Voiced positive support from Sen. Roy Dyson. Urged the Board to work with Sen. Dyson.
- Questioned and suggested the Commissioners have more authority (property is in St. Mary's County) and requested support from the BOCC to address their concerns.
- Expressed they are not wealthy landowners, just neighbors.

The public forum was adjourned at 7:35 PM.

ADJOURNMENT

Commissioner Jarboe moved, seconded by Commissioner Dement, to adjourn the meeting. Motion carried 4-0.

