

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Governmental Center  
Tuesday, February 11, 2003**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
Alfred A. Lacer, County Administrator  
Donna Gebicke, Administrative Assistant to BOCC (Recorder)

**CALL TO ORDER**

The meeting was called to order at 9:05 a.m.

**ADDITIONS/DELETIONS TO AGENDA**

**Commissioner Mattingly moved, seconded by Commissioner Dement, to accept the agenda as amended. Motion carried.**

**APPROVAL OF CHECK REGISTER**

**Commissioner Jarboe moved, seconded by Commissioner Raley, to authorize Commissioner McKay to sign the Check Register. Motion carried.**

**APPROVAL OF MINUTES**

**Commissioner Raley moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, February 4, 2003, as amended. Motion carried.**

**AFRICAN-AMERICAN HISTORY MONTH: STUDENT PRESENTATION**

**Present:** Lynn Morgan, Supervisor of Instruction for Fine Arts  
Cynthia Gianacopolos, Instructor

Ms. Morgan introduced fifth grade students from Dynard Elementary who performed readings called "pantoums" in celebration of African-American History Month. A pantoum is made up of six sentences where the most important ones are repeated throughout the poem. Justin Beavan's writing was about the "Buffalo Soldiers" who were black cavalymen instrumental in taming the west. Ebony Dyson wrote about Harriett Tubman who led slaves to freedom on the underground railroad. Jennifer Nunez's topic was Sojourner Truth who fought for the rights of others. Nicole Cullins recited her poem about Rosa Parks who fought against segregation in the South. Rosa was called the "mother of the civil rights movement." Samantha Durdock presented her poem about Mae C. Jemison who was the first female African-American astronaut to travel in space.

**COUNTY ADMINISTRATOR**

**Present:** Alfred A. Lacer, County Administrator

1. Draft Agendas: February 18 and February 25, 2003
2. Sheriff's Department (*Capt. Cusic, Erin Gass*)  
To approve and authorize Comm. President to sign the State Aid Protection Fund Report

**Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize Commissioner McKay to sign the State Aid Protection Fund Report. Motion carried.**

3. Office of Community Services (*Cynthia Brown, Director*)  
To authorize Comm. President to sign: Memorandum of Understanding and related budget amendment to establish new Teen Court project (\$1,000); and Maryland Youth Leadership Safe Schools Mini-Grant Acknowledgement Sheet

**Commissioner Jarboe moved, seconded by Commissioner Mattingly, to authorize Commissioner McKay to sign the MOU and budget amendment. Motion carried.**

4. Department of Public Works and Transportation (*George Erichsen, Director DPWT*)
  - a. To authorize Commissioner McKay to approve the Public Works Agreement for McIntosh Estates Subdivision, Section 1, located in the 6th Election District, with an expiration date of October 1, 2004.
  - b. To authorize Commissioner McKay to approve the Public Works Agreement Addendum for Pepper Ridge in the Wildewood Subdivision, Section 1, located in the 8th Election District, with an expiration date of February 1, 2004.
  - c. To authorize Commissioner McKay to approve the Public Works Agreement Addendum for Pepper Ridge in the Wildewood Subdivision, Section 3, located in the 8th Election District, with an expiration date of February 1, 2004.
  - d. To authorize Commissioner McKay to approve the Public Works Agreement Addendum for Forrest Farm Subdivision, Section 3, Phases 1, 1A & 2, located in the 8th Election District, with an expiration date of February 1, 2004.

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize Commissioner McKay to approve the PWAs and related letters of credit for Public Works items 4a through 4d. Motion carried.**

5. Facilities Management (*Richard Rohrbaugh, Dir., Gary Whipple, Proj. Mgr., Gene Carter, OOA, Ms. Horton, Ms. Myers*)  
Northern Senior Center Project Status

The Board received an update on the progress of the Northern Senior Center in Charlotte Hall, including site and floor plans. The project involves the construction of a 12,074 sq. ft. facility. The cost of construction is approximately \$1.6M, of which \$600,000 is grant funds. There is a 3,390 sq. ft. great room, kitchen, ceramics, crafts, exercise, game, and computer rooms and a social area. It is anticipated that the Center will be online the last quarter of FY04. The operating budget in FY05 is expected to be approximately \$150,000 per year.

*Commissioner Jarboe expressed safety concerns where the 3 roads cross at the same location and asked that alternatives for shared access and reduced speed limit be considered. He also directed staff to determine the owner of the old dormitory on the Veteran's Home property.*

#### **GREENWELL FOUNDATION UPDATE**

Present: Kathleen Sears, Executive Director  
John Tarrant, President, Board of Trustees  
Ms. Stork, (1<sup>st</sup> National Bank) Board Member  
Ms. Cattrell, Board Member  
Karen Deckman, Advisor to the Board/Fundraiser  
Katherine Stormont, Greenwell Foundation Staff  
Sandy Majeski, Horse Manager  
Christie Bishop, Rec & Parks

Greenwell Foundation is in partnership with the State, County, and private donors. A number of programs are ongoing at Greenwell Park including: therapeutic horseback riding programs, camping, and a retreat lodge. The park is ADA accessible and will soon have a kayak/canoe launch area designed for disabled citizens. The Francis Knott Lodge is a 17-bed accessible retreat lodge with four wheelchair roll-in showers, a large communal area with fireplace, and dining porch. Special Olympics is using the park for a training. Weddings and receptions are

held at the Rosedale Manor, which provides a significant source of revenue. The Commissioners were thanked for the support and were invited, along with the general public, to visit Greenwell Park.

### **SOUTHERN MARYLAND HERITAGE TOURISM MANAGEMENT DRAFT PLAN**

Present: Carolyn Laray, Tourism Manager  
John Savich, Director, DECD

Ms. Laray briefed the Board on the Southern Maryland Heritage Tourism Management Plan, its pending certification and subsequent implementation at the local level. (MHAA). The objectives of the program are to create economic development opportunities, enhance visitor appeal while increasing economic activity in all three counties via Target Investment Zones (TIZs), clustering historic and cultural resources linked by corridors of scenic roads, greenways, and water trails. Based upon the outcome of this briefing and the Board's review of the plan, the Board will then be asked to endorse the plan and ensure its inclusion in the Comprehensive Plan as part of the submittal process to the State.

### **COMMISSIONERS' TIME**

#### Commissioner Jarboe

- Golden Beach Long Point area has erosion problems due to the contractors working on the oil spill driving trucks through the area and killing shore grass. *Recommend staff call DNR and ask how the monies are being dispersed from the PEPCO settlement. An appropriate use of the funds would be to build a revetment to control further erosion in this area.*
- Snow removal funds are now low. To save money in the operating budget, *recommend the security kiosk at the Governmental Center be eliminated and the savings applied to snow removal.*

#### Commissioner Dement

- Attended a memorial service held for Stan Shrader who was prominent in the community for the past thirty-some years. Stan will be sadly missed. Our sincere condolences to friends and family.

#### Commissioner Mattingly

- Attended the memorial service at the Test Pilot School for the Columbia astronauts. Compliments to Captain Gates, Chaplain, and the CO for the moving service.
- Attended the Friends of St. Clements Island Museum annual meeting.
- The State Firemen's Association held an excellent quarterly meeting which was well attended by volunteers from SMC.
- Will attend, with Commissioner McKay, a bond hearing on 2/13 in Annapolis.

#### Commissioner McKay

- Will meet with Jan Norris, Treasurer, regarding capping property taxes for senior citizens.
- Will attend MACo and bond hearing.
- As a follow-up on Commissioner Jarboe's concern about the entryway, I agree that a more open, friendly atmosphere is needed. It is important to make citizens feel welcome at the entire campus. Perhaps a Customer Relations Program can develop a plan to make this happen
- I would like to propose that county advertising be limited to items promoting the County and that the Board not participate in any self-serving advertisements.
- Thursday, 2/14, the Board of Education will hold a Technical Expo at the Tech Center starting at 6:00 p.m.

## EXECUTIVE SESSIONS

**Commissioner Dement moved, seconded by Commissioner Jarboe, to move into Executive Session at 11:52 a.m. to discuss litigation and personnel issues. Motion carried.**

### Personnel

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly  
Commissioner Daniel H. Raley  
Alfred A. Lacer, County Administrator  
Donna Gebicke, Recorder

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

**Time Held:** 12:05 p.m.-1:08 p.m.

**Action Taken:** Commissioners discussed staff issues.

### Litigation

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

**Authority:** Article 24, Section 4-210(a)8

**Time Held:** 1:09 p.m. – 1:15 p.m.

**Action Taken:** Commissioners discussed pending litigation issues.

### Personnel

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly  
Commissioner Daniel H. Raley  
Alfred A. Lacer, County Administrator  
Donna Gebicke, Recorder

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

**Time Held:** 1:16 p.m. – 1:28 p.m.

**Action Taken:** Commissioners discussed staff issues.

## CRITICAL AREA COMMISSION (CAC)

**Present:** Ren Serey, CBCAC Staff Executive Director  
Marianne Mason, Assistant Attorney General  
Ms. Owens, Chief of Program Implementation  
Sue Veith, Environmental Planner, SMC

The county is required to update the Critical Area Program. The submission was accepted by the CAC with 51 conditions. The Commissioners discussed their concerns with the following conditions that the CAC placed on the Program:

1. CAC condition (TDRs) Section 26.2.2.d – added language “property within the RCA of the CA may not transfer development rights from a lot of record that does not meet the density provisions of one unit per 20 acres.”

*Mr. Serey suggested that staff rewrite the language and resubmit to the CAC for approval.*

16. Impervious limits of burial grounds – Section 51.3.19a – add (4) “In the RCA, existing uses are limited to 15% of the site.....”

*The provision allows development of new cemeteries without Growth Allocation at a scale consistent with the prohibition of intensive commercial activities in the RCA – not applicable to family burial grounds. Existing cemeteries are grandfathered and may expand.*

17. Charter Boat Fishing – Schedule 50.4 (#97) – changes “18 customers” to “12” which eliminates the gray area between number of customers allowed for Use 97 (intensive use) and Use 119 (accessory use).

*Commissioner Jarboe recommended CAC incorporate Coast Guard regulations into Schedule 50.4. Ms. Veith will meet with Commissioner Jarboe to draft the appropriate language for submission to the CAC. Mr. Serey agreed that the Board should provide as much background information as possible the CAC and request reconsideration of this item.*

18. Commercial Docks – Schedule 50.4 (#98) – delete “except on-site restaurants” from the “Description.”

*It was agreed that this item is not an issue.*

19. Marina/docks – Sections 51.3.100 and 51.3.109 – added item “(c) New or expanded community marinas and other noncommercial boat docking and storage may be permitted in the Buffer....”

*It was agreed that this change must be made.*

21. Worker Housing – Section 51.3.113 – add “General Standard,” “In the RCA, this use must be associated with a use permitted in the RCA and shall not be occupied on a permanent, year-round basis.

*Mr. Serey agreed to take up this item with the CAC. He believes they will benefit from receiving additional information.*

Sue Veith was directed by the Board to prepare a package for submission to the CAC that will include new draft language on Items 1 and 17 and additional information on these and other outstanding items.

## **EXECUTIVE SESSIONS**

**Commissioner Dement moved, seconded by Commissioner Jarboe, to meet in Executive Session to discuss matters of Personnel and Litigation as provided for in Articles 24, Section 4-210(a)1, and 210(a)8, respectively. Motion carried.**

### **Personnel**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly  
Commissioner Daniel H. Raley  
Alfred A. Lacer, County Administrator  
Delores Lacey, Appointments Secretary (*Boards and Committees discussion only*)  
Donna Gebicke, Recorder

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

**Time Held:** 3:10 p.m. – 5:10 p.m.

**Action Taken:** Commissioners discussed Boards and Committees and staff issues and gave direction to staff.

**Commissioner Jarboe moved, seconded by Commissioner Mattingly, to authorize Commissioner McKay to proceed as directed in Executive Session. Motion carried.**

#### **PUBLIC FORUM**

Christie McDonald, 45577 Knokeyon Lane wanted to update the Commissioners on her problems with developer Guy Curley. John Norris, County Attorney, visited her property. He evaluated the lack of grading and found other violations. There is trouble in Hickory Hills North with Liz Davis' property and two homes. It's not just about a few homes but about all homes built by Guy Curley and Liberty Homes.

Minnie Russell asked the Commissioners what Chapter 51 of the Comprehensive Zoning Ordinance means. What did it cost the County to print this book? \$205,000? It's confusing and needs to be in layman's terms. She cannot have a charter boat fishing party from her pier, but she can have a crabber, eeler, or clammer operation going. If you regulate charter fishing – do the same for all the others. Remove Chapter 51 in its entirety or rewrite it.

Ryan Rambo, who is pursuing a merit badge, asked the Board why it is important to hold these meetings for the public. The Commissioners responded that the Board is there to serve the public. It's an opportunity for the community to voice its opinions. Each Tuesday, an agenda is followed, people are invited to present their ideas, opportunities, requirements, etc. and decisions are made. As part of that process, a public forum is held each month so citizens can come forward and voice their concerns to the Board.

**Commissioner Mattingly moved, seconded by Commissioner Dement to adjourn the meeting at 6:50 p.m.**

Minutes Approved by the  
Board of County Commissioners on 2/18/03  
Donna Gebicke  
Donna Gebicke, Administrative Assistant  
to the Board of County Commissioners