

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
GOVERNMENTAL CENTER
Tuesday, December 14, 2004**

Present: Commissioner President Thomas F. McKay
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley (*arrived at 11:44 a.m.*)
George G. Forrest, County Administrator
Kate Mauck, Senior Administrative Coordinator (Recorder)

Commissioner Raley was absent from the following portion of the Commissioners' meeting:

CALL TO ORDER

The meeting was called to order at 9:11 a.m.

APPROVAL OF CHECK REGISTER

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to authorize the Commissioner President 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, December 7, 2004. Motion carried.

HOLLYWOOD ELEMENTARY SCHOOL SINGERS: HOLIDAY MUSICAL PRESENTATION

Present: Lynne Morgan, Supervisor of Instruction for Fine Arts, SMCPs

Students from Hollywood Elementary School presented a holiday musical performance for the Board of County Commissioners and the viewing audience.

RETIREMENT PROCLAMATION

The Board of County Commissioners presented a Proclamation to Richard Wood, Department of Public Works and Transportation in honor of his retirement from St. Mary's County Government.

**DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT -
TOURISM DEPARTMENT AND STATE HIGHWAY ADMINISTRATION:
“HERITAGE CORRIDOR SIGN PROGRAM”**

Present: John Savich, Director, Department of Economic and Community
Development
Carolyn Laray, Tourism Manager
John Groeger, Department of Public Works and Transportation
Cheryl Schrieber, State Highways Administration
Bob Firth, Informing Design, Inc.
Laschelle Miller, Town Administrator, Town of Leonardtown

An overview was presented on the State Highway’s new “Heritage Corridor Sign Program” to be implemented in St. Mary’s County in the spring 2005. The program will replace the older program with removal of those signs, and new signage will begin at the beltway and at the 301 border in Virginia, and will then continue throughout Southern Maryland

Fabrication and installation of the signs will be taken care of by the State Highway Administration. A Resolution to be signed by the Board of County Commissioners and the Town of Leonardtown will need to be prepared. Approximately 150 to 170 total signs will be installed, and the majority of those signs are expected to be in place by early summer 2005. Discussion took place regarding the process that will be established in order to request additional signage.

Commissioner Mattingly asked the SHA to revisit the County roadways to include signage that would help tourism by having a loop follow Route 5 through Leonardtown. This would place tourists closer to the points of interest that are identified in the plan. On the return trip, the signage should continue the loop from Point Lookout by following Route 235 north through Lexington Park and reconnect at MD Route 4, which is already identified as the cross-county corridor. Perhaps a trailblazer route could be established connecting to Sotterley Plantations and Greenwell State Park.

Upon completion of the final proposal by SHA, a Resolution will be forthcoming from the County Attorney’s Office regarding this program.

**INVITATION TO NASA AT YOUR LIBRARY EXHIBIT AT THE LEXINGTON
PARK LIBRARY**

Present: Janice Hummel, Director, Lexington Park Library

Ms. Hummel presented an invitation to the NASA at Your Library Exhibit that will be held at the Lexington Park Library from December 20, 2004 through January 15, 2005. In addition, Commissioners were invited to attend a Grand Opening Celebration for this event on January 4th at 5:30 p.m. It was pointed out that a public forum will be conducted by the Board of County Commissioners at the Lexington Park Library on January 11th.

Commissioners directed staff from PIO to work with the Library to put together a short presentation on the exhibit for Channel 12. It was pointed out that the Library had a video on hand, and Commissioners asked that PIO work with the Library regarding the video and to perhaps run it instead.

COUNTY ADMINISTRATOR

1. Draft Agendas for December 20 and 21, 2004
2. **Department of Land Use and Growth Management**

Present: Denis Canavan, Director
Teresa Wilson, Historic Preservation Planner
Charles Adams, State Highway Administration
Terry Maxwell, State Highway Administration

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and sign a letter of support for a Joint Application with Charles County for a Scenic Byways Grant to fund a Corridor Management Plan for the Religious Freedom Scenic Byway which is located in St. Mary's and Charles Counties. Motion carried.

3. **Recreation, Parks, and Community Services and Finance Department**

Present: Phil Rollins, Director, RP&CS
Jeannett Cudmore, Deputy Finance Director

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Budget Amendment transferring \$50,000 in surplus funds previously appropriated for the Capital Improvement Project at Chaptico Park (PA7814) to the FIN05 Capital Reserve accounts. All Commissioners present voted in favor of the motion. Motion carried.

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

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

Commissioner Jarboe moved, seconded by Commissioner Dement, for St. Mary's County Public Schools to return the fund balances to the Capital Budget, and with current time constraints the Commissioners are now under, to approve and sign letter for Supplemental Capital Improvements request and related Budget Amendment in the amount of \$19,000 to support the third phase of a bar joist investigation at Leonardtown Elementary School, Oakville Elementary School, and Chopticon High School. All Commissioners present voted in favor of the motion. Motion carried.

5. **State's Attorney's Office**

Present: Michael J. Stamm, Deputy State's Attorney
Jeannett Cudmore, Deputy Finance Director

Commissioner Mattingly moved to approve and authorize the Commissioner President to sign Budget Amendment increasing funds in Other Contract Services for Special Prosecutor fees. Motion failed due to lack of a second on the motion.

Discussion took place regarding the need for background information in order to provide the funding. Mr. Stamm reported that the information is held by the special prosecutor. *It was determined that the State's Attorney's Office should contact the Special Prosecutor for additional information and report that information back to the Board of County Commissioners. Should the Commissioners consider funding \$10,000, this would allow the current obligations to be paid, and would then give the Commissioners additional time to look at all the background information.*

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign Budget Amendment in the amount of \$10,000, increasing funds in Other Contract Services for Special Prosecutor fees. Commissioner Jarboe voted against the motion; all others present voted in favor. Motion carried.

6. **Metropolitan Commission**

Present: Steve King, Director
Bill Shreve, Assistant Director

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the creation of a Regular Part-Time Cleaning Specialist position for the Metropolitan Commission. All Commissioners present voted in favor of the motion. Motion carried.

7. **Department of Economic and Community Development, County Attorney, & Finance Department**

Present: John Savich, Director, DECD
John Norris, III, County Attorney
Jeannett Cudmore, Deputy Finance Director

a. **Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Amendment to the Contract of Sale**

for the acquisition of Lexington Manor signed by LP Park Center, LLC on December 7, 2004, and approve and sign the Resolution authorizing further actions necessary to consummate the transaction. All Commissioners present voted in favor of the motion. Motion carried.

Commissioner President McKay reported that on Monday, December 20th, settlement of the property is scheduled to be finalized. A meeting and press conference will be conducted at 2:30 p.m. at the Lexington Park Library regarding this issue.

Commissioner Raley arrived at the Commissioners' meeting at this time.

b. Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Property Management Agreement with Essex South Management. Motion carried.

Also Present: Tim Faust, Economic Development Coordinator
Jeff Hobarth, Winner, 2005 Technology Handbook Cover Contest

c. Mr. Faust presented the 2005 Technology Handbook to the Board of County Commissioners.
Mr. Hobarth of KR Systems was commended for winning the cover contest and for his excellent design skills.

Also Present: Dennis Nicholson, Executive Director, Housing
Tonja Fraser-Jenkins, Program Manager, Housing

d. Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Environmental Authorizations, Certifications, and Release of Funds for Community Development Block Grant Projects: Hunting Creek Engineering, Homeless Management Information System, and Gateways Infrastructure Project. Motion carried.

8. Department of Public Works and Transportation

Present: George Erichsen, Director

Public Works Agreement for Abberly Farms at Lexington Park, Section 1. *Located in the 8th Election District with an expiration date of October 1, 2005. A Letter of Credit has been issued by the Wachovia Bank in the amount of \$150,400. The roads*

included in this agreement are: Meadow Creek Drive (325') and Watercrest Drive (65').

Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Public Works Agreement for Abberly Farms at Lexington Park, Section 1. Motion carried.

Commissioner Raley directed the Department of Public Works and Transportation to work with Soil Conservation or whatever appropriate agency to look at the construction entrances on Willows Road and to make any accommodations necessary. In addition, at the end of the project closest to the Route 5 intersection, silt fences are up, but with heavy rains, erosion, and sediment problems may be present – these should be looked at as well.

9. Finance Department, Department of Recreation, Parks, and Community Services, and Department of Public Works and Transportation

Present: Jeannett Cudmore, Deputy Finance Director
Phil Rollins, Director, Recreation, Parks, and Community Services
George Erichsen, Director, Department of Public Works and Transportation
Bill Ball, Parks Supervisor

a. Commissioner Jarboe moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the Budget Amendment (\$78,583) funding CIP request from the FIN05 Reserve for the Wicomico Pier Replacement. Motion carried.

b. The Board of County Commissioners was presented with a Budget Amendment requesting funding (\$41,595) for a second floor ADA freight/personnel lift at the Leonardtown Library. It was determined that staff from the Library would need to appear before the Board of County Commissioners in order to provide a briefing regarding their space needs as well as needs for the elevator. The staff should provide information on the needs for the entire facility, i.e., “the bigger picture”, and the briefing should take place during the Capital Budget process.

c. Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Budget Amendment for Airport Improvements (\$31,098) and Budget Amendment for Airport Security (\$14,654) funding CIP request from the FIN05 Reserve. When the County is reimbursed by the State, the funding will be placed back into the FIN05 Reserve. Motion carried.

Staff was directed to explore all possibilities for State and/or Federal funding such as Homeland Security Grant funding regarding airport improvements and/or uses.

10. Department of Recreation, Parks, and Community Services

Present: Phil Rollins, Director
Arthur Shepherd, Recreation Division Manager

- a. **Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Contract for Services Agreement and related Budget Amendments to 1) increase New Horizons Day Camp revenues and expenses by \$500 and decrease the Program Reserve accounts by \$500; and 2) to increase the Child Care Support Account revenues and expenses by \$2,500 and decrease the Program Reserve Accounts by \$2,500. Motion carried.**

Also Present: Kesley Bush, AmeriCorps*Vista Project Director

- b. **Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Second Amendment to the Memorandum of Agreement with SMARTCO. Motion carried.**

11. Finance Department

Present: Jeannett Cudmore, Deputy Finance Director
John Norris, III, County Attorney

Commissioner Raley moved, seconded by Commissioner Dement, to approve and sign Resolution to reapply Sold Bonds to other County Projects and sign Budget Amendment to transfer funds to CIP Reserve. Motion carried.

12. Department of Public Safety

Present: Patrick Walsh, Director
Shirley Copado, Communications Manager

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the Maryland Institute for Emergency Medical Services Systems (MIEMSS) Emergency Medical Dispatch Grant Agreement and related Budget Amendment. Motion carried.

DECISIONS RE: SUPPLEMENTAL APPROPRIATIONS FROM PUBLIC HEARING HELD ON NOVEMBER 30, 2004

1) SUPPLEMENTAL APPROPRIATIONS FOR CIRCUIT COURT GRANT AWARD OF \$64,232 AND RELATED CONTRIBUTIONS OF \$2,000 FOR A JUVENILE DRUG COURT DISCRETIONARY GRANT

Present: Jeannett Cudmore, Deputy Finance Director
Judge Kaminetz, Circuit Court

As no public comments were received on this item during the ten day open record period following the public hearing, it was determined that a final decision could be made regarding this item.

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve the supplemental appropriations for 2005 for a Circuit Court Grant Award of \$64,232 and related contributions of \$2,000 for a Juvenile Drug Court Discretionary Grant and to approve and sign the Ordinance. Motion carried.

2. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION – STS GRANT AWARD OF \$120,000 AND RELATED PASSENGER FARES OF \$10,000 FOR A RURAL PUBLIC TRANSPORTATION GRANT

Present: Jeannett Cudmore, Deputy Finance Director
George Jarboe, Director of Transportation
John Norris, III, County Attorney

Written public comments that were submitted during the ten day open comment period were included in the Commissioners' meeting packages for review. Discussion took place regarding the use of in-kind services toward the County match that would be reimbursable by the Maryland Transit Administration.

Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Budget Amendment reducing the County match from \$46,736 to \$23,368, and to approve and sign the Ordinance and other grant documents for the new Southern Route for the Department of Public Works and Transportation.

Mr. Norris reported that the Grant document had not be reviewed for the specific issues as discussed, and that the County must match the funding applied for.

Commissioner Raley amended the motion to show that rather than the \$23,368 County match, it should reflect the full amount of \$46,736. Commissioner Dement seconded the amended motion. Motion carried.

3. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES EMERGENCY NUMBER SYSTEMS BOARD GRANT AWARD OF \$571,924

Present: Jeannett Cudmore, Deputy Finance Director

Patrick Walsh, Public Safety Director

As no written public comments have been received on this item during the ten day open record period following the public hearing, it was determined that a final decision could be made regarding this item.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the signature of the Ordinance and related Budget Amendment for the Department of Public Safety and Correctional Services Emergency Numbers System Board Grant Award of \$571,924. Motion carried.

ST. MARY'S COUNTY COMMUNITY DEVELOPMENT CORPORATION: 120-DAY REPORT

Present: Robin Finnacom, Executive Director, Community Development Corporation
Barbara Thompson, Chairman, Community Development Corporation
John Savich, Director, Department of Economic and Community Development
Barbara Horn, Board Member, Community Development Corporation
Frank Taylor, Board Member, Community Development Corporation

The 120-Day Report of the St. Mary's County Community Development Corporation, Inc. was presented to the Board of County Commissioners as required by the Cooperation and Operation Agreement approved by the Commissioners on September 6, 2004. The presentation detailed the following items:

- Primary purpose of the Community Development Corporation;
- Structure of the organization;
- Significant accomplishments;
- Current programs and projects;
- Reorganization of the Corporation;
- Accomplishments of the transition Board of Directors;
- Confirmed members to the permanent Board of Directors; and
- Possible future projects of the Corporation

COMMISSIONERS' TIME

Commissioner Dement

Attended the Department of Aging Meals on Wheels Volunteer luncheon on behalf of the Commissioners last Thursday.

Had an opportunity to stop by the Tree Lighting Ceremony that was held at the Nursing Center.

Attended the Ribbon Cutting Ceremony for the new WaWa located in California.

Expressed congratulations to Ronnie Clark upon his 75th birthday. A proclamation was presented to him on behalf of the Board of County Commissioners. He is a retired Sheriff and was also inducted into the Hall of Fame at one time.

Attended the Board of Education retirement luncheon at St. George's Episcopal Church on Saturday morning.

Attended the Hospice for St. Mary's 7th Annual Tree Lighting Ceremony on Sunday evening at their office in Leonardtown. There was a large turnout and a nice affair.

Commissioner Mattingly

Also attended the Hospice Tree Lighting Ceremony, and it was a very nice event.

Attended the Nursing Home Tree Lighting Ceremony as well. Encouraged citizens to take a moment to visit the Nursing Home to see the nice decorations in the garden and the activities room. They have done a good job and it makes for a pleasant environment for the residents and families as they visit. Attended, along with other members of the Board of County Commissioners, the Christmas Party held by the Nursing Home for their employees.

Commissioner Jarboe

Attended the 70th Birthday event this past weekend for Frances Avery Wolfe, who spent over 30 years working with DNR, which is quite a credit to spend that length of time working with law enforcement. It was a good party, and a commendation was presented on behalf of the Board of County Commissioners.

Reported that Kate Mauck celebrated her birthday last week, and Commissioner President Tom McKay and Barbara Thompson celebrate birthdays this week. In addition, Commissioner Jarboe's son, who is a sergeant serving in Iraq, will turn 24 years old tomorrow. He is wished a happy birthday.

Commissioner Raley

Also attended the Christmas Tree Lighting Ceremony for Hospice. This organization provides a very important service for the citizens in St. Mary's County, and they are to be congratulated.

Attended, along with some of the other Commissioners, the Installation Ceremony at Ridge Rescue Squad. Those members have done a great job. Their squad building burned down, has been re-built, and it is now paid for. It's a wonderful facility, and they have promised to invite the Commissioners to the ribbon cutting celebration in the spring, which will be greatly looked forward to.

Stated that he was unable to attend the morning portion of the Commissioner meeting, therefore, Commissioner Raley expressed his congratulations to all those who worked so hard toward the final purchase of Lexington Manor. The culmination of this event took a great deal of staff time from County personnel, with numerous funding sources involved, legal documents to be coordinated and researched, and it has been a long, hard road to get to the point of accomplishing this goal. It is an important milestone in the life of St. Mary's County.

Commissioner President McKay

Reported that he had the opportunity on Monday morning to attend breakfast with members of the Navy Alliance, members from the Chamber of Commerce, and the Patuxent Partnership. It was a last minute breakfast which was put together quickly to make sure the local business community was up to speed with the BRAC process. Many people from businesses around the County not normally seen were present. The Alliance presented information on what they are doing to make sure the community knows that they are fully engaged in the BRAC process. They recognized the work done thus far by the Board of County Commissioners on behalf of the community, and what the community has allowed the County to do in this process.

Stated that he has been invited to attend, on December 15 and 16, President Bush's Economic Summit in Washington D.C., therefore, he will be away from the County for the next two days.

BUDGET WORK SESSION RE: RECREATION, PARKS, AND COMMUNITY SERVICES

The Board of County Commissioners conducted a budget work session.

VOTE TO GO INTO EXECUTIVE SESSION

Commissioner Jarboe moved, seconded by Commissioner Raley, for the Board of County Commissioners to meet in Executive Session in order to discuss a matter of Personnel and of Real Property Acquisition/Disposition, as provided for in Articles 24, Section 4-210(a) 1 and 11, respectively. Commissioner President McKay voted against the motion; all others voted in favor. Motion carried.

Commissioner Raley moved, seconded by Commissioner Dement, for the Board of County Commissioners to meet in Executive Session in order to discuss another topic regarding Personnel, as provided for in Article 24, Section 4-210(a) 1. Commissioner President McKay voted against the motion; all others voted in favor. Motion carried.

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, III, County Attorney
Joyce Malone, Real Property Manager (3:56 p.m.–4:56 p.m.)
John Savich, Director of Economic & Community Development (3:56
p.m.-4:45 p.m.)
George Erichsen, Director of Public Works & Transportation (3:56 p.m.-
4:45 p.m.)
Kate Mauck, Recorder

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

Time Held: 3:56 p.m. – 4:56 p.m.

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

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
John Norris, III, County Attorney
Kate Mauck, Recorder

Authority: Article 24, Section 4-210(a)1

Time Held: 4:57 p.m. – 5:32 p.m.

Action Taken: The Commissioners discussed a matter of personnel.

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
Delores Lacey, Senior Administrative Coordinator (5:38 p.m. – 7:06 p.m.)
Valerie Pilkerton, Administrative Coordinator (5:38 p.m. – 7:06 p.m.)

Kate Mauck, Recorder

Authority: Article 24, Section 4-210(a)1

Time Held: 5:38 p.m.– 7:06 p.m.

Action Taken: The Commissioners discussed matters of personnel.

RECONVENING OF OPEN SESSION

Commissioner McKay was absent from the vote on Executive Session; therefore Commissioner Vice President Jarboe presided.

Commissioner Mattingly moved, seconded by Commissioner Dement, to direct staff to proceed as discussed in Executive Session on matters of Property Acquisition/Disposition and Personnel. All Commissioners present voted in favor of the motion. Motion carried.

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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