

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
GOVERNMENTAL CENTER
Tuesday, May 22, 2007**

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, Senior Admin. Coordinator (Recorder)

CALL TO ORDER

The meeting was called to order at 9:00 am.

ADDITION TO AGENDA

Commissioner Jarboe announced that members of the Women's Republican Committee were visiting and in attendance today.

APPROVAL OF CHECK REGISTER

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register for checks dated May 22, 2007, as submitted. Motion carried 5-0.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Raley, to adopt the minutes of the Commissioners' meeting of May 15, 2007, as amended. Motion carried 5-0.

PROCLAMATIONS PRESENTED:

Emergency Medical Services Week – May 20 - 26, 2007 (Department of Public Safety)

Present: Stanley J. Williams, Jr., Emergency Services Coordinator
Representatives from the Volunteer Rescue Squads and ALS Unit

National Public Works Week – May 20 - 26, 2007 (Dept. of Public Works & Transportation)

Present: George Erichsen, P.E., Director

Representatives from DPW&T Managers, Building Services Division; Land Use & Growth Management, MetCom, Recreation Parks and Community Services, Health Department, Animal Control SMECO, Verizon, Leonardtown Vol. Fire Dept.

COUNTY ADMINISTRATOR

1. Draft Agendas for May 29 and June 5, 2007
2. **Dept. of Public Safety** (*Elaine Kramer, CFO, on behalf of Dave Zylak, Director, Public Safety*)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Budget Amendment closing out the Ernesto Operating Project budget and restoring \$134,273 to the BOCC Emergency Appropriation Reserve. Motion carried 5-0.

3. **Dept. of Public Works and Transportation** (*George Erichsen, P.E., Director*)

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Budget Amendment to move County funds from the BOCC Emergency Appropriation account into the Construction and Inspections Operating Budget in the amount of \$4,500 with a signature by Commissioner President Russell. Motion carried 5-0.

Commissioner Dement moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the Budget Amendment closing out the FY07 budget, eliminating the current position authority for the two new FTE positions that were budgeted in FY07 relative to the Transfer Station, and restoring \$57,479 to the BOCC Emergency Appropriation Reserve. Motion carried 5-0.

Draft Letters Regarding Transportation Priorities

The Commissioners provided comments on the draft Transportation Program letter to Secretary Porcari. Specifically: (1) Remove reference to the Waldorf and Hughesville Bypass projects (1st paragraph); (2) To address unsafe conditions and congestion issues, add language to consider expanding the scope of the Point Lookout Road planning study (from MD Rt. 243 to MD Rt. 245) to include the area along MD Rt. 5 past the Leonardtown High School; (3) Due to the size and scope of the Thomas Johnson Bridge/MD Rt. 4 project, add language requesting more manageable/achievable project phases; and (4) In the closing paragraph, add request to discuss performing an evaluation and feasibility of the Pegg Road extension cross-County connector project as another alternate to relieving failing intersections on MD Rt. 235 and the Great Mills area.

Commissioner Raley indicated that he will not sign the letter to the Maryland Department of Transportation outlining the county's transportation program priorities due to his concerns with the system itself, wherein county priorities are repeatedly identified on the annual list. Specifically, a request to widen Point Lookout Road has been on the list for several years (13+). Commissioner Jarboe added his concern about road traffic and parking overflow in conjunction with the upcoming Civil War celebration at Point Lookout, which is a state park.

The majority of the Board agreed to sign the transportation priorities letter to Secretary Porcari, once the revisions have been incorporated, and to sign the letter to Tri-County Council letter endorsing the joint ranking of the Western Bypass of Waldorf and the Thomas Johnson Bridge as top regional transportation priorities. Commissioner Russell expressed interest in having a feasibility study conducted on the possibility of a ferry service in St. Mary's County and to have this topic on a future meeting agenda.

4. **Dept. of Public Works and Transportation and Office of the County Attorney** (*George Erichsen, P.E., Director, DPW&T; Liz Passarelli, Real Property Manager*)

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Amended Easement Agreement between the Board of County Commissioners and Maryland Money Market Mortgage Corporation, regarding the Patuxent River Naval Air Museum and Visitor's Center Project, and direct staff to record and forward the document to the appropriate state officials. Motion carried 5-0.

5. **Office of the County Attorney** (*Liz Passarelli, Real Property Manager*)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Lease Agreement with Walden Sierra, Inc., for use of the three (3) buildings located on St. Andrew's Church Road, California, MD. Motion carried 5-0.

6. **Walden/Sierra, Inc.** (*Dr. Kathleen O'Brien, Executive Director*)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve the submission of Sexual Assault Prevention and Awareness Activities Proposed Plan for FY2008 and to approve and authorize the Commissioner President to sign the related sub-recipient agreement with Walden/Sierra, Inc. Motion carried 5-0.

7. **Sheriff's Office** (*Capt. John Horne; Erin Shoemaker, Fiscal Manager*)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Budget Amendment realigning the Sheriff's Corrections budget, compensating for the projected overtime, shift, and pension shortfalls due to the increase in the inmate population at the Detention Center. Motion carried 5-0.

8. **Dept. of Recreation, Parks, and Community Services** (*Cynthia Brown, Community Services Division Manager*)

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the State of Maryland Dept. of Health and Mental Hygiene, Human Services Contract Proposal, and the related Sub-Recipient Agreement with the St. Mary's County Health Department, for the Alcohol and Drug Abuse Treatment and Prevention Program Grant. Motion carried 5-0.

9. Dept. of Economic and Community Development

(Carolyn Laray, Tourism Manager)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Budget Amendment increasing the FY2007 DECD/Tourism Budget Advertising expense and revenue project by \$20,523. Motion carried 5-0.

(John Savich, Co. Administrator and Dir., DECD; Dennis Nicholson, Exec. Dir., HASMC)

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the form letter to the Maryland Department of Housing and Community Development, irrevocably transferring \$2,875,705 of the County's On-Behalf-Of Tax Credit Allocation for FY2007 to the Community Development Administration for use in issuing housing bonds on behalf of St. Mary's County. Motion carried 5-0.

DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT (LUGM): DECISION ON PROPOSED AMENDMENTS TO THE COMPREHENSIVE WATER AND SEWERAGE PLAN FOR PARK PLACE

Present: Denis Canavan, Director, LU&GM
Jeff Jackman, Sr. Planner, LU&GM

The proposed amendment is to the Comprehensive Water and Sewerage Plan in preparation for Park Place. The property is located at the intersection of Three Notch Road (MD Rt. 235) and Shady Mile Drive.

Mr. Jackman stated that the Public Hearing was May 8, 2007. Public testimony was presented at the public hearing. No additional comments were received during the subsequent, ten-day open record period.

It was clarified that the amendment is for water and sewer, and not to approve uses or density. It was emphasized the drawing (one large drawing was provided to each Commissioner) represents the initial concept plan and the ultimate improvement of the property is subject to Planning Commission approval of a major site plan. Commissioner Mattingly noted a discrepancy on the drawing (left side, general note), wherein it indicates eight single "detached" units (should be "attached", i.e., townhouses) and

further noted current zoning on the property calls for three “sit-down” restaurants (cannot be fast food), and includes a motel (probably three story, concept projected to have 78 rooms). Commissioner Mattingly also asked that dialog take place with SMECO on their right-of-way concerns as the project moves forward.

Commissioner Raley stated that the previous Board’s decision to keep the zoning as it was on this property and several other properties on MD Rt. 235 was a tough one for the entire Board. During that time, Commissioner Raley met with several of the residents and told each of them that this particular property (corner of Shady Mile Drive and Rt. 235) is “not going to stay wooded and grass like it is

now.” He added that the developer is proposing is aggressive and very dense; however, the Planning Commission will review all issues involved; e.g., environmental (run-off), etc., before a final recommendation is made.

Commissioner Mattingly also called attention to General Note # 5 (drawing) that states no farmland exists on the subject property and questioned that if the property did contain farmland (because at one time it did), would it make a difference. Mr. Jackman responded that it would not necessarily make a difference because the property, zoned RMX, is in the development district.

Mr. Canavan said that it was just brought to his attention today that a citizen, who is present, submitted correspondence on May 16th to the BOCC relative to this matter. Mr. Canavan said he had not seen the letter, but understands it to be relevant to water and sewer matter and requested that the citizen be provided with an opportunity to speak to the issues.

Ms. Norma Pipken, California, MD stated that she had provided written comments before the deadline, requesting the Commissioners consider an amendment; i.e., that the water and sewer be approved on Rt. 235 as it was for other businesses, and that the water and sewer not be approved down Shady Mile Road. Ms. Pipken said the letter had been signed by several of her neighbors and was dropped off at the Commissioner’s office. Members of the Board acknowledged receiving Ms. Pipken’s letter. Mr. Canavan emphasized that staff has a list of citizen names that are closely following the development of this property and that his office will contact them with the date(s) when the Planning Commission is scheduled to review the actual site plan.

Commissioner Raley moved, seconded by Commissioner Mattingly, to amend the Comprehensive Water and Sewerage Plan as recommended by the Planning Commission to change service area maps III-34 and IV-34 from W-6 and S-6 to W-3D and S-3D for 40.96 acres described as “Park Place,” Tax Map 34, Grid 17, Parcels 104 and 122. Motion carried 5-0.

COMMISSIONER’S TIME

Commissioner Raley

Along with Commissioner Mattingly, attended the 1st Annual Fire & EMS Class Awards & Recognition Banquet on Saturday, May 20th. Congratulations to the eight students of the first graduating class.

Senior Tax Cap Program – reminder that you have to apply each year and applications need to be in by July 1st.

Commissioner Jarboe

Has been working with the Great Mills High School Engineering Club for the past couple of weekends filming a documentary on the work of the club - - building a car from the junk yard to the race track. The race is June 3rd.

Commissioner Dement

Attended the Piney Point Light House festival and the annual St. Mary's Animal Welfare League fund raising event.

Recognized Fr. Harris, St. John's Church; dedication of new building which was named after Fr. Harris.

Along with Commissioner Mattingly, attended public hearing at the Lexington Park Library on Thursday, May 17, regarding White Oak and National Mobile Home Park residence relocation; was well attended.

On behalf of the BOCC, presented a proclamation to Alexandra's Chiropractor (kids day).

Attended a Health Share Board of Directors fundraiser; a couple hundred people got together to support and raise funds.

Commissioner Mattingly

Regarding the Fire & EMS Class, students get 19 college credits. The banquet was well attended.

Saturday afternoon, some students completed the Juvenile Drug Court; recognized Judge Stamm and the families in support of the program.

Prekness party at the Nursing Home was a success, auction helped raise money.

Stopped by the Library – Congratulations to staff for their commitment.

Acknowledged Career Day at Green Holly.

Relocation public hearing went very well, folks have a lot of questions; if we all work together, we can help get them through the process.

Commissioner Russell

Attended the FBLA event at Chopticon last night.

His and Commissioner Jarboe's "green machines" are once again becoming "street-worthy."

ST. MARY'S COUNTY COMMUNITY WORKFORCE HOUSING TASK FORCE REPORT

Present: Denis Canavan, Director, LU&GM
Chris Longmore, Co-Chair, Workforce Housing Task Force
Robin Finnacom, member
Jack Candela, member
Barbara Thompson, member

Mr. Longmore, Co-Chair, provided an overview on the Task Force and introduced each of the presenters. The Governmental Affairs Committee formed a Workforce Housing Task Force in September, 2005. Recognizing that workforce housing is not just a business issue, but a community issue, the Task Force was comprised of a broad range of stakeholders, including representatives of county government, Board of Education, teachers' associations, the Sheriff's Office, non-profits, defense contractors, and faith-based organizations.

St. Mary's County has witnessed a recent and dramatic surge in the cost of housing. In 2003, the average price of a home was approximately 200,000. Today, the average price is a staggering \$337,501.

Through the course of its work, the Workforce Housing Task Force established a definition of workforce housing, as opposed to that of affordable housing. As defined by the Task Force, "Workforce Housing" is housing that is affordable to families earning 45% to 110% of median household income; an annual salary of \$34,064 to \$83,270. This definition was used to guide the discussions and recommendations of the Task Force.

The Task Force recommends that the following four objectives be pursued to address the County's workforce housing problems:

1. Preserve the traditional, older neighborhoods of St. Mary's County to maintain the current stock of workforce housing
2. Create incentives for developers as a means to encourage the construction of workforce housing to result in a rich diversity of housing types and sizes ensuring home ownership opportunities within a broad range of income level.
3. Increase community awareness of the workforce housing issue and promote existing State and federal housing assistance programs such as House Keys 4 Employees and More House for Less available to working families in St. Mary's County.
4. Establish an ongoing source of funding to sustain workforce housing initiatives.

Summaries of Key Recommendations, as outlined in the report, were presented as follows:

Objective 1 – Preserve Traditional Neighborhoods, Robin Finnacom

Objective 2 – Create New Supplies of Workforce Housing – Denis Canavan

Objective 3 – Increase Community Awareness about Workforce Housing – Barbara Thompson

Objective 4 – Establish an Ongoing Source of Funding to Sustain Workforce Housing Initiatives –
Jack Candela

Commissioner Jarboe stated he'd like information (bell curve graph) showing the ratio of single family small homes versus larger (including the inventory of those homes, square footage, showing the gap between low end and high end homes.) Need to provide incentives, e.g., waiver of impact fee. Should be based on actual square footage versus income. Also, in regards to TDR heritage (families being able to pass on lots without TDRs), questioned if there could also be a TDR exemption for lower income citizens (who also want an affordable home in the RPD). TDR cost puts homes out of the price realm of most people.

Commissioner Raley commented that the report was timely in correlation to the budget finalization and agreed with funding (CIP) for existing Government owned buildings that are in bad shape and the need for the County to improve and renovate infrastructure for older sub-divisions. Commissioner Raley also stated the County is limited regarding

being able to waive the impact fee (State restrictions) and, if enacted, the price of TDRs will add to the cost of housing, that is a concern shared by all commissioners; preservation is a big issue, so is the cost of housing.

There was additional clarification presented by Mr. Canavan regarding APF requirements and “achieving a bonus density” (relative to Objective #4).

Commissioner Raley questioned if the lack of zoning capability to create new trailer parks was considered in regards to preserving traditional neighborhoods. Ms. Finnacom responded no, they were looking at foundation-based homes; however with the impact of the trailer park closings, it does need to be woven into discussions.

Regarding question eliminating the 50% clustering provision (develop district), Mr. Canavan responded he would not consider eliminating, but would consider reducing, and has considered a text amendment for workforce housing and school sites.

PUBLIC HEARING: PROPOSED SHERIFF’S OFFICE RETIREMENT PLAN AMENDMENT

Present: Sue Sabo, Director, Human Resources Dept., and Plan Administrator

Notice of the Public Hearing was published in the Enterprise on May 11, and May 16, 2007.

Ms. Sabo stated that notice of the public hearing and an explanation of the proposed amendment were also sent out via personal letters to all retirees. The Board of Trustees for the Sheriff’s Office Retirement Plan has recommended a Sixth Amendment to the Plan, which proposes to change the method in which the annual cost of living adjustment is computed to a fixed 3% each year. The current cost of living adjustments are based on the increase in the Consumer Price Index with a maximum annual increase of 4%. This change will allow retirees to better plan for future adjustments to their retirement pension.

There were no public comments presented during the public hearing. Commissioner Russell closed the public hearing and declared that the record will remain open for ten days. During the open record period, written comments may be submitted to the Board of County Commissioners.

MOTION TO ENTER INTO EXECUTIVE SESSION

Commissioner Jarboe moved, seconded by Commissioner Dement, to enter into Executive Session for the purpose of discussing Real Property, specifically Leonardtown Library easement. Motion carried 5-0.

Commissioner Mattingly moved, seconded by Commissioner Raley, to enter into Executive Session for the purpose of discussing Personnel, specifically Boards and Committees appointments. Motion carried 4-1 (Commissioner Jarboe voted against the motion).

EXECUTIVE SESSION

Real Property

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
Liz Passarelli
Donna Gebicke, Administrative Assistant to the BOCC, Recorder

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

Time Held: 12 noon – 12:06 pm

Action Taken: The Commissioners discussed property acquisition matter.

Personnel

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
Delores Lacey, Appointments Secretary
Karen Everett, Public Information Officer
Donna Gebicke, Administrative Assistant to the BOCC, Recorder
Authority: Article 24, Section 4-210(a)1
Time Held: 12:07 pm – 12:30 pm
Action Taken: The Commissioners discussed boards and committee appointments.

FY2008 BUDGET WORK SESSION

The Commissioners conducted a budget work session beginning at 1:30 a.m.

ADJOURNMENT

The regular business meeting adjourned at 12:30 p.m. The Commissioners then participated in the Budget Work Session until approximately 5:00 pm.

Minutes Approved by the Board of County Commissioners on _____

Betty Jean Pasko, Senior Administrative Coordinator