

ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
GOVERNMENTAL CENTER
Tuesday, October 5, 2004

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
Donna Gebicke, Administrative Assistant (Recorder)
Kate Mauck, Senior Administrative Coordinator (Recorder)

Kate Mauck transcribed the following meeting minutes:

The Board of County Commissioners toured the King's Christian Academy in Callaway, Maryland, prior to the beginning of the meeting.

CALL TO ORDER

The meeting was called to order at 11:41 a.m.

APPROVAL OF CHECK REGISTER

Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register, with the exception of two bills on page 8 to the Maryland Rural Summit and *Your Health* magazine. Motion carried.

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' meeting of Tuesday, September 28, 2004, as amended. Motion carried.

PROCLAMATIONS

The Board of County Commissioners presented the following Proclamations:

- International Walk Your Child to School Day
- Healthcare Career Month
- Lawsuit Abuse Awareness Week

COUNTY ADMINISTRATOR

1. Draft Agendas for October 12 and October 19, 2004
2. **State's Attorney's Office, Child Support Division**

Present: Michael Stamm, Deputy State's Attorney

Commissioner Mattingly moved, seconded by Commissioner Dement, to: 1) Accept the award from the Maryland Child Support Enforcement Administration; 2) approve the Subrecipient Agreement for this Grant and authorize its signature by the President of the Board of County Commissioners; and 3) approve and authorize the signature of the President of the County Commissioners upon the submitted budget amendment. Motion carried.

3. **Sheriff's Department**

Present: Captain Kenneth Cusic
Erin Gass, Fiscal Manager

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Budget Amendment for the FY05 Tobacco Use Prevention and Cessation Programs and authorize the Sheriff to sign Letter of Agreement. Commissioner Raley abstained from the motion; all others voted in favor. Motion carried.

4. **St. Mary's County Public Schools**

Present: Dr. Patricia Richardson, Superintendent of Schools
Dan Carney, Chief Financial Officer
Brad Clements, Chief Administrative Officer

a. **Commissioner Dement moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign MSDE FY 2005 Annual Budget. Motion carried.**

b. **Commissioner Raley moved, seconded by Commissioner Dement, to approve and sign letter of support for the St. Mary's County Public Schools State Capital Improvements Program submission. Motion carried.**

Prior to the vote to approve the letter of support, Commissioners directed that the draft letter should be revised in order to recognize the need for additional funding for Carver Elementary School.

5. **Land Use and Growth Management**

Present: Denis Canavan, Director

- a. **Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign Budget Amendment for the Certified Local Government (CLG) Grant – Project #MD 0546. Motion carried.**
- b. **Commissioner Raley moved, seconded by Commissioner Jarboe, to approve the scheduling of a public hearing on zoning map corrections for four properties in question, as recommended by the Planning Commission. Motion carried.**
- c. **Commissioner Raley moved, seconded by Commissioner Jarboe, to approve the scheduling of a public hearing on zoning map amendment requested by Body by Design, Robin Guyther, agent. Motion carried.**

6. Public Safety

Present: Patrick Walsh, Director
Gloria LeDonne, Senior Administrative Coordinator

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and accept and authorize the Commissioner President to sign the State Homeland Security Grant. Motion carried.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Budget Amendment for the increase in funding for the Emergency Planner Grant. Motion carried.

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Citizen Corps Program Grant award. Motion carried.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Law Enforcement Terrorism Grant award. Motion carried.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Memorandum of Agreement between the Maryland Emergency Management Agency and St. Mary's County regarding the FY04 State Homeland Security, the Emergency Planner, the Citizens Corps, and the Law Enforcement Terrorism Grants, and to authorize the related supplemental appropriation hearing for the Law Enforcement Terrorism Grant. Motion carried.

7. Department of Public Works and Transportation

Present: George Erichsen, Director

- a. Public Works Agreement Addendum for McIntosh Estates Subdivision, Section 1. *Located in the 6th Election District with an expiration date of December 1, 2005. The letter of credit provided by the Maryland Bank & Trust Company in the amount of \$341,800 remains as posted based on the Department's Inspection Report dated September 2, 2004. The Public Works Agreement and Letter of Credit in the amount of \$341,800 were originally issued on December 4, 2002. The road included in this agreement is: McIntosh Court (1,950').*

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Public Works Agreement Addendum for McIntosh Estates Subdivision, Section 1. Motion carried.

- b. Resolution accepting Oema Court located in the Lloyd's Rest Subdivision, Section 1, 5th Election District, into the County's Highway Maintenance System. Also, attached are resolutions establishing a 25-mph speed limit and stop sign for said road.

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and sign Resolutions accepting Oema Court located in the Lloyd's Rest Subdivision, Section 1, 5th Election District, into the County's Highway Maintenance System, and approve and sign resolutions establishing a 25-mph speed limit and stop sign for said road. Motion carried.

- c. Mr. Erichsen presented a draft letter written to the Maryland Department of Transportation regarding transportation priorities in St. Mary's County. *The Board of County Commissioners requested that changes be made to the letter clarifying the highest priorities as discussed.* Mr. Erichsen stated that he would have the revised letter ready today for signature by the Board of County Commissioners.

8. Department of Economic and Community Development

Present: John Savich, Director
Robin Finnacom, Executive Director, Community Development Corporation
John Norris, III, County Attorney

- a. **Commission Raley moved, seconded by Commissioner Dement, to 1) Approve and authorize the Commissioner President to sign Community Legacy Application Disclosure Authorization and Certification for the construction of sidewalks along**

Bunker Hill Drive, which is the entrance of Nicolet Park; and 2) Approve and sign Resolution for Lexington Park Community Legacy Area Grant Application. Motion carried.

Discussion took place regarding the reduction of Community Legacy funding for the past several years. Mr. Savich and Ms. Finnacom addressed concerns voiced by Commissioners regarding the greater need for funding to provide improvements to Midway Drive.

Also Present: Denis Canavan, Director, Land Use and Growth Management
Jeff Jackman, Senior Planner
John Norris III, County Attorney

b. Commissioner Jarboe moved, seconded by Commissioner Dement, to 1) Approve and sign letter to Patuxent Habitat for Humanity for Impact Fee Waivers on two properties; and 2) Approve and authorize the Commissioner President to sign two related Budget Amendments. Motion carried.

9. Real Property Manager and County Attorney

Present: Joyce Malone, Real Property Manager
John B. Norris, III, County Attorney

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve Action Accounting's request for a waiver of two week's rent and approve and sign letter. All Commissioners voted against the motion. Motion failed.

10. Employment Contracts

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign Employment Contract for Elaine Kramer, Chief Financial Officer. Motion carried.

COMMISSIONERS' TIME

Commissioner Dement

Reported that he, Commissioner Mattingly, and Mr. Forrest recently attended the League of Women Voters Meeting.

Reported that Commissioners attended the Navy Alliance Dinner, where there was a big turnout, and an excellent presentation was made by Secretary Melissaratos.

Expressed thanks to the many volunteers that helped make the St. Mary's County Fair a huge success.

Reported that some of the Commissioners attended a public information meeting held at the Bay District Fire Department. The information meeting was conducted in order to discuss the proposed Lexington Park Fire Station at 46900 South Shangri-La Drive, as well as new fire apparatus, equipment, and fire prevention material to the public.

Announced that many of the Commissioners attended the Blessing of the Fleet parade and event held on Sunday at the St. Clement's Island Museum. It was a fine event, and it was reported that there was nice display of fireworks on Saturday night.

Commissioner and Mrs. Dement attended the King's Christian Academy auction that was held on Saturday. Commissioner Dement and Commissioner Mattingly attended the building dedication ceremony for the school on Sunday.

Commissioner Mattingly

Expressed congratulations to Lana Cameron who recently retired from a long career at the Patuxent River Naval Air Station. Commissioner Mattingly recently presented a proclamation to Ms. Cameron on behalf of the Board of County Commissioners.

Reported that he attended the St. Clement's Hundred Osprey Gala, and Commissioner Raley was the main attraction, leading the auction. Commissioner President McKay and Commissioner Mattingly provided assistance at the event as well.

Attended the Riverside Winefest at Sotterley Plantation last weekend, where there was a very large crowd. It proved to be an excellent event, with beautiful weather.

Announced that he attended the Soil Conservation Shoreline Erosion Project Award Ceremony and expressed congratulations to all of the individuals who were recognized at this event.

Commissioner Jarboe

Reported that he and Commissioner President McKay attended the Blessing Mass that was reenacted on St. Clement's Island. They were dressed in 1600-era clothing, which proved to be quite snug. It was an excellent event.

Recently spoke with Colonel Krilich, uncle of Michael Krilich, who presented the County Seal in mosaic to St. Mary's County Government. Colonel Krilich reported that the flooring at the Northern Senior Center would not adequately combine with the mosaic on the floor, as it would likely cause accidents. *Commissioner Jarboe asked Mr. Forrest to*

direct staff to work with Mr. Krilich in order to mount and provide reinforcement to the mosaic on the wall. All other Commissioners were in agreement with this request.

Commissioner Raley

Reported that he was out of town last Saturday and Sunday and therefore, missed the Blessing of the Fleet event.

Expressed thanks to Commissioner President McKay and Commissioner Mattingly for providing assistance with the auction at the Osprey gala. There was a good time had by all, and well over \$20,000 was raised between the regular as well as the silent auction.

Commissioner President McKay

Reported that the County would recognize Sunday, October 31st as the official Trick-or-Treat night. Recognizing the night allows the Sheriff's Department to plan appropriately so as to provide adequate safety measures throughout the County.

Commissioner Dement moved, seconded by Commissioner Raley, for the Board of County Commissioners to meet in Executive Session in order to discuss Property Acquisition/ Disposition and Personnel, as provided for in Articles 24, Section 4-210(a)11 and 4-210(a), respectively. Commissioner Jarboe voted against the motion; all others voted in favor. Motion carried.

Donna Gebicke transcribed the following meeting minutes:

EXECUTIVE SESSION

Real Property Acquisition/Disposition

Present: Commissioner Thomas F. McKay, President
Commissioner Daniel H. Raley
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
George Forrest, County Administrator
John Norris, County Attorney
John Savich, Director, DECD (3:40-3:53 pm only)
Donna Sasscer, Agricultural Manager (3:40-3:53 pm only)
Phil Rollins, Director, Recreation and Parks (3:54 – 4:12 pm only)
Bill Ball, Recreation and Parks (3:54 – 4:12 pm only)
Joyce Malone, Real Property Manager (3:54 – 4:12 pm only)
Donna Gebicke, Recorder

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

Time Held: 3:40 pm – 4:12 pm

Action Taken: The Commissioners discussed property acquisition/disposition matters.

Kate Mauck transcribed the following meeting minutes:

MARYLAND – YOU ARE BEAUTIFUL VOLUNTEER AWARDS

Present: Cynthia Brown, Community Services Division Manager, Recreation,
Parks, and
Community Services
Floraine Applefeld, Director, Maryland's Most Beautiful People

Ms. Applefeld appeared before the Board of County Commissioners to recognize volunteers nominated for the Maryland You Are Beautiful award. The award is a state-wide initiative from the Governor's Office, where individuals nominate outstanding local volunteers. The following individuals were nominated:

Joan Beavers
Linton Beavers
Mary Bohanan
Viola Gardner
DFC Andrew Holton
Anne Marum
Roger Mattingly
James Pennington
Audrey Ridgell
Richard Russell
Daniel Slade
DFC Joseph Somerville
Elsie Summers

Ms. Applefeld, on behalf of the Governor, presented a commendation to each nominee, and announced the top volunteer award in the Maryland You Are Beautiful recognition went to Mr. Richard Russell. Mr. Russell was presented with a plaque, and all nominees present were invited to the Maryland You Are Beautiful Volunteer Awards Ceremony that will be held on Friday, October 29, 2004 in Annapolis.

Donna Gebicke transcribed the remaining meeting minutes:

EXECUTIVE SESSION

Personnel

Present: Commissioner Thomas F. McKay, President
Commissioner Daniel H. Raley
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly, Sr.
George Forrest, County Administrator (5:39 – 5:45)
John Norris, County Attorney
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 5:39 pm – 6:19 pm
Action Taken: The Commissioners discussed board and committees.

Real Property Acquisition & Disposition

Present: Commissioner Thomas F. McKay, President
Commissioner Daniel H. Raley
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
John Norris, County Attorney
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)11
Time Held: 6:19 – 7:04 pm
Action Taken: The Commissioners discussed real property acquisition/disposition matters.

Personnel

Present: Commissioner Thomas F. McKay, President
Commissioner Daniel H. Raley
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
John Norris, County Attorney
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 7:04 – 7:10 pm
Action Taken: The Commissioners discussed employment contract.

ADJOURNMENT

The meeting adjourned at 7:10 p.m.

Minutes Approved by the Board of County Commissioners on _____

Kate Mauck, Senior Administrative Coordinator

to the Board of County Commissioners

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