

**ST. MARYS COUNTY  
BOARD OF COUNTY COMMISSIONERS MEETING  
GOVERNMENTAL CENTER  
Tuesday, April 1, 2008**

**Present:** Commissioner President Francis Jack Russell  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
John Savich, County Administrator  
Betty Jean Pasko, Sr. Administrative Coordinator (Recorder)

**AM EVENTS:**

The Board of County Commissioners met with James A. Adkins, Secretary, Maryland Department of Veterans Affairs at the Southern MD Higher Education Center at 9:00 am for an informal discussion of veterans affairs. Secretary Adkins updated the Board on new initiatives and project plans that are pending budget and legislative action and introduced Constance Walker and Gary Knight, newly-appointed members of the MD Veterans Commission from Southern Maryland, and Nick Graziano, Director of the Maryland Department of Veterans Affairs Veterans Home Program. The meeting was open to the public.

The Commissioners attended the Naval Air Station Patuxent Rivers 65<sup>th</sup> birthday celebration at the Frank Knox Employee Development Center at 11:00 am.

**CALL TO ORDER**

Commissioner President Russell called the meeting to order at 1:30 pm in Room 14 of the Governmental Center.

**APPROVAL OF CHECK REGISTER**

**Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register for checks dated April 1, 2008, as submitted. Motion carried 5-0.**

**APPROVAL OF MINUTES**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners meeting of March 25, 2008, as presented. Motion carried 5-0.**

## **PROCLAMATION: SEXUAL ASSAULT AWARENESS MONTH**

Yevenonnie Lowe and Gary Lynch, of Walden/Sierra, Inc., accepted a proclamation in observance of Sexual Assault Awareness Month.

### **COUNTY ADMINSTRATOR**

1. Draft Agendas for April 8 and 15, 2008
2. **Office of the Sheriff** (*Lt. Edward Willenborg; Erin Shoemaker, Fiscal Mgr.*)

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Collaborative Supervision and Focused Enforcement (CSAFE) grant application in the total amount of \$31,000. Motion carried 5-0.**

3. **Dept. of Finance** (*Elaine Kramer, CFO*)

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and sign Resolution 2008-13 authorizing exempt financing up to \$3.3 million, for the FY2008 vehicles and equipment and the FY2009 vehicles new and replacement, as reflected in the attached schedules; and to authorize the Commissioner President, County Administrator, and Chief Financial Officer to execute the agreements necessary to implement the exempt financing, as needed. Motion carried 5-0.**

4. **Dept. of Recreation, Parks, and Community Services** (*Kelsey Bush, Youth Coordinator, Community Services Div.; Joe Stanolonis, States Attorneys Office*)

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President Russell to sign the Budget Amendment establishing budget authority for donated funding, in the amount of \$700, from SMECO for Project Graduation. Motion carried 5-0.**

5. **Dept. of Public Works and Transportation** (*Richard Tarr, Solid Waste Mgr.; Mary Ann Chasen, Executive Dir., Christmas in April Program for St. Marys County*)

**Commissioner Jarboe moved, seconded by Commissioner Dement, to sign the Resolution waiving landfill fees for 2008 Christmas in April projects in St. Marys County. Motion carried 5-0.**

6. **Dept. of Land Use & Growth Mgmt.** (*Teresa Wilson, Historic Preservation Planner;*  
*Jeff Jackman, Sr. Planner*)

**Commissioner Mattingly moved, seconded by Commission Jarboe, to approve and authorize Commissioner President Russell to sign the Matching Funds Certification and to sign the approval letter authorizing Teresa Wilson, Historic Preservation Planner, to submit the electronic grant application form for the Byway Manager Implementation Grant to the Maryland Highway Administration.**

*Both Commissioners Mattingly and Jarboe indicated the motion was made for discussion purposes.*

*Discussion included the potential for the Byway Manager to become a full-time equivalent employee (FTE), similar current signage in the County, and whether this project might fit with the Tri-County Councils roles and responsibilities.*

**Motion failed 2-3.** Commissioners Dement, Raley, and Jarboe voted no.

7. **Dept. of Public Safety** (*Michelle Lilly, Manager, Emergency Mgmt. Div.*)

**Commissioner Jarboe moved, seconded by Commissioner Raley, to approve the Director of Public Safety to outline a Memorandum of Understanding with the Mechanicsville Volunteer Fire Department that will specify the terms of agreement for accepting the Assistance to Firefighters Grant Program application award, if awarded, for the radios on the replacement schedule. Motion carried 5-0.**

8. **St. Marys County Public Schools** (*Daniel Carney, CFO; Theo Cramer, Director of Academic Support*)

**Commissioner Raley moved, seconded by Commissioner Dement, to approve the Board of Educations request to increase their FY2008 Restricted Funds budget by \$11,516 to add the new Maryland School Recognition Program Grants, pursuant to the Board of Educations action taken on March 12, 2008, and to authorize signing the related letter evidencing this action. Motion carried 5-0.**

**Commissioner Raley moved, seconded by Commissioner Jarboe, to defer action until next week on the Board of Educations request for the addition of an FTE position to the current Department of Social Services Training and Support Activities revolving fund. Motion carried 5-0.**

## **APPROVAL OF ELIGIBILITY LISTS FOR FIRE/RESCUE LENGTH OF SERVICE AWARDS PROGRAM**

Present: Sue Sabo, HR Director

Karen Gates, Sr. HR Specialist

Ms. Sabo and Ms. Gates presented eligibility lists for the St. Marys County Fire, Rescue Squads, and Advanced Life Support Departments for those who qualified for the Length of Service Awards Program (LOSAP) service credit in 2007.

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and sign each of the annual Length of Service (LOSAP) Eligibility lists as presented today by Human Resources staff. Motion carried 3-0, with 2 abstentions (Commissioners Mattingly and Raley).**

## **COMMISSIONERS TIME**

The Commissioners highlighted events attended over the past week and personal interest items.

Commissioner Jarboe requested that a Consent Letter be prepared for the Commissioners signatures to authorize the Fair Board to move forward with the permit (electric and plumbing) process to add kitchen facilities to the new Auditorium building at the Fairgrounds, as requested by Mr. John Richards, President, St. Marys County Fair Association, Inc.

**Commissioner Jarboe moved, seconded by Commissioner Dement, to draft and sign a letter of support for the Fair Association to move forward with the permit process. Motion carried 5-0.**

## **MOTION TO ENTER INTO EXECUTIVE SESSION**

**Commissioner Raley moved, seconded by Commissioner Dement, to enter into Executive Session for the purpose of discussing real property acquisition matters: specifically, potential acquisition of public facilities sites. Motion carried 5-0.**

## **EXECUTIVE SESSION**

### Real Property Acquisition

Present: Commissioner Francis Jack Russell, President  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
John Savich, County Administrator  
Christy Chesser, County Attorney  
Sabrina Hecht, Chief of Staff  
Liz Passarelli, Real Property Manager  
William Mattingly, Chair, Board of Education

Dr. Sal Raspa, Board of Education  
Dr. Martirano, Superintendent, SMC Public Schools  
Bradley Clements, Chief Operating Officer, SMCPS  
Kimberly Howe, Coor.Supervisor of Capital Planning/Construction  
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)11  
Time Held: 3:20 pm 4:25 pm  
Subject Discussed: Potential acquisition of public facility sites.

## **PUBLIC FORUM: 911 ADDRESS VERIFICATION PROJECT**

Commissioner President Russell opened the Public Forum at 6:30 pm. Bob Kelly, Director, Information Technology, provided a presentation that addressed the following issues:

### **Major Concerns Communicated by Citizens:**

Contractors will not enter private property

Digital photos will not be posted on the internet

Why include Land Use and Growth Management? Land Use and Growth Management is responsible for assigning 5-digit address, which will be added or corrected in conjunction with the project. GIS contains layers of information that managed or used by Public Safety and LU&GM, versus redundant data on stand alone systems. GIS contains various types of data, for example, the system also contains hydrant location information.

When will work be performed? Project has 4/15 start date (has been delayed).

URL: <http://ags.geotg.com/SaintMarysCo> (link will be on County website) may be accessed to show progress.

**Why are we doing this?** The project will address problems with unmapped addresses, multiple buildings on a single parcel, out of sequence addresses, and address errors that create challenges for emergency response services in the County. Additionally, the project will streamline and automate work processes. For example, address technician in LU&GM currently assigns 5-digit address numbers (enters in GIS that in place and used today) and then emails to Public Safety, data then manually entered in Public Safety's database(s). Manual entry is more prone to data entry errors.

Mr. Kelly provided an example experienced by his family that involved an incident at Town Creek where the emergency vehicle didn't know whether to turn left or right (end of road).

**How are we doing this?** The project will involve collecting data (take coordinates with a GPS unit and photograph, marking the coordinates on the photograph), compare the data with existing data, and, as data discrepancies are identified, correct the data.

**Funding and Cost:** 911 Numbers Board funding must be used to enhance the dispatching capabilities and/or operations of a 911 Center. The original request was \$603,870. A purchase order was issued in January, 2008, for \$436,550.

### **Commissioners Comments:**

Commissioner Mattingly clarified that Bob Kelly is the IT Director, but the Board of County Commissioners is responsible for the project. He also described recent discrepancies identified with locating addresses/homes on Speith Road and Patuxent Beach Road. A Rip and Run printout was provided to fire departments and rescue squads; when 5-digit address numbers don't run in sequential order it can be challenging. Emergency responders are challenged by address discrepancies on the average of 20 per month.

Commissioner Raley said he is sure everyone wants St. Marys County to have the best 911 system that we can have and the best technology. St. Marys was the first County in Maryland to have technology to locate cell phone calls to within 100 feet. He also acknowledged that mistakes were made in the process and that the Board needs and wants to hear what the public has to say.

Commissioner Jarboe cited private property rights and noted that the challenge is to find the balance.

Appreciated forum attendance as it is a good avenue to obtain input and learn from the public.

Commissioner President Russell opened the Forum for public comment.

### **Public Comments:**

112 names appeared on the Forum sign-in sheets. The following is a summary of the comments made by the 25 citizens who spoke at the Forum.

#### **Donald Knott, 20648 Old Saw Mill, Leonardtown, MD**

Against the law to come on private property main concern

*Commissioner Mattingly clarified that County Code (ordinance) does permit access to private roadways (characterized by blue signs). Mr. Knott said hed like to see a copy of the ordinance.*

Use County employees, we need money for so many other things in the County; e.g., schools; -- grant is still tax payers money.

Is definitely against the project.

#### **Randy Beckwith, 28799 Three Notch Rd., Mechanicsville, MD**

Learning more thinks its a good idea

Privacy has been invaded by others

Question about snapping of pictures; i.e., will photo be confidential, dont want to get in trouble for unrelated issue, such as cutting down a tree.

*Bob Kelly stated the photos purpose is to allow identification of the correct address, if data doesnt match, pull up photo then photo can be destroyed.*

Thanks for answering questions.

#### **Roy Fedders, P.O. Box 35, Dameron, MD 20628**

Everyones heart is in the right place.

Constitution and 4<sup>th</sup> Amendment no law shall be made to infringe upon privacy (unwarranted search); Supreme Court - Oliver vs. United States; constitution law upheld

How can a local ordinance be over the Supreme Court? -- subject to lawsuit.

#### **Scott Freeman, 23460 White Tail Ln., Leonardtown MD, 20650**

Why photo, could satellite or aerial be used?

Has elderly parents and property address has been offset by one number. Elderly neighbor would not know where to send emergency response personnel.

How can address information be verified and validated (by the owner)? Each home owner should take responsibility to do.

*Commissioner Mattingly and Bob Kelly responded that the GIS maps are on the County's website, and feedback option can be used to communicate incorrect data.*

**Mark Lewis, Mechanicsville MD**

In response to listening to speakers 911 system is broken

Concern for waste of revenues; e.g., take pictures and throw away.

GPS coordinates make correlation right there at the property, why is there a need for pictures?

Problematic address don't need a contractor to take a picture of an address that has been there for 40 years.

Knows your heart is in the right place, suggested GPS coordinate method used by other county

**Keith Harless, Lexington Park, MD**

Lot of new homes in Town Creek over the past six years.

This effort didn't start yesterday (five digit address), ordinance in existence six seven years ago

Project gains another piece of the puzzle, i.e., data and information

Hate for County to lose grant money

GPS, used for sailing and cars, lot of practical application

**Sandy Hut, Park Hall, MD**

Email and communication from Bob Kelly and listened to radio (about the project)

What if address is not visible from the road?

*Commissioner Mattingly reiterated no one is going on private property.*

Are we chump change, I pay taxes, my neighbors and I want help want emergency vehicles to be able to locate them,

*Commissioner Mattingly expressed agreement*

Questioned phase 2 cost and how people (addresses) being selected? Don't want to have to wait five years needs to be factored into the budget.

Referenced existing websites (with coordinate information); i.e., [www.taraserver.com](http://www.taraserver.com) and [www.mapsalive.com](http://www.mapsalive.com). Integrate with existing system(s)?, use services someone already did.

**Ron Ciecka, 42487 Riverwinds Dr., Leonardtown, MD**

Purchased a car with a GPS, address coordinates are incorrect, been trying to get fixed for two years.

Consider using funding for first responders to have GPS/laptops (access to website); when address mistake is identified, it could be fixed.

Experience with commercial off-the-shelf applications.

**Ken Reed, 19343 Point Lookout Rd., Park Hall MD**

Requested clarification regarding if the project will or will not involve going on private property (to take address pictures).

Questioned current contract.

*It was clarified the current contract start date is 4/15 and the contractor is not going on private roads; i.e., roads with blue signs.*

Then, this wont help 90% of the problem

SMECO and Tax Assessor can locate addresses, can you partner with them?

Questioned previous communication about asking for ID but if theyre not getting out of the car?

Lot of information in GPS may be wrong, need to do private roads

Questioned picture disposition (Commissioner Mattingly stated pictures wont be made public on internet); wants assurance that pictures dont show up on other websites; e.g. utube.

*Commissioner Mattingly said once the project is finished, the pictures wont be needed.*

Does a law (local ordinance) need to be passed? This could be another nail in the coffin, for example, when a new Board comes on.

### **James Dudley, 41969 Petes Way, Hollywood MD 20636**

Thanked McKays newspaper (regarding information provided), got a good response from letter to Sen. Dyson, and thanked Heather and T-bone.

Pictures should be destroyed

After Katrina, GPS used to locate addresses where the homes were destroyed.

Twenty errors per month is 20 too many. Twenty doesnt seem too much to have a government worker go out and take/verify coordinates. --- considering schools have to share books.

Have elderly in-laws and an address sign on the property. The County told them where the house could be built (located on the property).

Is this a problem with someone in the County not doing their job?

If on private road, and has an accident, whos insurance is going to cover?

PEPCO has technology that can pin-point a location (number on a manhole cover) and technology that can hone in on car tag numbers.

### **Donald Insley, 24483 Mervill Dean Rd., Hollywood MD**

Affiliated with fire department, but there as a citizen

Acknowledged that hes run many calls where time is spent searching for addresses

Major concern what to do about numbers on private roads, sensitive to rights of citizens and privacy concerns

Surprised the BOCC didnt see this as a red flag

Doesnt justify violation of property and privacy rights (U.S. Constitution)

Ben Franklin, those willing to sacrifice security for freedom will have none.

We (fire dept. for each area) went down private roads and hand mapped addresses.

Errors brought to the attention of some government agency. County doesnt seem to have a good track record of doing things well.

Good systems, when handed down, do not always get carried out as intended; Hi-band radio system, theres still problems (Hollywood) Money spent and still not working perfect.

**Joe St.Clair, 38520 Ah Ha Lane, Avenue MD**

Thanked T-Bone and Heather and Bob Kelly

Referenced questions and technical responses received from Bob Kelly.

Commends fire and rescue volunteers, but feels his rights as a citizen are being trampled on. Should the project take place, they still wont have a tool. Need to be able to respond to locations of all addresses, project objective should include all addresses

Questioned response regarding access to information (response indicated information will be available to citizens, businesses, and county employees).

Questioned what information may be available/accessible via the GTG website.

Questioned the RFP and who owns the data, can GTG sell information?

Questioned infrastructure (server location and data storage)

Photograph disposition need to get in writing.

GTG new system, lot addresses out of the way places, system will be broken before we start.

Project should not start until everything is addressed and corrected.

**Mary B. Cheseldine, 24091 Abells Run Rd., Hollywood, MD**

Concerned, make sure what were purchasing is going to fix the problem

Technology that pinpoints down to the minute detail, how is data going to be captured by driving down the road. How will locations be found?

Hopes contractor is not taking us for a ride looking out for their own interest, dont take advantage of us like the State has.

**Gary Rumsey, 20735 Chestnut Ridge Dr., Leonardtown MD**

Asked if the Commissioners had to take an oath (to uphold Constitution, US and MD laws).

Referenced MD Article 26, relative to property access

Government cannot solve everything (drugs, crime, global warming); 911 cannot be perfect hold on to wallet

**Faye Brubacher, 23155 Aloysius Ct., Leonardtown MD**

Thanks to Bob Kelly (email response)

Not technical but camera (technology) doesnt seem right

Worked and familiar with state and county government, is hopeful but not optimistic, ramifications of turning back grant when may achieve some benefit.

Concerned about first phase of a multi-phase project. Will the second phase be covered by a grant? What will the costs be to maintain? Will subsequent contracts have a higher price tag?

Leary of project and that photographs will be destroyed

No villains, something about the project hitting the citizens wrong by this many being here (at the forum) indicates something needs to be tweaked.

**William Paul Rehder, 24965 Sotterly Rd., Hollywood MD**

Wrote BOCC and Bob Kelly

Was skeptical about invasion of privacy; photographing may cross the line

Better understanding and now retracts being against the project  
Responsibility on citizens in County to participate; support pictures and marking  
addresses to have corrected on maps it is a 911 issue

**Cathy Lewis**

Adds/maintains 911 data for Charles County

Can be done with aerial, existing technology/website

Concerned about photo, dont operate on a premise, assuming numbers are on house

Updates daily, keeps a laptop in car. Has driven in driveways and has never been  
threatened.

Has been working on for five years; 2004 first aerial plot; 95% of county done.

*Commissioner Mattingly said the project is targeted for completion in one year for St.  
Marys and data will be merged with other departments (Land Use and Public Safety).*

**Rick Rosa, 25549 Petal Ct., Mechanicsville MD**

Asked if citizens can opt out if they dont want photographs taken  
Questioned training for responders; postal workers know where everybody lives.  
If on a private road, what good is a picture going to be?  
Concerned about availability of address and house information, concerned about security of family and children  
As an engineer, look at the data; number of calls per year that a residence or building could not be located in its self is not an error consider how many times has it resulted in an injury.

**Jay Kretzing, 20842 Sunlight Ct., Lexington Park MD 20653**

Hundreds of houses not on maps and GPS can be off by hundreds of yards  
Not sure if this is the right way; but needs to be addressed somehow  
Has gotten on radio to assist ALS unit with finding addresses in development

**Dan Shade, Lexington Park MD**

Questioned by 911 address is incorrect in the first place, been here for nine years, number is assigned by the County, result of clerical errors?  
Is future development incorporated into this? Is cost contained in fees (e.g., impact fee)  
Will constantly need to correct and maintain data  
Questioned efficiency, tax assessor/electric meter reader can always find, understands they are not responding to an emergency. Why cant they mark up data on a form?  
Questioned contact and asked if its a done deal

**Steve Gibson, 22070 Colton Point Rd., Bushwood MD**

CADD system doesnt work, get this fixed first  
Dont use rogue system to spy on people

**Bill Wood, 41238 New Market Turner Rd., Mechanicsville MD 20659**

Agrees with Mr. Knott, that amount of money makes my head spin  
Consider using county employees to perform task

Commissioner Raley responded to the question about whether the project is a done deal by stating that the public comment period will remain open for ten additional days and then options will be discussed by the Board as a whole. Some funding has already been expended on the project, so that if the project is terminated, the County will need to reimburse the contractor for those expenses from local funds. The grant funds for this project cannot be used for another project and would have to be returned to the grantor.

**Frank Tippett, Chaptico MD 20621**

Questioned whos idea was this? (the project)  
*Commissioner Mattingly responded that Public Safety was the lead in applying for grant funding for the project. Project involves Public Safety, Land Use and Growth Management, and Information Technology (IT). Dave Zylak is currently the Public Safety Director. Sheriff Tim Cameron was the former Public Safety Director.*

**Howard Pinnell, 20801 Lily Lane, Callaway MD**

Navy career, military police and volunteer fire fighter  
Understands adding pictures is what concerns most everyone  
Government contracts are routinely modified; can this one be modified to remove taking pictures without being too far out of (project) scope?  
Some homes dont have numbers; difficulty with correcting 911 5-digit number (five tries).  
*Commissioner Raley stated that if money is sent back, the County is still on the hook for funds already expended by the contractor.*

**Joe St. Clair**

Read the action from the August 8, 2006 BOCC Agenda, County Admin #5; i.e.,  
**Action:** To authorize posting Geographic Information System (GIS) layers on the County Website, allowing entire dataset downloading; which will allow users to access the most current GIS information available, without staff intervention.  
Asked for specifics of what this action entails.  
*Commissioner Mattingly said there is a lot of information maintained as confidential; security restrictions are applied. Mapping, for example, used to fast track permits for rebuilding after Isabelle. This is an honest effort to enhance public safety for citizens.*

Stating the importance of getting public input, Commissioner Russell said this is a work in progress and some changes could be made.

**Gladys E. Segal, P.O. Box 95, St. Marys City MD**

Asked how much funds have been used for work completed.  
Has lost confidence over the past five-six months (St. Marys College), trying to restore  
Good idea to modify using photography

Commissioner President Russell closed the Public Forum at 8:20 pm and announced that written comments may be submitted to the Board for an additional ten days and that subsequent discussion and decision will be placed on an upcoming Commissioners agenda.

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

\_\_\_\_\_  
Betty Jean Pasko, Sr. Admin. Coordinator