

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
GOVERNMENTAL CENTER  
Tuesday, April 6, 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)

*The following minutes were transcribed by Kate Mauck:*

**CALL TO ORDER**

The meeting was called to order at 9:13 a.m.

**APPROVAL OF CHECK REGISTER**

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

**APPROVAL OF MINUTES**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' meeting of Tuesday, March 30, 2004, as amended. Motion carried.**

**PROCLAMATIONS**

- Maryland Chief's Challenge – April 6 – June 6, 2004
- Alcohol Screening Day – April 8, 2004
- World Health Day – April 7, 2004

**NATIONAL DISABILITY MONTH:  
CHOPTICON, GREAT MILLS AND LEONARDTOWN HIGH SCHOOL  
STUDENTS**

**Present:** Lynne Morgan, Supervisor of Instruction for Fine Arts  
Muriel Martin, Supervisor of Special Education  
Dottie Powell, Special Education Career Resource Teacher  
Gary Nelson, Community Employer, Hampton Inn

Nine students from Great Mills High School, Leonardtown High School, and Chopticon High School appeared before the Board of County Commissioners in order to be recognized for National Disability Month. The Commissioners congratulated the students for their outstanding efforts in school and on the job.

**RESOLUTION: FIVE-YEAR EDUCATION FUNDING PLAN – ST. MARY’S COUNTY BRIDGE TO EXCELLENCE**

Present: George Forrest, County Administrator  
Elaine Kramer, Director of Finance  
John B. Norris, III, County Attorney  
Dr. Patricia Richardson, Superintendent of Schools

A Joint Resolution between the Board of County Commissioners and the Board of Education of St. Mary’s County was presented. The Resolution is a result of many months of work on behalf of each board, the Finance Departments, and the County Administrator. The main points of the Joint Resolution are as follows:

- Resolution to be called “St. Mary’s County Bridge to Excellence”;
- Resolution indicates the commitment of County Government to achieve the targeted level of local funding per pupil, as outlined in the Thornton report and the Bridge to Excellence legislation;
- Resolution is based on per pupil funding – formula outlined;
- Annual “Report Card” will provide accountability on behalf of the Board of Education.

Ms. Kramer outlined the following highlights of the Resolution:

The amount of per pupil funding for FY2005 is \$58,900,000, which was calculated based on the “projected enrollment” times \$3,831 per pupil (rounded); such per pupil rate being determined as an amount which is consistent with the phase-in by the State of the targeted per pupil funding, to be fully implemented by the State and County in FY2008, and which the Board of Education and the Board of County Commissioners agree is considered adequate per pupil funding.

The amount of per pupil funding for each successive year shall be determined in accordance with the dictates of the Maryland Bridge to Excellence legislation adjusted for the enrollment demographics and relative wealth of St. Mary’s County, with the calculations based on the data identified in the MSDE calculations; based on the County’s wealth, enrollment, and enrollment demographics assumed in the Thornton report and subsequently, the Bridge to Excellence legislation, the per pupil rates for FY2006 through FY2009 are estimated to be:

- FY20067      \$3,908
- FY2007      \$4,050
- FY2008      \$4,191
- FY2009      \$4,317

Percentage allocations were outlined, and details regarding the annual "Report Card" were discussed. Potential changes in funding levels, based on possible unfunded State mandates, reduction of anticipated revenues to the County, etc. were outlined in detail on the Joint Resolution. In addition, a cover letter to the Board of Education of St. Mary's County was read and discussed.

*Mr. Norris and Mr. Forrest pointed out that the Resolution, prior to final signature, should include lines for the recordation of the votes by members of the Board of Education.*

**Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and sign the letter to the Board of Education, and to approve and sign the Joint Resolution with the Board of Education. Motion carried.**

**PROCLAMATION: ENVIRONMENTAL EDUCATION MONTH –  
MECHANICSVILLE GREEN TEAM**

Present: Marianne Chapman, Environmental Education Coordinator  
Linda Dudderar, Director of Elementary Curriculum and Instruction  
Rebecca Bell, State Supervisor of Environmental Education  
Barbara Abell, Principal, Mechanicsville Elementary School

The Board of County Commissioners issued a proclamation in honor of April as Environmental Education Month. In addition, Ms. Bell read and presented the Governor's Declaration of April 2004 as Environmental Education Month in the State of Maryland. Students from Mechanicsville Elementary School's Green Team presented information on efforts made by the Green Team on behalf of St. Mary's County to help protect the environment.

**COUNTY ADMINISTRATOR**

1. Draft Agenda for April 20, 2004
2. **Department of Recreation and Parks**

Present: Phil Rollins, Director  
Debra Pence, Museum Director  
Lydia Wood, Historic Site Manager  
Don Nolan, Vice President, Harry Lundeberg School of Seamanship  
Shirley Leyland, Chairperson, Museum Board of Trustees

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign Memorandum of Understanding with the Harry Lundeberg School of Seamanship establishing guidelines for moving the small boat collection from Harry Lundeberg School of Seamanship to the Piney Point Lighthouse Museum and Park. Motion carried.**

**3. Department of Recreation and Parks and Department of Economic and Community Development**

Present: Phil Rollins, Director of Recreation and Parks  
Elaine Kramer, Finance Director  
John Savich, Director of Economic and Community Development  
Donna Sasscer, Agriculture Manager

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign Budget Amendment (\$17,231) in order to utilize Agricultural Transfer Tax funds to be used to prepare the State-mandated Land Preservation, Park and Recreation Plan.**

**The motion was amended to include: Approve and authorize the Commissioner President to sign a letter from the Board of County Commissioners to the Secretary, with a copy to the Delegation, to express concerns about this type of additional mandate and to ask for a response as to how the mandates are going to improve the programs that are already in place. Motion carried.**

**4. St. Mary's County Nursing Center**

Present: Donald Lewis, Executive Director  
Ernest Williams, Jr., President of the Governing Board of Trustees of the  
St.  
Mary's Nursing Center, Inc.  
John B. Norris, III, County Attorney

**Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Memorandum of Understanding with the Governing Board of Trustees of the St. Mary's Nursing Center, Inc. Motion carried.**

**5. Cable Advisory Board**

Present: William Caplins, Chair  
Robert Kelly, Director, Information Technology

*Commissioners gave direction to add the following wording in the Cable Advisory Amended Board By-Laws on page 4 of 5, Article V, Section (B) – “Election of officers shall occur at the annual meeting.”*

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign amended By-Laws for the Cable Advisory Committee, with additional wording as directed. Motion carried.

#### **6. Department of Public Works and Transportation and Christmas in April**

Present: George Erichsen, Director  
Richard Tarr, Solid Waste Manager  
Mary Ann Chasen, Executive Director, Christmas in April

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and sign Resolution waiving tip fees for Christmas in April, which is scheduled to occur on Saturday, April 24, 2004. Motion carried.**

#### **7. Emergency Management Agency**

Present: Stanley Williams, Deputy Director

**Commissioner Dement moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign Budget Amendment (\$20,019) and to approve and authorize the Deputy Director of EMA to sign the FY04 Emergency Management Performance Grant Memorandum of Agreement for supplemental funding. Motion carried.**

*Mr. Forrest suggested, and the Commissioners agreed, to bring in the new Public Safety Director to help provide direction on how the additional funding will be utilized.*

#### **8. Human Resources Department**

Present: Randall Schultz, Director  
John B. Norris, III, County Attorney  
Dee Snyder, Benefits Coordinator

Mr. Schultz provided a brief synopsis of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). A Resolution was presented to the Commissioners for the purpose of approving and adopting amendments to employee health insurance and medical reimbursement plans; entering into Business Associate

Agreements with Plan Administrators' adopting an employee Privacy Notice, and directing the Human Resources Director to implement these amendments and make such other revision to practices and otherwise to comply with HIPAA and its implementing regulations and attachments. The following attachments were presented, along with the Resolution:

- Business Associate Agreement with CareFirst Blue Cross/Blue Shield;
- Amendment to the St. Mary's County Commissioners Medical Reimbursement Plan;
- St. Mary's County Commissioners Medical Reimbursement Plan Privacy Notice;
- Business Associate Agreement with Hirsch Financial Services, Inc.;
- Plan Sponsor Certification to Receive Protected Health Information; and
- St. Mary's County Commissioners Employee Privacy Notice.

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and sign Resolution and related amendments to amend the St. Mary's County Employee Health Insurance and Medical Reimbursement Plans. Motion carried.**

### **LEONARDTOWN WHARF PROJECT: TOWN OF LEONARDTOWN**

Present: J. Harry Norris III, Mayor  
Laschelle Miller, Town Administrator

Representatives from the Town of Leonardtown provided an in-depth presentation on the Leonardtown Wharf Project. Commissioners were presented with a request to consider transferring monies in the amount of one million dollars (\$1,000,000), set aside in an earlier budget for the Tudor Hall Golf Course project, which has since been privatized, to be transferred over to the Leonardtown Wharf Project. The original Tudor Hall project was budgeted to receive one and one half million dollars (\$1,500,000). The request, if approved, would allow the funds to be spread out over three budget years: FY04 - \$250,000; FY05 - \$500,000; FY06 - \$250,000. Information was presented on the phasing of the project, the public waterfront park and promenade, anticipated boosts to local tourism, and other funding sources available.

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, for the Board of County Commissioners to establish a line item in the 2004 Budget identifying the Leonardtown Wharf Revitalization Project, and to authorize a modification to the existing MOU concerning the Tudor Hall funding, to transfer one million dollars (\$1,000,000) of the approved funding to the Leonardtown Wharf Revitalization Project. Motion carried.**

Staff will come back to the Commissioners with formal documents in the future. Commissioner President McKay read a letter from Patricia Goucher, Maryland Department of Planning, outlining their support for the Leonardtown Wharf Project and the efforts by both the County and the Town to see that this opportunity becomes a reality.

## **IT DEPARTMENT: CELL PHONES UPDATE**

Present: Robert Kelly, Director of Information Technology

Mr. Kelly provided detailed information on changes that have been implemented over the past three years in order to better streamline the billing process, reduce equipment costs, provide better cell phone reception, and to meet departmental needs for cell phone service. He asked that Commissioners provide direction on whether to continue processing cell phone payments and administration with changes, or to have the Management Team recommend standards and an implementation plan to allow a Cell Phone Stipend to be provided to employees that require a cell phone beginning in FY05. Information was provided on costs to the County as well as recommendations for maintaining current operations and the use of stipends.

*It was determined that the matter should be placed on a future Commissioners' Agenda for final discussion/decision.*

## **COMMISSIONERS' TIME**

### Commissioner Mattingly

Apologized for having to depart the meeting after Commissioners' Time, as he was invited by Congressman Hoyer to attend a press conference in La Plata regarding the reauthorization for the Firefighter Grant Program. Part of that was a request made to Congressman Hoyer about modifying language in the reauthorization to allow the volunteer rescue squads to participate in the program, which they cannot do at this time. An announcement on this subject is anticipated.

### Commissioner Jarboe

Wished everyone a good Easter.

### Commissioner Raley

Wished everyone a good Easter, Easter dinner, and suggested eating plenty of Maryland Stuffed Ham.

### Commissioner Dement

Wished everyone a great Easter.

Commissioner President McKay

Announced that County Government offices would be closed this Friday, which is Good Friday, and would reopen the following Monday. STS Services and all Convenience Centers, as well as the Landfill, will be open normal hours on Good Friday, and will be closed on Easter Sunday.

Wished everyone a happy Easter.

*Commissioner Mattingly departed the meeting at this time.*

*The remaining meeting minutes were transcribed by Donna Gebicke:*

**SOLID WASTE ADVISORY COMMITTEE ANNUAL REPORT**

Present: Clare Whitbeck, Chair, Solid Waste Advisory Committee  
Paul Waxman, Member, Solid Waste Advisory Committee  
Richard Tarr, Solid Waste Manager, Department of Public Works & Transportation

Ms. Whitbeck presented highlights of the Committee's 2003 Annual Report. Some of the Committee's accomplishments and activities during the year included:

- Initiating a review of the permit application process for the St. Andrews Landfill Area D Expansion to evaluate the amendment process as outlined in the Comprehensive Solid Waste Management and Recycling Plan for new or expanding Solid Waste and Recycling Facilities.
- Revised the existing Ordinance and the Rules and Regulations in order to address any existing and potential future conflicts with existing state regulations and the County's Comprehensive Solid Waste Management and Recycling Plan.
- The Convenience Centers experienced an overall increase of 5% in the amount of solid waste handled and an overall increase of 9% in the number of visitors. The landfill experienced an overall increase of 28% in the amount of solid waste handled and an overall increase of 18% in the number of visitors. The County reported a 22% Recycling Rate and a 2% Source Reduction Rate for CY2002, which equates to an overall 24% Waste Diversion Rate – an increase of 4 percentage points as compared to CY2001.
- Conducted a survey at the six Convenience Centers throughout the County to assess the hours of operation currently posted. Results from the survey indicate 55% of the respondents find the current hours sufficient for their solid waste/recycling disposal needs. The remaining 45% of the respondents prefer five alternatives which shift the hours of operation based on seasonal needs at no additional cost to the County.

Revisions to the Solid Waste Plan must be submitted to the state by April 2005.

The economic and environmental importance of recycling was discussed. Recycling has a direct impact on operation costs. The Commissioners asked staff to erect a sign next to the recycling trailers graphically illustrating the cost benefit to taxpayers to recycle.

**PUBLIC HEARING: AGRICULTURE LAND PRESERVATION DISTRICTS;  
HARVEY I. BAILEY, JAMES A. HERRIMAN, AND PHILIP B. HAYDEN**

Present: Donna Sasscer, Agricultural Division Manager, Dept. of Economic & Community Development (DECD)  
John Savich, Director, DECD

The purpose of the public hearing was to receive public comment on applications for establishment of an Agricultural Land Preservation District (ALPD) for the following:

1. ALPS #04-150-003, Philip B. Hayden, for total of 27 acres in the 7<sup>th</sup> election district, Tax Map 38, Block 23, Parcel 27.
2. ALPD #04-150-002, James A. Herriman for a total of 23.34 acres in the 4<sup>th</sup> election district, Tax Map 17, Block 11, Parcel 26.
3. ALPD #04-150-001, Harvey I. Bailey, for a total of 199 acres in the 7<sup>th</sup> election district, Tax Map 30, Block 23, Parcel 9.

Notice of the public hearing was published in the Enterprise on March 24 and 26, 2004.

The following public comments were received:

Clare Whitbeck, Leonardtown, MD

Would like to thank the families who have taken this step. We want farms in St. Mary's County. By taking this action, there is a very good chance that working farms will continue.

No other public comments were received. The record period will remain open for 10 days for written comment.

**ADJOURNMENT**

The meeting adjourned at 2:15 p.m. and reconvened at the former Tri-County Youth Services Center in Charlotte Hall to tour the building and assess the potential for future use.

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

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