

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
GOVERNMENTAL CENTER
Tuesday, March 9, 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)

CALL TO ORDER

The meeting was called to order at 9:08 a.m.

APPROVAL OF CHECK REGISTER

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

NAVAIR MISSION: VICE ADMIRAL WALTER MASSENBURG

Present: Vice Admiral Walter Massenburg, Commander, Naval Air Systems Command

Vice Admiral Massenburg briefed the Commissioners on the vision and goals of Naval Air Systems Command (NAVAIR). The mission of NAVAIR is to produce a cost wise readiness to provide a dominant maritime combat power and to make a great Navy-Marine partnership better. The following goals were outlined:

- To balance current and future readiness;
- To reduce the cost of business;
- To improve agility;
- To enhance alignment; and
- To be driven only by fleet-driven metrics.

Commissioners and Admiral Massenburg agreed that it is imperative for the County and NAVAIR to work closely together. The ongoing need for the attraction of talented personnel to St. Mary's County, in order to provide the best workforce available, was discussed. A brief synopsis of NAVAIR was provided for the viewing audience, and information related to the County's Seven-Point Plan was discussed in detail.

FINE ARTS MONTH: HOPKINS SCHOLARSHIP WINNERS

Present: Dr. Patricia Richardson, Superintendent, St. Mary's County Public Schools

Lynne Morgan, Supervisor of Instruction of Fine Arts

Joe Mitchell, Board of Directors, Board of Directors, George Cragg Hopkins, Jr.

Arts Endowment, Inc.

Visual Arts students from Chopticon High School, Great Mills High School, and Leonardtown High School were honored for having been selected to receive the George Cragg Hopkins, Jr. Arts Endowment Scholarship Award, in order to continue their education in the field of visual arts. The four winners presented select pieces of artwork that illustrated their outstanding artistic abilities. Commendations were presented by the Board of County Commissioners.

DISABILITY AWARENESS MONTH – SOUTHERN MARYLAND WORKS

Present: Libby Rankin, Disability Program Navigator
David Vollmer, President, Board of Directors
Jan-Costinett, Board Member
Carol Drury, Department of Rehabilitative Services
Harriet Yaffe, Director, ARC of Southern Maryland
Robbie Loker, Department of Social Services
Marie Cooke, Kennedy Institute, Positive Alternatives Program
Pat Tyson, Program Manager, Positive Alternatives Program

Commissioners presented a proclamation in honor of Disability Awareness Month to Southern Maryland Works for their outstanding efforts on behalf of individuals with disabilities.

In addition, Arthur Shepherd, Vice Chairman, Commission on People with Disabilities, announced an Awareness Day 2004 event called “High Hopes for Everyone”. The event will be held on March 27, 2004, from 1:00 to 4:00 p.m. at Miedzinski Park at the Leonard Hall Recreation Center.

RETIREMENT – DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Present: Jimmy H. Adkins, Retiree
Rick Tarr, Manager, Solid Waste and Recycling

Mr. Jimmy Adkins was presented with a proclamation and a lighthouse/seal plaque in honor of his retirement as a Landfill Operator as of March 1, 2004.

PRESENTATION

Present: Kathleen Reif, Library Director
Joan Marsh, President, Library Board
Janice Hummel, Lexington Park Branch Manager
Margaret Thaler, Charlotte Hall Branch Manager
Mary Lee Russell, Leonardtown Branch Manager

New hours of operation at the Lexington Park Library were announced. The hours will fall in line with the hours of operation conducted at each of the library branches throughout the County. The expanded service at the Lexington Park Library is to be provided utilizing current staff resources.

In addition, Commissioners were presented with a copy of *Library Journal* magazine, which featured a photograph of the interior of the Lexington Park Library. A proclamation was presented to the Commissioners, and it was announced that the possibility of the opening of the long-anticipated coffee bar was hoped for in the near future.

**DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT:
BRAC UPDATE**

Present: John Savich, Director, Economic and Community Development
 Karen Everett, Business Development

Mr. Savich provided Commissioners with a monthly update regarding the Base Realignment and Closure process. Main topics included the call for preliminary data, work done on the State Military Installation Strategic Planning Council, the expected delay in the arrival of the Joint Strike Fighter program, and the groundbreaking for hanger renovation which is scheduled for March 22nd, 2004.

COUNTY ADMINISTRATOR

1. Draft Agendas for March 11, March 15, March 16, March 22, and March 23, 2004

2. **Sheriff's Department**

Present: Sheriff David Zylak
Erin Gass, Fiscal Manager

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign Budget Amendment (\$119,000) to realign the Detention Center accounts to reflect the projected end of the year needs. Motion carried.

3. **Office of Community Services**

Present: Cynthia Brown, Director
Walter Biscoe, Grant Coordinator
Sheriff David Zylak
Richard Fritz, States Attorney
Captain Michael Spaulding, Commander Maryland State Police,
Leonardtown Barrack

Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign Grant Documents for the Collaborative Supervision and Focused Enforcement (C-SAFE) Program formally "HOTSPOTS". Motion carried.

4. **Human Resources Department and Department of Information Technology**

Present: Randy Schultz, Director, Human Resources
Bob Kelly, Director, Information Technology
Tara Klotz, Deputy Director, Human Resources

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize the Director of Human Resources to place the two incumbent Library Archive employees into the newly created County positions, assigning them at a step appropriate to their current Library rate of pay. Motion carried.

Commissioner Mattingly moved, seconded by Commissioner Dement, to create the following positions in the Department of Information Technology, effective March 8, 2004: Full Time Archives Manager at Grade 6 and Regular Part Time Archives Assistant at Grade 2. Motion carried.

5. **Office on Aging**

Present: Gene Carter, Director

The Office on Aging requested direction from the Board of County Commissioners on the hiring of a full time nurse for the Weisman Medical Adult Day Center. The full time position would replace two part time positions.

Commissioner Dement moved, seconded by Commissioner Jarboe, to move forward to approve the hiring of one full time nurse for the Weisman Medical Adult Day Center. Motion carried.

6. Real Property Manager

Present: Joyce Malone

Regarding Maryland Transit Administration (MTA) Park and Ride - Ms. Malone was directed check to see if there will be any future costs to the County and to report back to Commissioners on this issue.

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Development Review Form Application, in order to proceed with Technical Evaluation Committee Review of MTA Park & Ride. Motion carried.

7. Department of Public Works and Transportation

Present: George Erichsen, Director

- a. Public Works Agreement for Wildewood Subdivision, Misty Pond, Phase 1. *Located in the 3rd Election District with an expiration date of January 1, 2005. A letter of credit has been provided by The First National Bank of St. Mary's in the amount of \$90,600. The road included in this agreement is: Wildewood Parkway (694') and a Tie-In at Wildewood Parkway between Stations 137+20 to Station 137+55.90.*
- b. Public Works Agreement for Wildewood Subdivision, Misty Pond, Phase 1. *Located in the 3rd Election District with an expiration date of January 1, 2005. A letter of credit has been provided by The First National Bank of St. Mary's in the amount of \$90,500. The road included in this agreement is: Misty Pond Court (437').*
- c. Public Works Agreement for The Woods at Myrtle Point Subdivision. *Located in the 8th Election District with an expiration date of January 1, 2005. A bond has been provided by the Lexon Insurance Company in the amount of \$738,300. The roads included in this agreement are: Placid Hill Road (632'), Placid Hill Place (144'), Woodhaven Drive (1,435'), and Quiet Oak Court (201').*

Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign Public Works Agreements a through c. Motion carried.

- d. Public Works Agreement Addendum for Wildewood Subdivision, Pepper Ridge Section 3. *Located in the 3rd Election District with an expiration date of February 1, 2005. The letter of credit provided by the First National Bank of St. Mary's in the amount of \$97,000 remains as posted based on the Department's inspection report dated January 9, 2004. The Public Works Agreement and Letter of Credit in the amount of \$173,200 were originally issued on March 1, 2000. The roads included in this agreement are: Sassafras Drive (909') and Cypress Drive (771').*
- e. Public Works Agreement Addendum for Wildewood Subdivision, Willow Creek, Section 1. *Located in the 3rd Election District with an expiration date of March 1, 2005. The letter of credit provided by The First National Bank of St. Mary's in the amount of \$89,000 remains as posted based on the Department's inspection report dated January 12, 2004. The Public Works Agreement and Letter of Credit*

in the amount of \$89,000 were originally issued on April 14, 2003. The roads included in this agreement are: Willow Creek Road (393') and Willow Creek Court (217').

- f. Public Works Agreement Addendum for Forrest Farm Subdivision, Section 3, Phases 3 and 4. *Located in the 3rd Election District with an expiration date of March 1, 2005. The letter of credit provided by The First National Bank of St. Mary's in the amount of \$435,000 remains as posted based on the Department's inspection report dated February 4, 2004. The Public Works Agreement and Letter of Credit in the amount of \$435,000 were originally issued on April 23, 2003. The roads included in this agreement are: Pembroke Drive (2,640'), Clifford Court (610'), and Chandler Court (1,614').*

Commissioners raised questions regarding item #f, Forrest Farm Subdivision – Brown Road. Mr. Erichsen provided information and documentation dated February 23, 2004 that outlined the course of action that was recently agreed upon.

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign Public Works Agreement Addendum items d through f. Motion carried.

8. County Attorney's Office

Present: John Norris, III, County Attorney

Commissioner Jarboe moved, seconded by Commissioner Raley, to ratify Settlement Agreement No. 18-C-02-1000. Motion carried.

The following meeting minutes were transcribed by Donna Gebicke:

PROPOSED AMENDMENTS TO COMPREHENSIVE ZONING ORDINANCE CHAPTERS 20, 60, AND 70 – DECISION

Present: Denis Canavan, Director, Land Use and Growth Management

The Board of County Commissioners held a public hearing on February 24, 2004, to consider amendments to the St. Mary's County Comprehensive Zoning Ordinance, regarding Chapters 20, 60, and 70. The purpose of the proposed amendments is to improve the review process for major subdivisions and major site plans as it relates to the determination of adequate public facilities and that the determination of compliance is at preliminary subdivision plan approval or at final site plan approval if the property is not subject to subdivision regulations. The record was kept open for written comments for 10 days following the public hearing. No comments were received during the open record period.

Commissioner Raley moved, seconded by Commissioner Dement, to approve and sign the proposed Ordinance amending Chapters 20, 60, and 70 of the St. Mary's County Comprehensive Zoning Ordinance. Motion carried.

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' meeting of Tuesday, March 2, 2004, as amended. Motion carried.

PROPOSED ADOPTION OF SOUTHERN MARYLAND HERITAGE TOURISM MANAGEMENT PLAN: DECISION

Present: Jeffrey Jackman, Senior Planner
 Carolyn Laray, Tourism Manager
 John B. Norris, III, County Attorney

Mr. Jackman noted for the record that a public hearing was held by the Board of County Commissioners on December 9, 2003, and that the record period was left open for 10 days. No comments were received during that period. The purpose of the public hearing was to consider a proposal to incorporate by reference into the Comprehensive Plan a sub-plan of the Southern Maryland Heritage Area Plan, entitled the Heritage Tourism Management Plan." Included in the proposed management plan are designations of "target investment zones" and recommended projects and actions to implement the plan.

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to sign the Ordinance adopting the "Southern Maryland Heritage Area Heritage Tourism Management Plan" as an amendment to the St. Mary's County Comprehensive Plan. Motion carried 4-1. Commissioner Raley voted no and stated his belief that Point Lookout should have been designated as a targeted investment zone.

COMMISSIONERS' TIME

Commissioner Jarboe

Attended 4H Awards Banquet. As a former member of 4H many years ago, it was very gratifying to see how 4H has grown over the last 40 years. The event was very well-attended. Real proud of all the young people who have stayed involved with their "hands, head, heart and health,"

committing it to St. Mary's County. Thanks not only to the young people who have been involved, but to the parents for helping them out with the projects and guiding them on the right path. 4H is a great program and I'm glad to see that it has grown over the years and continues to prosper.

Commissioner Mattingly

Attended the 4H Awards Banquet for the 5th year in a row. It was a privilege for me because over the last five years I've seen kids that have grown up and actually gone out of the program and now they are in college and coming back to help as leaders within 4H. They have done a great job. I did encourage some of the kids to make application to Tri County Council for tobacco restitution funds to help support some of the grass roots work that we need to do with the children.

Attended MALF meeting in Annapolis. There was a fair amount of consensus that before new programs are developed that may have limitations on who can qualify and participate that adequate funding be sought for the existing programs and to try at some point (as they become available), to get some of the funds back that have been reduced from those programs over the last couple of years because of budgetary issues.

Celebrated grandson Cameron's birthday over the weekend.

Commissioner Raley

We have been very concerned about the traffic congestion on Great Mills Road and Rt. 5 and have been working with the state on this issue. Back in December, Delegate Bohanan talked to the state about trying to help out with the congestion. The state agreed at that time to extend and change the striping pattern on the shoulder of Rt. 5 as you are heading north where you have the turn lane to go into Great Mills Road. I'm happy to report that they have done so, and that the cars that are backed up on Rt. 5 that want to turn to go on to Great Mills Road can now do so legally and won't get a ticket by riding on the shoulder. It has been extended all the way back to Bay Ridge subdivision.

Thanks to George Erichsen. Once again, he saw the clear desire of the Board -- to take care of the grass situation at Lexington Park Library.

From time to time we get notice about sewage sludge utilization permit applications. As a Board we have to write a letter as to whether or not we would request that there be a public hearing. Usually, we just write the letter if there does not appear to be a controversy. In the future, if we have applications in the development district, I will request a public hearing as a matter of due course.

Commissioner McKay

Public Forum will be held tonight at 6:30, Mechanicsville Volunteer Fire Department. The public is invited to come and speak on any topic.

Historic Preservation Awards nominees are sought by the St. Mary's County Historic Preservation Commission in two categories: preservation project award and preservation service award. Individuals, businesses and organizations are all eligible for the awards. If you would like to make a nomination, please contact the Department of Land Use and Growth Management. Applications are also available at the County libraries.

The remaining meeting minutes were transcribed by Kate Mauck as follows:

PUBLIC FORUM – MECHANICSVILLE VOLUNTEER FIRE DEPARTMENT

The Public Forum commenced at 6:48 p.m., with the following individuals speaking:

Mr. Coleman Hillman, Country Lakes, Mechanicsville – Expressed thanks for the excellent bus service that has been provided in the northern portion of St. Mary's County. Expressed concern over how narrow Mechanicsville Road is, and outlined a near-miss head-on collision on that road, having to do with a truck and a horse and buggy. Asked that additional lanes or extra birms be placed on the road in order to provide for safety of those traveling.

Mr. Canavan and Mr. Forrest responded to Mr. Hillman, stating that the CIP would need to be checked into regarding Mechanicsville Road. There was some discussion regarding a FEMA grant that was applied for in the area that floods.

Mr. Jimmy Coontz, Member, Lexington Manor Survival Team – thanked Commissioners for looking out for those in low income housing. Explained health problems that forced him into a fixed income situation, which drove the need for low income housing. Asked that the people who are relocated have a nice place to live.

Mr. Bubby Norris, President, St. Mary's County Farm Bureau – Submitted proposals to the Budget Forum in January and has not heard from anyone yet. Regarding TDR's – feels that this is a good way to save money and land in the County, and expressed concern that the process is too restrictive and costly for landowners to pursue. Outlined information about Calvert County's TDR program and suggested that St. Mary's County should do it the same way.

Mr. Canavan addressed Mr. Norris' concerns and responded to questions from Commissioners regarding the TDR program. He outlined the process for determination of the number of TDR's per property, and stated that the Department of Land Use and Growth Management is always ready to assist landowners with a complete explanation of the process, as well as the calculation of TDR's. Suggested a full evaluation of the TDR program occur over a one-year period in order to correctly determine if the process needs to be changed in any way.

ADJOURNMENT

The meeting adjourned at 7:25 p.m.

Minutes Approved by the
Board of County Commissioners on _____

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