

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
GOVERNMENTAL CENTER  
Tuesday, March 29, 2005**

**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  
Kate Mauck, Senior Administrative Coordinator (Recorder)

*Kate Mauck recorded the following minutes:*

**CALL TO ORDER**

The meeting was called to order at 9:12 a.m.

***APPROVAL OF CHECK REGISTER***

**Commissioner Mattingly moved, seconded by Commissioner Raley, to authorize the Commissioner President to sign the Check Register. Commissioner Jarboe abstained from the vote; all others voted in favor of the motion. Motion carried, 4-0.**

**APPROVAL OF MINUTES**

**Commissioner Mattingly moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' meeting of Monday, March 21, 2005. Motion carried, 5-0.**

**Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve the minutes of the Commissioners' meeting of Tuesday, March 22, 2005. Motion carried, 5-0.**

***PROCLAMATIONS***

The Board of County Commissioners presented the following Proclamations:

- 17<sup>th</sup> Annual Potomac Watershed Cleanup Day
- St. Mary's Soil Conservation District Cooperator of the Year Award to Mr. Richard Knott

**DEPARTMENT OF RECREATION, PARKS, AND COMMUNITY SERVICES:  
PRESENTATION OF MARYLAND PACESETTERS AWARD FOR COUNTY  
EMPLOYEES MEETING SUSTAINED SEATBELT USE RATE FOR 2004**

The Department of Recreation, Parks, and Community Services, accompanied by representatives of the Maryland State Police, Department of Natural Resources Police, the Department of Defense Police, and the St. Mary's County Sheriff's Department, presented the Maryland Pacesetters Award for County Employees Meeting Sustained Seatbelt Use Rate for 2004.

**PUBLIC SAFETY DEPARTMENT: BRIEFING ON PURCHASE OF HAZMAT  
IDENTIFICATION UNITS AND PRESENTATION OF UNITS TO CALVERT  
COUNTY AND NAVAL AIR STATION**

Present: Patrick Walsh, Director, Department of Public Safety  
Captain Zachary Henry, NAS Base Commanding Officer  
Edward Stillwell, Regional Fire Chief, Naval District Washington  
George Kennett, Fire Chief, Naval District Washington South  
Captain Michael Spaulding, Southern MD Regional Commander, MD  
State Police  
Lt. Brian Cedar, Leonardtown Barrack Commander, MD State Police  
Mr. Bobby Fenwick, Emergency Management Director, Calvert County  
Mr. Timothy Bennett, St. Mary's County Emergency Planner

The Department of Public Safety, along with the Maryland State Police, presented a briefing and provided a demonstration on Hazmat Identification Units. St. Mary's County currently owns one unit, and units were presented to Calvert County and the Naval Air Station for use in identification of hazardous materials.

**COUNTY ADMINISTRATOR**

1. Draft Agendas for April 5 and April 12, 2005
2. **Wildewood Residential, LLC**

Present: Larry Day, Daytech Engineering  
John B. Norris, III, County Attorney  
Joyce Malone, Real Property Manager

*The Board of County Commissioners directed that the matter of a request to sign a Temporary Easement Agreement which would allow crossing of the County's*

*Railroad Right-of-Way would be moved to next week's agenda, to be included as part of the discussion on the Draft Transportation Plan. Additionally, Commissioners directed that the Departments of Public Works & Transportation and Land Use & Growth Management should be present at that discussion in order to provide input and a full perspective regarding the lack of a connection*

*from the Wildewood community directly onto FDR Boulevard. It was determined that the County would need to determine what the role of FDR Boulevard will take as part of the County's Master Plan in order to determine if this particular request will fit into the Plan.*

**3. Walden/Sierra, Inc., Marcey House, Department of Recreation, Parks, & Community Services**

Present: Dr. Kathleen O'Brien, Executive Director/CEO, Walden/Sierra, Inc.  
Larry Harvey, Director, Marcey House  
Cynthia Brown, Community Services Manager, RP&CS  
Walt Biscoe, Prevention Coordinator, RP&CS

**Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign grant renewal documents for submission to Department of Mental Health and Hygiene/Drug Abuse Administration for FY2006. Motion carried, 5-0.**

**4. Real Property Manager and County Attorney**

Present: Joyce Malone, Real Property Manager  
John B. Norris, III, County Attorney  
John Savich, Director, Department of Economic & Community Development

**Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the County Administrator to sign the Clearinghouse Response for the Draft Environmental Assessment of the Bloodsworth Island Range indicating that the Draft Environmental Assessment is consistent with our local plans, programs, and objectives (Block "C5"). Motion carried, 5-0.**

**5. Department of Recreation, Parks, and Community Services**

Present: Arthur Shepherd, Recreation Division Manger  
Christina Bishop, Therapeutic Recreation Specialist

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign Department of Mental Health and Hygiene Grant Application/Agreement for assistance in funding the New Horizons Summer Camp for children with disabilities. Motion carried, 5-0.**

**6. Finance Department**

Present: Elaine Kramer, Chief Financial Officer

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Certification of Mutual Agreement form for St. Mary's County Public Schools, and approve and sign accompanying letter to the Maryland State Department of Education. Motion carried, 5-0.**

**7. Office of the County Attorney**

Present: John B. Norris, III

**Commissioner Dement moved, seconded by Commissioner Mattingly, to authorize the Reclassification of the Assistant County Attorney position to a Deputy County Attorney Position, effective January 1, 2005; and approve and authorize the Commissioner President to sign Contract with the Deputy County Attorney and related Budget Amendment in the amount of \$8,608. Motion carried, 5-0.**

**8. Department of Public Works and Transportation**

Present: George Erichsen, Director

- a. **Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and sign Resolution accepting Loblolly Court, County Route 31409, into the County's Highway Maintenance System, and approve and sign accompanying Resolutions for the posting of a 25-mph speed limit and stop sign for said road. Commissioner Dement abstained from the vote; all others voted in favor of the motion. Motion carried, 4-0.**
- b. **Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Budget Amendment in the amount of \$25,000 to cover State-required groundwater sampling and gas monitoring through June 30, 2005 for the St. Andrews Landfill, Clements Landfill, and four County office building alarms associated with monitoring requirements. Motion carried, 5-0.**
- c. **Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Budget Amendment in the amount of \$28,000 for the Solid Waste Division in order to cover anticipated salaries and fringe benefits for the remainder of FY05. Motion carried, 5-0.**
- d. **Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Budget Amendment in the amount of \$653,143 to realign funding for the Lexington Park/Tulagi Place**

**(HW0107) and Tulagi Place Master Plan (HW0504) Projects. Motion carried, 5-0.**

**9. Boards, Committees, and Commissions**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and sign letters of appointment for the following Board, Committee, and Commission members. Motion carried, 5-0.**

Human Relations Commission

Terms To Expire

Joseph Bush	6/30/2005
Joyce Dyson	6/30/2005
Drew Hardgrove	6/30/2007
Pam Oravec	6/30/2007

Zoning Board of Appeals

Gertrude V. Scriber, 1st Alternate	12/31/2006
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**10. Office of the County Attorney**

Present: John B. Norris, III

Upon advice from the County Administrator and the County Attorney, it was determined that the matter of Settlement Agreement in Civil Action WMN 99-CV-3302 should be removed from discussion in the open meeting, and should be taken into Executive Session.

**VOTE TO GO INTO EXECUTIVE SESSION AT THE CONCLUSION OF  
COUNTY COMMISSIONER TIME**

**Commissioner Raley moved, seconded by Commissioner Mattingly, for the Board of County Commissioners to meet in Executive Session in order to discuss a matter of Litigation, as provided for in Article 24, Section 4-210(a)8.**

**Commissioner Jarboe abstained from the vote; all others voted in favor of the motion. Motion carried, 4-0.**

**APPROVAL OF THE RECOMMENDED BUDGET FOR FY2006 TO TAKE TO  
PUBLIC HEARING**

After final review of the Recommended Budget for FY2006, it was determined that the budget was ready to take to Public Hearing for public input on April 26<sup>th</sup> at 6:30 p.m. at Great Mills High School.

*Commissioner Raley asked for staff to provide information to be provided by staff on the forward funding process, i.e., once forward funding occurs, the state reimburses the County; however, the County is placed on a waiting list for reimbursement.*

***Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the Recommended Budget for FY2006 to take to Public Hearing. The amounts by fund are as indicated in the Summary (page 1 in the packet). Details of the operating budget revenues and expenditures are included in the package provided. The Capital Program is consistent with our work session of March 25<sup>th</sup>, summarized in the schedule in the packet, and which the Planning Commission recommended, at their meeting of March 28<sup>th</sup>, 2005. The tax rates in effect are: Income Tax -3.05% and Property Tax -\$.878 per \$100 of assessed value. The recommended budget package taken to public hearing shall also include the requested increased rate by the Bay District Fire Department, which would set their Fire Tax Rate at \$.05 per \$100 of assessment (currently \$.044). The Public Hearing date for the Recommended Budget for FY2006 is set for April 26<sup>th</sup> at 6:30 p.m., to be held at Great Mills High School. Motion carried, 5-0.***

## **COLLEGE OF SOUTHERN MARYLAND: STATE OF THE COLLEGE REPORT**

Present: Dr. Elaine Ryan  
Joe Shannon, Board Chair  
Jaime Raley, Board Member

Representatives from the College of Southern Maryland presented their State of the College Report for the calendar year 2004. A Strategic Plan for 2005-2008 was presented for the record.

### **COMMISSIONERS' TIME**

#### **Commissioner Jarboe**

No comments at this time.

#### **Commissioner Dement**

Expressed congratulations to the Reverend Joe and Mrs. Eva Statesman upon the event of their 50<sup>th</sup> wedding anniversary. Reported that he presented a Proclamation on behalf of the Board of County Commissioners.

Reported that he presented a Commendation last week on behalf of the Board of County Commissioners to Pastor Roderick McClanahan, in honor of his 15<sup>th</sup> Pastoral Anniversary as pastor of the First Missionary Baptist Church.

Reported that he stopped by the Annual Easter Festival on the grounds of the Governmental Center this past Saturday. The Department of Recreation, Parks, and

Community Services sponsored the event, and there was a large turnout, considering the weather situation.

Attended the Maryland Day Celebrations that were held at the St. Clement's Island Museum on Friday and Historic St. Mary's City on Saturday. Expressed congratulations to Congressman Hoyer, who was the recipient of the Cross Bottony award, and stated that the keynote speaker was very good.

### **Commissioner Mattingly**

Attended Piney Point Lighthouse Bond Bill hearing on March 19<sup>th</sup>, where Carolyn Laray, as well as other individuals, handled a presentation on the Charlotte Hall Visitor's Center. Presentations were also made that same day on the museum, Sotterley Plantation, and the gravesite that is located at the Naval Air Station.

Expressed congratulations to Fox Goldsborough, who is a recent retiree from years of service with SMECO. Also presented a Proclamation on behalf of the Board of County Commissioners.

Reported that he attended the Foster Care Parent Appreciation event at Chancellor's Run yesterday. Expressed appreciation for the parents that help with this important program.

Commended staff for doing a nice job on the Easter Festival event on Saturday. Reported that many volunteers assisted with the event, as well as county staff, and they are all to be thanked.

### **Commissioner Raley**

Expressed congratulations to the people at St. Clement's Island, including the staff and many volunteers, for the outstanding celebration held there on Friday, and also the St. Mary's City Maryland Day event held on Saturday. Both were held in honor of Maryland Day.

Attended the St. Mary's Ryken 2005 Spring Gala honoring "Pillars of the Community" on March 19<sup>th</sup>. This year the following individuals were honored: Mr. & Mrs. James M. Banagan, Mr. Walter R. Blair, Jr., Mr. George Forrest, Mrs. Loretta Norris, Mrs. Beth McCoy, Mr. Robert Lee Miles, and Dr. John Roache. It was a very nice affair, and an auction was held afterwards. Commissioner Raley thanked Commissioners Mattingly and McKay for helping with that auction, as well as several others who volunteered their time and funds.

Announced that the opening night for the Newtowne Players will be on April 1<sup>st</sup> at 8:00 p.m. Encouraged citizens to attend the event, and to visit some of the fine restaurants in the area prior to the show.

### **Commissioner President McKay**

Expressed congratulations and thanks to staff, Board of Trustees, St. Clement's Island Museum employees, and many others that worked hard and volunteered many hours of their time to make the Maryland Day Celebration a big success and a wonderful event. The Board of Trustees and the many volunteers that give their time every day of the week were thanked for their service and help in making the museums in the county a success.

*Donna Gebicke recorded the following minutes:*

## **EXECUTIVE SESSION**

### **Litigation**

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

Authority: Article 24, Section 4-210(a)8  
Time Held: 12:30 – 1:15 pm  
Action Taken: The Commissioners discussed litigation matter.

### **ADJOURNMENT**

The meeting adjourned at 1:15 p.m.

Minutes Approved by the Board of County Commissioners on \_\_\_\_\_

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Kate Mauck, Senior Administrative Coordinator