

Tuesday, August 2, 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

Donna Gebicke, Administrative Assistant, Recorder

CALL TO ORDER

The meeting was called to order at 9:10 a.m.

APPROVAL OF CHECK REGISTER

Commissioner Jarboe moved, seconded by Commissioner Raley, to authorize the Commissioner President to sign the Check Register. Motion carried, 5-0.

APPROVAL OF MINUTES

Commissioner Raley moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' meeting of Tuesday, July 26, 2005, as amended. Motion carried, 5-0.

PROCLAMATION

Present: Sheriff David Zylak

Captain Kenneth Cusic

Lieutenant Michael Merican

Corporal Katherine Dassing

The Commissioners presented a proclamation to the Sheriff's Office declaring the evening of August 2 as the 22nd Annual National Night Out for St. Mary's County.

COUNTY ADMINISTRATOR

1. There will be no meetings of the BOCC on August 9 and 16.

2. **Department of Public Works and Transportation** (*John Groeger*)

a. Public Works Agreement for Greenview West Subdivision, Section 2. *Located in the 8th Election District with an expiration date of May 1, 2007. A Bond has*

been provided by the Selective Insurance Company of American in the amount of \$251,800. The roads included in this agreement are: Douglas Court (753') and Taras Court (416').

Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign the Public Works Agreement for Greenview West Subdivision, Section 2, located in the 8th Election District. Motion carried 5-0.

b. Public Works Agreement Addendum for the Brooks Cluster Subdivision, Section 1. *Located in the 3rd Election District with an expiration date of June 1, 2006. The Letter of Credit provided by the Bank of America in the amount of \$184,500 remains as posted based on the Department's Inspection Report dated June 1, 2005. The Public Works Agreement and Letter of Credit in the amount of*

\$184,500 were originally issued on August 8, 2002. The roads included in this agreement are: Sweet Oak Drive (1,198') and Brooks Court (940').

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President to sign the Public Works Agreement Addendum for the Brooks Cluster Subdivision, Section 1, located in the 3rd Election District. Motion carried 5-0.

c. Public Works Agreement Addendum for the Avonlea Subdivision, Section 2, Phase 1. *Located in the 5th Election District with an expiration date of July 1, 2006. The Letter of Credit provided by the Mercantile Southern Maryland Bank in the amount of \$220,800 remains as posted based on the Department's Inspection Report dated April 19, 2005. The Public Works Agreement and Letter of Credit in the amount of \$220,800 were originally issued on September 8, 2004. The roads included in this agreement are: Guy Farm Drive (800') and Green Gables Court (1,150').*

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign the Public Works Agreement Addendum for the Avonlea Subdivision, Section 2, Phase 1, located in the 5th Election District. Motion carried 5-0.

3. Recreation, Parks and Community Services *(Phil Rollins, Director; John B. Norris,*

III, County Attorney)

Commissioner Jarboe moved, seconded by Commissioner Mattingly, as recommended in the state-funded feasibility study, to approve and authorize Commissioner President to sign the Railroad Right-of-Way Temporary Easement Agreement with SMECO and Faison-South Plaza, LLC, for the purposes of landscaping and the construction of a portion of the Three Notch Trail on a portion of the railroad right-of-way which adjoins property owned by

Faison-South Plaza, LLC, in accordance with the design and specifications of the St. Mary's County Department of Recreation, Parks and Community Services. Motion carried 5-0.

4. Recreation, Parks and Community Services Dept., Community Services Division

(Cynthia Brown, Community Services Mgr., Walter Biscoe, Community Services Coordinator)

a. Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President to sign the Maryland State Police Contract for Extraordinary Law Enforcement Services. Motion carried 5-0.

(Also present Jackie Beckman, Traffic Safety Coordinator)

b. Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President to sign the FY06 Highway Safety Project Agreement and the related budget amendment. Motion carried 5-0.

Commissioner Raley thanked the Recreation and Parks Department, and specifically, Mr. Rollins and Mr. Guyther, for their prompt resolution of a citizen concern in St. Inigoes.

(Also present, Laura Joyce, Exec. Director, So. Md. Center for Family Advocacy)

c. Commissioner Dement moved, seconded by Commissioner Raley, to endorse the Edward Byrne Memorial Justice Assistance Grant prepared by the So. Md. Center for Family Advocacy and to authorize Commissioner President to sign the related Certified Assurances and Certifications regarding Lobbying, Debarment, Suspension and other Responsibility Matters and Drug Free Workplace requirements. Motion carried 5-0.

5. Department of Finance *(Elaine Kramer, CFO)*

a. Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and sign the corrected letter reflecting the summary of category transfers, originally requested by the Board of Education in April and approved by the BOCC on May 3, 2005. Motion carried 5-0.

b. Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve the reclassification of a position currently vacant in the Finance Department from a Fiscal Specialist II to a Fiscal Specialist III, effective with the filling of the vacancy. Motion carried 5-0.

Dr. Lorraine Fulton introduced Dr. Michael Martirano, new Superintendent of St. Mary's County Public Schools, who was welcomed to the County by the Commissioners.

(Also present Daniel Carney, CFO, St. Mary's County Public Schools)

c. Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign the "Annual Budget Report Cover form," which sets forth selected data regarding the FY2006 approved budget for the Board of Education. Motion carried 5-0.

6. Department of Land Use and Growth Management *(Phil Shire, Senior Planner)*

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign the TDR Instrument of Final Transfer to Beck and Beck LLC Property, building permit #05-1509 and #05-1510, TDR File #05-255-006, contingent upon the applicant initialing the correction from RMX to RPD as the receiving parcel. Motion carried 5-0.

7. Boards, Committees, and Commissions

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and sign appointment letters for Boards, Committees, and Commissions to the following persons:

Adult Public Guardianship Review Board

Andree J. Wells

Commission for Women

Andree J. Wells

Plumbing Board

David Shapiro

Motion carried 5-0.

PROPOSED AMENDMENTS THE COMPREHENSIVE ZONING ORDINANCE

Present: Denis Canavan, Director, Land Use and Growth Management (LUGM)

Yvonne Chaillet, Planner IV, Zoning Administration, LUGM

Exterior Lighting Fixtures

The Board of County Commissioners held a public hearing on July 19, 2005, to receive public comment on a proposed zoning text amendment to increase the height of exterior lighting fixtures. Testimony received at the public hearing was supportive of the amendment, and no further comments were received within the ten-day open record period. During the hearing, questions were raised regarding spillover on adjoining properties and the state's height requirements. Staff confirmed that the Ordinance already addresses potential adverse impacts to adjoining properties.

Commissioner Raley moved, seconded by Commissioner Jarboe to approve the proposed amendments to Chapters 61 and 64 of the St. Mary's County Comprehensive Zoning Ordinance as recommended by the Planning Commission in their Resolution 05-16, to increase the allowed height of exterior lighting fixtures, effective August 12, 2005. Motion carried 5-0.

Parking Spaces

The Board of County Commissioners also held a public hearing on July 19, 2005, to receive public comment on a proposed zoning text amendment to clarify the parking provisions and to change the number of required parking spaces to four spaces per 1,000 square feet for an office use. Testimony received at the public hearing was supportive of the amendment, and no further comments were received within the ten-day open record period.

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the proposed amendments to Section 64.3.6 and Schedule 64.3.1 of the St. Mary's County Comprehensive Zoning Ordinance, as recommended by the Planning Commission in PC Resolution #05-17, to clarify the ambiguity in the term "required maximum" as it pertains to the number of parking spaces and to reduce the number of required parking spaces for Use 61, Office, effective August 12, 2005. Motion carried 5-0.

SOUTHERN MARYLAND TRI-COUNTY COMMUNITY ACTION COMMITTEE

(SMTCCAC) AND OSPREY PROPERTY DEVELOPMENT

Present:

Swynice Hawkins, Acting President, SMTCCAC

Kariton Wilson, SMTCCAC

Corbin Anderson, VP of Development, Osprey Property Co.

John Savich, Director, Dept. of Economic and Community Development

Dennis Nicholson, Exec. Dir., SMC Housing Authority

Denis Canavan, Director, Land Use and Growth Management

SMTCCA and Osprey Development presented plans for the Hunting Creek workforce housing development on Willows Road in Lexington Park. SMTCCA was designated as the organization to receive the 20.1 acres for this project, which were donated by Mr. Paul Facchina for development of affordable housing. It is the owner's objective to make approximately 30% of the units available for Self-Help Housing participants and to develop 70% of the units in the form of affordable townhouse rental units targeted to families earning between 30 and 60% of the area median income. As demonstrated by the County's MOU with SMTCCAC, Inc., the proposed development is one of a public/private partnership to serve the needs of the residents and provide replacement housing for Lexington Manor in Lexington Park. The primary funding will be through the Federal Low Income Housing Tax Credit Program. The application deadline for this program is September 6, 2005.

Commissioner Raley moved, seconded by Commissioner Jarboe, to direct staff to prepare a letter of support for the Hunting Creek Development and to work with Osprey Property Company and SMTCCAC on the development of a Payment in Lieu of Taxes program for presentation to the Board of County Commissioners at a later date. Motion carried 5-0.

PROPOSED LEXINGTON PARK DEVELOPMENT PLAN

Present: Denis Canavan, Director, LUGM

Jeff Jackman, Senior Planner, LUGM

The Commissioners discussed and gave to direction to staff on the following issues that needed addressing prior to the final preparation of the Lexington Park Development District Master Plan:

1. Change in land use intensity for three areas.

a. West of the Immaculate Heart Church is an area currently zoned OBP where the Plan

specifies residential (Attachment Map 1A, to July 29, 2005, memorandum from

Denis Canavan)

Commissioner Raley moved, seconded by Commissioner Jarboe, with regards to the area west of the Immaculate Heart Church in an area currently zoned OBP, which is specified in the July 29th memo from Mr. Canavan to the Board on map 1a., that the area which is zoned OBP, that in the plan it be considered for a Residential, medium use. Motion carried 5-0.

1. b. East of the Expedition office cluster on Three Notch Road there is an area currently zoned

CMX where the Plan specifies residential use (Map 1A)

Commissioner Jarboe moved, seconded by Commissioner Raley, to support the recommended change in land use intensity from CMX to RL for the area east of the Expedition Office cluster on Three Notch Road. Motion carried 5-0.

1. c. Between Great Mills Road and Sanner's Lake is an area zoned CC, Community Commercial, where the plan would designate downtown core mixed use, or DMX (Map 1B).

Commissioner Mattingly asked staff to research how many lakes exist and how much water is available in this area.

Commissioner Raley moved, seconded by Commissioner Jarboe, that the area between Great Mills Road and Sanner's Lake, the area depicted on map 1b of Mr. Canavan's July 29th memo to the Board, the area that is presently zoned CC Community Commercial, that in the revised Plan the land use intensity designation be changed to either RMX, RH or RL, but not to a designation as intense as DMX. Motion carried 5-0.

2. Transportation Plan – minor adjustment in the transportation component for the alignment of Lei

Drive through Lexington Manor. Department of Public Works and Transportation has clarified how this alignment will be shown in the County Transportation Plan, and the Department of

Economic and Community Development has explained the alignment relative to plans for the redevelopment of this area. Recommendation is to revise the exhibit in the draft Plan to be consistent with these considerations (Map 2).

Commissioner Raley moved, seconded by Commissioner Dement, that, with regards to the adjustment in the transportation component for the alignment of Lei Drive through Lexington Manor to eventually connect with Willows Road-Shangi La intersection, as indicated on Map 2, be approved as presented. Motion carried 5-0.

3. Residential and Office Mixed Use designation of the area east of Three Notch Road between Town Creek Drive and Patuxent Beach Road. Several comments in the public hearing record ask for a change in the classification of this area similar to the other side of Three Notch Road where First Colony and the Laurel Glen Shopping Center are located (Map 3). Staff recommendation is to retain the RMX classification for this area.

Commissioner Mattingly moved, seconded by Commissioner Raley, to leave Map 3 as RMX classification with the caveat to reevaluate the uses at a later date. Motion failed 1-4.

The Commissioners discussed concerns regarding the need for adequate buffering between residences and commercial entities, particularly in the rear of commercial lots that adjoin residences.

Mr. Canavan agreed to contact all individual property owners from Rt 4 to Town Creek to look at current allowable uses and desired uses to determine whether the desired uses could be accommodated by allowing additional uses in the current designation or whether they would require rezoning to a more intense zone.

4. The Plan recommends modification of the existing OBP and DMZ zones. Legislative action by adoption of zoning text amendment is necessary to implement this recommendation contained in the Plan. However, the timing of the zoning ordinance amendment is necessary as part of this legislative action on the Plan.

A public hearing on the proposed DMX and OBP zoning districts was held on May 24, 2005. Discussion included concern as to whether the recommended 49%-51% residential/office split is the

right mix. The Department of Economic and Community Development suggested limiting the residential component to 30%.

The Commissioners directed Mr. Canavan to return to the Board with scenarios/models of a 49-51% split and the recommended lower residential split.

BOCC SITTING AS BOARD OF HEALTH

Commissioner Jarboe moved, seconded by Commissioner Dement, to adjourn as the Board of County Commissioners. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Jarboe, to convene as the Board of Health. Motion carried 5-0.

PUBLIC HEARING: ST. MARY'S COUNTY HEALTH DEPARTMENT

Present: John Norris, County Attorney

Daryl Calvano, Director, Environmental Health

The notice for public hearing to consider proposed increases in the fee schedule to defray the costs of certain services performed by the St. Mary's County Health Department was published in the July 22 and 29, 2005, issues of the *Enterprise* newspaper.

The public hearing was opened for comments from the public. No comments were presented. The hearing was closed but will remain open for 10 days for written comment.

Commissioner Jarboe moved, seconded by Commissioner Dement, to adjourn as the Board of Health. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Dement, to reconvene as the Board of County Commissioners. Motion carried 5-0.

TRI-COUNTY COUNCIL: BROADBAND FEASIBILITY STUDY

Present: David Jenkins, Executive Director, Tri-County Council for So. Md.

Kelly Robertson-Slagle, Director, Government/ Member Relations

Doug Dawson, President, CGG Consulting

Mr. Jenkins and Mr. Dawson provided the Commissioners with an update on the goals, objectives, findings and recommendations contained in the draft Broadband Feasibility Study. The draft study addresses the current and future state of broadband in Southern Maryland and is expected to be finalized around the first of September 2005.

DEPT. OF HUMAN RESOURCES: PRESENTATION OF RESOLUTION APPROVING FOURTH AMENDMENT TO THE SHERIFF'S RETIREMENT PLAN

Present: Sue Sabo, Director, Human Resources Department

Dee Snyder, Benefits Coordinator

The Board of County Commissioners conducted a public hearing on July 12, 2005, to consider a fourth amendment to the St. Mary's County Sheriff's Office Retirement Plan. No further comments were received within the ten-day open record period.

The proposed amendment calls for a policy whereby the Board shall, for the two positions representing the Sheriff's Office on the Board of Trustees, consider the nominee or nominees receiving the greatest number of votes in a general election of the Covered Members for appointment to the Board of Trustees.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the Fourth Amendment to the St. Mary's County Sheriff's Office Retirement Plan. Motion carried 5-0.

DEPT. OF HUMAN RESOURCES: REQUEST FOR ADOPTION OF NEW EMPLOYEE MANUAL

Present: Sue Sabo, Director, Human Resources Department

Ms. Sabo presented for Board confirmation a Schedule of Pay Differentials, Premium Pay and Insurance Premiums that were approved previously by the Board.

Commissioner Jarboe moved, seconded by Commissioner Raley, to approve the Schedule of Pay Differentials, Premium Pay and Insurance premiums that were approved previously by the Board and are included in the new St. Mary's County Manual of Personnel Policies and Procedures. Motion carried 5-0.

Discussion took place on the County's policy regarding benefits for grant-funded employees, however, no changes to the policy or the new manual were proposed.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve the new St. Mary's County Manual of Personnel Policies and Procedures as presented and dated September 2005, with an effective date of October 1, 2005. Motion carried 5-0.

DEPT. OF PUBLIC SAFETY: CLARIFICATION OF DIFFERENTIAL PAY FOR COMMUNICATIONS SPECIALISTS FOR TRAINING AND SUPERVISORY ASSIGNMENTS AS OUTLINED IN THE APPROVED REORGANIZATION

Present: Patrick Walsh, Director, Public Safety Department
Sue Sabo, Director, Human Resources Department

Mr. Walsh requested that the Board approve the amount of pay differential at \$.50 per hour for a Communications Specialist acting as a Training Officer on a shift and \$1.00 per hour for a Communications Specialist acting as a Supervisor on a shift. The differential pay for hours worked in these capacities would compensate for the additional knowledge and skills required. The two positions and the overall expense were included in the Public Safety Reorganization Plan presented previously to the Board.

It was recommended that future updates of the Personnel Manual include narrative regarding the training and supervision differential.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve the amount of differential pay at \$.50 per hour for a Communications Specialist acting as a Training Officer on a shift and \$1.00 per hour for a Communications Specialist acting as a Supervisor on a shift in the Public Safety Department. Commissioner Raley abstained. Motion carried 4-0, with one abstention.

The Board of County Commissioners previously approved a plan of reorganization for the Department of Public Safety that includes reclassification of 18 positions that are currently occupied and two vacancies. County Administrator George Forrest requested that within the confines of the approved FY06 Budget, the Board delegate authority to the County Administrator to reclassify the Communications Specialist III and IV positions as persons become qualified to fill these positions.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to sign the memo authorizing the County Administrator to oversee the reorganization of the Public Safety Department and the placement of appropriate personnel until the end of the FY06 budget cycle, at which time the policies contained in the Personnel Manual will be followed. Motion carried. 5-0.

Commissioner Jarboe asked that the Commissioners be notified when each reclassification is made. Commissioner Mattingly requested that Ms. Sabo provide the Commissioners with advice on the most efficient method of filling positions without having to reclassify each time persons are hired.

COMMISSIONERS' TIME

Commissioner Dement

Attended retirement celebration for Lt. Lyle Long. Presented proclamation on behalf of the Commissioners to John and Lorraine Armsworthy for their 40th wedding anniversary.

Attended St. Mary's County Chamber of Commerce Business After Hours at St. Clement's Island and Piney Point Museums, co-hosted by Lenny's Restaurant and Branch Banking & Trust.

Commissioner Mattingly

Hollywood Fire Department carnival starts up again this Thursday night and will run through the weekend. I understand they are doing well and want to encourage everyone to come and support their fire departments.

Commissioner Jarboe

Be careful of rabid animals. Avoid strange-acting animals and if an animal is killed, call the Health Department so they can come out and test for rabies. Keep animals on a leash or penned.

Commissioner Raley

Happy birthday to my wife, Ann, and to Commissioner Mattingly's wife, Dennie, who celebrated birthdays on July 29.

Commissioner President McKay

Last Friday I accepted a thank you proclamation for sponsorship of the River Concert series on behalf of the Board of County Commissioners and citizens of St. Mary's County. Commissioner Mattingly was there also. The community really enjoys this series.

I would like to encourage everyone to show their enthusiasm and support for Mark Dale and Sarah Raley, the local couple who won the NBC Today Show's wedding competition. St. Mary's College of Maryland has been selected as one of four possible locations for the wedding. The public has until Thursday, August 4, to cast a vote to decide the wedding location. Sarah Raley, her brother, and her father graduated from St. Mary's College of Maryland. Cast your vote at <http://www.msnbc.msn.com/id/8544668>, beginning August 1.

The Department of Public Works and Transportation is scheduled to replace a drainage culvert pipe on Old St. Andrews Church Road near the St. Andrews Convenience Center beginning on August 10 and continuing through August 12. During this time, the western entrance to Old St. Andrews Church Road will be closed to through traffic and traffic will be directed to use the eastern entrance to Old St. Andrews Church Road to access the Convenience Center.

The Board of County Commissioners is accepting input from the public in the development of the Board's 2006 Legislative Package submission to the St. Mary's County Delegation to the Maryland General Assembly. Send your written comments and suggestions to the Board of County Commissioners. The deadline for submissions is Tuesday, September 6, 2005. Contact Heidi Dudderar, Deputy County Attorney, for additional information.

There will be no Board of County Commissioners meetings on Tuesday August 9 or August 16, 2005. The next regular meeting will be Tuesday, August 23, 2005.

The Maryland You are Beautiful Program, in conjunction with the Maryland Department of Business and Economic Development, the Governor's Office, and the St. Mary's County Department of Recreation and Parks & Community Services, is now accepting nominations for the 19th Annual "Maryland's Most Beautiful People" Volunteer Awards. This year's theme is "The Power of One." Deadline for nominations is August 12, 2005. To nominate an outstanding volunteer, obtain a nomination form from the County's website or call the Division of Community Services at (301) 475-4200, ext. 1849.

VOTE TO MOVE INTO EXECUTIVE SESSION

Commissioner Raley moved, seconded by Commissioner Jarboe, to enter into Executive Session in order to discuss matters of Real Property, Personnel, and Litigation, as provided for in Article 24, Sections 4-210(a)11, 4-210(a)1, and 4-210(a)8, respectively. Motion carried, 5-0.

EXECUTIVE SESSION

Real Property

Present: Commissioner Thomas F. McKay, President

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly, Sr.

Commissioner Daniel H. Raley

George Forrest, County Administrator

John Norris, County Attorney

Sheriff David Zylak

Captain Kenneth Cusic

Terry Bollinger, Fiscal Specialist, Office of the Sheriff

Donna Gebicke, Recorder

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

Time Held: 3:45 – 3:55 p.m.

Action Taken: The Commissioners discussed a real property matter.

ACTION FROM EXECUTIVE SESSION TAKEN IN OPEN SESSION

Commissioner Mattingly moved, seconded by Commissioner Raley, to authorize the Commissioner President to sign the lease for the Sheriff's Department as presented. Motion carried 5-0.

EXECUTIVE SESSION

Personnel

Present: Commissioner Thomas F. McKay, President

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

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)1

Time Held: 4:00 – 4:20 p.m.

Action Taken: The Commissioners discussed personnel matter.

Litigation

Present: Commissioner Thomas F. McKay, President

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

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: 4:20 – 4:47 p.m.

Action Taken: The Commissioners discussed pending litigation.

ACTION FROM EXECUTIVE SESSION TAKEN IN OPEN SESSION

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to authorize staff and the Commissioner President to proceed as discussed in Executive Session regarding personnel. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to authorize the appeal of the decision of the Court of Special Appeals in the Lacer case and for staff to proceed as discussed in Executive Session. Motion carried. 5-0.

ADJOURNMENT

The meeting adjourned at 4:49 p.m.

Minutes Approved by the Board of County Commissioners on _____

Donna Gebicke, Administrative Assistant

