

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 took the following portion of the meeting minutes:

CALL TO ORDER

The meeting was called to order at 9:07 a.m.

APPROVAL OF CHECK REGISTER

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

APPROVAL OF MINUTES

Commissioner Dement moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, February 10, 2004. Motion carried.

DECISION: PROPOSED AMENDING ORDINANCE TO HISTORIC PRESERVATION REAL PROPERTY TAX CREDIT

Teresa Wilson, Historic Preservation Planner, appeared before the Board of County Commissioners for the purpose of requesting a decision on the proposed amendment of the Ordinance to the Historic Preservation Real Property Tax Credit. A public hearing was properly advertised on November 9th and November 26th, and was conducted on December 9, 2003. The required ten-day public comment period passed without any written public comment having been received.

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and sign the Ordinance on Historic Preservation Real Property Tax Credit to include historic landmarks. Motion carried.

AFRICAN AMERICAN HISTORY MONTH: LEONARDTOWN ELEMENTARY SCHOOL POETRY READINGS

Students from Leonardtown Elementary School provided poetry readings in honor of African American History Month.

BRAC UPDATE: SCHEDULE, COUNTY ACTIVITIES, PLANS

John Savich, Director of Economic and Community Development, presented a Base Realignment and Closure (BRAC) 2005 comprehensive overview. The presentation included the following main topics: BRAC timeline, final BRAC Criteria Military Value and Other Factors, Southern Maryland Navy Alliance Comments on Criteria, Critical Community Factors, Economic Impact, St. Mary's County 7 Point Plan, Progress to Date, State of Maryland Efforts, and Maryland Military Installation Strategic Planning Council.

In addition, Mr. Savich outlined how St. Mary's County can meet the needs of the Navy, how a more active role is critical, ways the county can communicate effectively to its citizens, as well as necessary communication efforts toward the state and federal government levels.

Discussion took place concerning the importance of this issue for the county, ways the county had previously determined and implemented preparation for BRAC, the important issues affecting the BRAC decision, how the Joint Strike Fighter team moving to the county will affect the area, and how the foreign military sales process has been improved upon. In addition, *Mr. Savich was directed to include (page 11 of report) things St. Mary's County has to offer, at the state level and beyond, and not to limit reports to the needs of the County only.*

SAVE THE VILLAGE, INC.

Present: Virginia Nolan, President
Reverend Frank A. Clinton, Member

Ms. Nolan and Reverend Clinton appeared before the Board of County Commissioners to provide an overview of the efforts instituted by citizens in the Save the Village, Inc., a non-profit organization, made up of local citizens that have committed themselves to saving the USO building located at 47450 Lincoln Avenue in the South Hampton area of Lexington Park. The purpose of preserving the building is directed toward providing a permanent African-American Museum in St. Mary's County. Historical background on the building was provided, and reasons for having such a facility in the County were outlined in detail.

Photographs and other related material regarding the USO building were presented to the Commissioners. An unofficial copy of a bill being introduced by Senator Dyson seeking funding in the amount of \$400,000 for this effort was provided. Regardless of whether or not funding is approved, several citizens have committed themselves to fundraising the monies necessary to

establish the African-American Museum. Commissioners were asked to provide assistance by expressing their support, by helping to save the building from demolition, and by considering bringing the building and grounds back up to standards.

Several Commissioners expressed their support for this effort, and agreed to stay in communication with Save the Village, Inc. regarding the tracking of the bond bill. *Staff was directed to research and determine if structural analysis was ever completed on the property. Copies of such analysis should be provided to Save the Village, Inc.*

Commissioner President McKay stepped out of the meeting and requested Commissioner Jarboe to temporarily step into the role of Acting President.

COUNTY ADMINISTRATOR

1. Draft Agendas for February 24, March 1, and March 2, 2004

Mr. Forrest was asked to provide details as to the location of the Groundbreaking Ceremony for Habitat for Humanity that is scheduled to occur on March 2nd.

Commissioner President McKay returned at this point and continued presiding over the meeting.

2. **Department of Economic and Community Development**

Present: John Savich, Director
Karen Everett, Business Development Manager

Mr. Savich outlined a request for a budget amendment to move funds out of out of the reserve for the BRAC marketing campaign, stating that the funding request of \$25,000 is an estimated cost, and the final cost may turn out to be lower than the full amount requested.

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign Budget Amendment transferring funds (\$25,000) in order to fund communications' activities for BRAC. Motion carried.

3. **Finance Department**

Present: Elaine Kramer, Director of Finance

a. **Commissioner Dement moved, seconded by Commissioner Raley, to approve and**

authorize the Commissioner President to sign Budget Amendment No. 2004-107 to transfer funds (recordation tax) in the amount of \$358,853 from the Purchase of Development Rights project to the Ag Preservation project. Motion carried.

- b. **Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign Budget Amendments No. 2004-108 through 2004-140) totaling \$1,296,391 transfer of funds from 33 capital projects to the reserve. Motion carried.**

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

Present: Elaine Kramer, Director of Finance
Dr. Patricia Richardson, Superintendent of Schools
Brad Clements, Chief Administrative Officer, St. Mary's County Public Schools

Commissioner Raley moved, seconded by Commissioner Dement, to approve and sign

Letter and to approve and authorize the Commissioner President to sign two Budget

Amendments (\$1,267,921) for the Board of Education for relocatable classrooms and the

Ridge Elementary School gym. Motion carried.

Donna Gebicke took the remaining meeting minutes as follows:

REC PLEX PROPOSAL: RECREATION AND PARKS DEPT. STAFF REPORT

Present: Phil Rollins, Director, Recreation and Parks Department
Arthur Shepherd, Recreation Division Manager

Discussion took place on the major comments and recommendations contained in Mr. Rollin's February 13, 2004, memo regarding the RecPlex proposal presented to the Commissioners on February 10.

- Recreation and Parks Department (R&P) staff are in agreement that there is a need for additional, indoor recreational facilities in the County and are fully supportive of private/public partnerships when mutually beneficial.
- Based on more than 10 years experience operating indoor sports leagues and programs at Leonard Hall, R&P staff are primarily concerned about the participation and revenue projections contained in the RecPlex Proposal-Option 1 (County provides land for RecPlex and leases the indoor sport court playing field and controls league revenue). These projections appear to be extremely optimistic. Staff's projections are considerably less -- after deducting staff and referee expenses, the net is projected to be \$78,000 or about \$20,000 less than needed to pay the proposed \$100,000 annual lease. Based on the County's current fiscal situation, R&P does not feel it is in the best position to assume such a financial risk. If R&P's operation of indoor sports programs at the RecPlex facility is expected to be self-supporting, staff has a serious concern and cannot support the proposal.

- If the Board decides to consider Option 1 further, R&P recommends that the RecPlex group or other sources of revenue be identified to “underwrite” potential revenue shortfalls. Another consideration is for the County to develop an RFP or a Request for

Expression of Interest (RFI) to give others the opportunity to submit similar proposals for such a facility. The County could also consider borrowing the funds and building the facility itself.

- Another viable option is the BMX track model at Chaptico Park. The County leases the land to the BMX group for a nominal fee, and the BMX group builds the track and operates it on their own.
- Regarding RecPlex Proposal - Option 2 (County subordinates land for RecPlex to be built and all operations handled by RecPlex): The County Attorney’s office advised R&P that the County cannot pledge its public property as security for a private loan as proposed in Option 2. (The building can be pledged, but the land can’t be subordinated).

Commissioner Raley moved, seconded by Commissioner Jarboe, to request that staff, with the clear input of the Recreation and Parks Board, develop a Request for Expression of Interest (RFI) that would delineate the County’s intentions regarding the expansion of indoor, recreational opportunities adjacent to the County Pool on Great Mills Road, and that responses to this RFI be actively solicited by staff, routed through the Recreation and Parks Board, and then presented to this Board for consideration. Motion carried.

ANIMAL WELFARE LEAGUE

Present: John Baggett, President

Mr. Baggett provided the Board with the history and accomplishments of the St. Mary’s Animal Welfare League (SMAWL). SMAWL is in the process of building a shelter for dogs and cats on six acres of land purchased from the Summerseat Sanctuary.

Mr. Baggett proposed a public/private partnership to help fund the building and operation of the shelter. Examples of possible County assistance included: renting an office for Animal Control Officers on the property; renting kennel space from SMAWL to house animals before transporting to Tri-County Animal Shelter; and establishing a temporary clinic in Leonardtown/Hollywood area to carry out a low cost immunization program. If SMAWL received a multi-year contract with the County for kennel rentals, then it would be possible for the organization to approach a bank for a loan.

Commissioner Jarboe moved, seconded by Commissioner Dement, to direct staff to work with Mr. Baggett and the Animal Welfare League to look at ways the County and SMAWL can work together. Motion carried.

COMMISSIONERS' TIME

Commissioner Jarboe

Need to have County funds released so that Advanced Life Support Unit equipment (Life Packs) outlined in Mike Barnett's letter of November 1 can be purchased. *(Staff will bring a request for funds to be released for the Board's consideration at its next meeting.)*

Commissioner Raley

Congratulations to newly installed officers and auxiliary members of 7th District Volunteer Fire Department and also to 5th District Rescue Squad Officers and Auxiliary. These volunteers provide a great service to our community.

State Highway Administration's Transportation Program for 2004-09 showed that the Hughesville Bypass is going to get done, and it also showed that \$5m was going to right of way acquisition and \$800,000 to engineering for Chancellor's Run -- which is sorely needed.

Commissioner Dement

Thanks to all the fire and rescue volunteers for their services to the community. Attended 7th District Installation of Officers. Congratulations to all the newly installed officers and auxiliary members. Congratulations to Mr. Woodburn, 7th District, for his 50 years of service.

Commissioner Mattingly

Attended 7th District Volunteer Fire Department Installation of Officers. Congratulations to them and also to Mechanicsville Rescue Squad. Apologize that I was unable to get to the Mechanicsville event.

Attended Soil Conservation District Annual Cooperators Dinner. They are very committed to the community, and as always, they did a very fine job.

Attended MACo meeting last week and brought back information for the Finance Department about some of the budget issues. They are still monitoring a number of bills up there and taking positions.

Attended reception for Phil Cooper. There was a nice turnout of County staff and agencies he has worked with over the years. Wish him the best in his future endeavors.

Attended a special talent show at Mother Catherine Spalding. All of the kids did a great job – especially my granddaughter, Lexi, who sang a solo. Best wishes to granddaughter Kalie who recently celebrated her 3rd birthday.

Commissioner McKay

Yesterday, Commissioner Jarboe and I attended the announcement of the Hughesville Bypass project. This is a very critical transportation improvement piece that will benefit St. Mary's County tremendously. The bypass will be on the south side of Hughesville. Route 5 will be re-routed to the right of Hughesville. There will be an overpass over Rt. 231 that will come back out at Route 235, just north of Hughesville. This is part of the \$320m announcement for transportation funding needs, which is also part of bringing highway user revenues back to St. Mary's County.

The County's Procurement Policy Review Committee will hold a meeting on Wednesday, February 25, 2004, beginning at 5:30 p.m., in Room 14 of the Governmental Center, to hear public comment on how to increase the opportunity for vendors to do business with County Government. Discussion will include incentives for small, disadvantaged, minority-owned, women-owned, and/or local businesses. The Committee is interested in ideas that will encourage participation in County procurements.

On Friday, February 20, 2004, at 1:30 p.m., the public is invited to the Olde Breton Inn. The Commissioners will be discussing citizen issues as a follow on to regular meeting of the County's local National Association of Retired Federal Employees (NARFE) chapter.

EXECUTIVE SESSION

Commissioner Dement moved, seconded by Commissioner Raley, to meet in Executive Session to discuss matters of Litigation and Property Acquisition, as provided for in Articles 24, Sections 4-210(a)8 and 4-210(a)11, respectively. Motion carried.

Litigation

Present: Commissioner President Thomas F. McKay
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly
Commissioner Daniel H. Raley
George Forrest, County Administrator
Denis Canavan, Director, Land Use and Growth Management
Heidi Dudderar, Assistant County Attorney
Donna Gebicke, Recorder

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

Time Held: 1:45 – 2:47 p.m.

Action Taken: The Commissioners discussed litigation matters.

Property Acquisition

Present: Commissioner President Thomas F. McKay
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly
George Forrest, County Administrator
John Savich, Director, Department of Economic and Community

Development
Robin Finnacom, Director, Lexington Park Plan
Donna Gebicke, Recorder

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

Time Held: 2:51-3:44 p.m.

Action Taken: The Commissioners discussed property acquisition matters.

ACTION FROM EXECUTIVE SESSION

Commissioner Jarboe moved, seconded by Commissioner Raley, to authorize staff to proceed as directed in Executive Session. Commissioner Mattingly voted no. Commissioner Dement was absent. Motion carried 3-1.

Minutes Approved by the
Board of County Commissioners on _____

Kate Mauck, Senior Administrative Coordinator
to the Board of County Commissioners