

**ST. MARY'S COUNTY**

**BOARD OF COUNTY COMMISSIONERS' MEETING**

**Governmental Center**

**Tuesday, September 9, 2003**

**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

Eleanor Abell, Administrative Assistant to BOCC (Recorder)

**CALL TO ORDER**

The meeting was called to order at 9:14 a.m.

**APPROVAL OF CHECK REGISTER**

**Commissioner Dement moved, seconded by Commissioner Jarboe, to authorize Commissioner McKay to sign the Check Register. Commissioner Raley abstained, motion carried.**

**APPROVAL OF MINUTES**

**Commissioner Raley moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' meeting of Tuesday, September 2, 2003, as corrected. Motion carried. Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the minutes of the public hearing portion of the August 26, 2003, minutes. Motion carried.**

**ST. MARY'S COUNTY FAIR ASSOCIATION**

Mr. John Richards presented information on the upcoming St. Mary's County Fair scheduled for September 18<sup>th</sup> through the 21<sup>st</sup> and gave the Commissioners commemorative tee-shirts. He indicated the fair was a big volunteer effort and the Fair Board is a non-profit organization raising enough funds to pay their bills. Cooperation from the County and State agencies assists in making the fair happen. In addition to the old favorites, new this year are: a food drive for the Southern Maryland Food Bank, an exhibit from St. Michael's School, a NASA sponsored robotics demonstration, new infrastructures and improvements, a stuffed ham demonstration (in which the BOCC was invited to participate) and auction to the BOCC's favorite charities. Commissioner Raley thanked Mr. Richards and all their volunteers for their efforts on behalf of the BOCC.

**GREAT MILLS HIGH SCHOOL SAT RECOGNITION**

The Commissioners presented Dr. Linda Lymus with an official commendation for outstanding academic excellence to recognize the increased SAT scores at Great Mills High School. In one year, the scores increased by 44 points and by 102 points in a two-year period.

Dr. Patricia Richardson said a few words on behalf of the school system, introduced staff and BOE members in attendance, and thanked the BOCC for their support with the budget.

## **HUMAN RESOURCES DEPARTMENT MONTHLY UPDATE**

### **Compressed Work Schedule:**

Randy Schultz, Human Resources Director, presented information on the proposed Compressed Work Schedule. He requested guidance and direction from the BOCC for staff to proceed and to come back at a later time with an implementation plan and date. Department Heads reviewed and discussed the material and the general consensus by them is that the CWS program was worth expending time on before implementation. The product is owed to the employees keeping in mind the citizen customer service. Some concerns were discussed regarding: Customer service to citizens of St. Mary's County, advantages and disadvantages, increasing service hours, how employees are supervised, training initiatives, general guidelines, premium pay, flexible work schedule, same days off, voluntary participation by employees, improve employee moral, time requirement for signing up to participate, and coverage for offices. The HRO director asked for guidance to expend staff energy to look at the program with the understanding that further research would need to be done and information gathered on the customer service improvement piece. The Commissioners asked for an initiative that outlined a good customer service program in detail. The BOCC asked that a sunset clause be implemented so CWS would go away after 120 days as conditional support if the initiative did not work.

*The Commissioners requested Mr. Schultz to obtain more data and feedback from department directors on the Compressed Work Schedule and come back to them with a proposal inclusive of customer service, number of employees participating and not participating in the program, service hours for departments, and public awareness of new schedules.*

Other areas of interest:

- There are 40 vacant positions since July, 2003.
- Injured Workers Insurance Fund saw a reduction in claims therefore causing the premium to drop.
- Property Casualty premium now \$550,000 which was a savings from \$646,000.

## **RECREATION AND PARKS MONTHLY UPDATE**

Phil Rollins presented the following information:

- Fall program guide was released today.
- Received \$2.8 Million in enterprise funds through fees and charges
- Two new Before/After School Child Care Centers opened this fall totaling 11 school centers.
- 600 people have used the new Skatepark since July 1<sup>st</sup>.
- 500 youth enrolled in the Gymnastics Center.
- Board of Education working with the County on a gymnasium facility at the old Carver school for recreation opportunities in Lexington Park.
- The Lighthouse Challenge is schedule for September
- Lead paint removed from lighthouse keeper's quarters at Piney Point.

- Potomac Maritime Museum recommendations to the BOCC on reconstruction/development plan.
- Blessing of the Fleet on October 4<sup>th</sup> and 5<sup>th</sup> at St. Clement's Island
- September 18<sup>th</sup> is Senior Citizen day at the lighthouse.
- Wicomico Shores had 5,000 rounds of golf in August. Chopticon High School is using the facility for their golf team and Special Olympics is hosting their Southern Maryland Regional qualifier. The club championship was held in August. The clubhouse project has a Spring, 2005 target date.
- Maintenance and grounds facility upkeep taking place through the Parks Division.
- Tennis Courts at Wicomico Shores being renovated.
- Swimming Pool at Great Mills has an early October opening and ribbon cutting date.
- Parking lot expansion at Dorsey Park.
- Chaptico Park excavation work continuing.
- Three Notch Trail to begin construction Spring of 2004.
- Cape St. Mary's boat ramp work has been completed and is open for public use.
- St. Inigoes and Wicomico Shores public landings are over budget and money is being shifted for St. Inigoes.

Some concerns voiced by the Commissioners were about the Golf Course Advisory Board and completing the draft of the bylaws. The County Attorney will get on the Ethics Commission agenda for review and opinion. The Commissioner President McKay suggested that the Carver recreation site form a public and private partnership to assist with program costs and name the facility after a graduate of the school to elevate its status.

*The Commissioners requested Phil Rollins track the number of visitors participating in the Lighthouse Challenge in September. It was requested that the County Attorney get on the Ethics Commission agenda to review the draft bylaws for the Golf Course Advisory Board.*

## **LAND USE AND GROWTH MANAGEMENT MONTHLY UPDATE**

Denis Canavan presented information to the Commissioners.

- Work has been completed on Critical Area Zoning Maps with an effective date of September 26, 2003.
- Adequate Public Facilities going out for solicitation; APF Task Force bringing back information; school capacity and traffic issues need to be addressed with the legislative body.
- 1,300 phone calls to department with more not accounted for.
- Reduction in staff with more customer service demands.
- Planning Commission Work Session on Lexington Park Plan September 15, 2003 at 6:30 p.m.
- BOCC Public Hearing scheduled on October 14<sup>th</sup> at 6:00 p.m. regarding Historic Preservation Guidelines. Planning Commission will be reviewing Proposed Zoning Ordinance Text Amendments to Airport Master Plan.
- Public Hearing for the BOCC requested for September 30<sup>th</sup> for the Water Sewer Plan for Adequate Public Facilities. This may be an afternoon hearing.

*The Commissioners confirmed public hearing dates for: October 14, 2003, for Historic Preservation Guidelines, and September 30<sup>th</sup> for the Updated Water Sewer Master Plan. The Commissioners requested Denis Canavan to talk to the citizens in the Amish community in the northern end of the county regarding the floating overlay zone. The BOCC requested information on the process for one-time permit requests from citizens and what new initiatives are in place.*

## COUNTY ADMINISTRATOR TIME

1. Draft Agendas: September 15th and September 22nd, 2003 were approved.
2. a. **Commissioner Raley moved, seconded by Commissioner Jarboe to approve and authorize Commissioner President to sign the Memorandum of Understanding placing one Office of Community Services AmeriCorps\*VISTA at St. Mary's College of Maryland. Motion carried.**  
  
b. **Commissioner Raley moved, seconded by Commissioner Dement to approve and sign the Ordinance for the FY2004 Supplemental Appropriation to receive funds from the Patuxent River Naval Air Museum Association and to authorize Commissioner President to sign the Budget Amendment. Motion carried.**
3. **Commissioner Jarboe moved, seconded by Commissioner Dement to approve and sign the Ordinance for FY2004 Supplemental Appropriation to receive funds from the Federal Department of Homeland Security Office of Domestic Preparedness – State Homeland Security Grant Program and authorize Commissioner President to sign the Budget Amendment. Motion carried.**
4. a. **Commissioner Raley moved, seconded by Commissioner Dement to approve and authorize Commissioner President to sign the Budget Amendment for the Family Services Grant award to allow for a decrease in revenues and expenses and an increase in the unallocated grant reserve account. Motion carried.**  
  
b. **Commissioner Jarboe moved, seconded by Commissioner Dement to approve and authorize Commissioner President to sign the Budget Amendment for the Southern Maryland Regional Dependency Mediation Program. Motion carried.**
1. **Commissioner Jarboe moved, seconded by Commissioner Dement to approve and authorize Commissioner President to sign the Maryland Department of Aging local Area Agency on Aging "Area Plan' FY2004-2007 Older American Act Grant. Motion carried.**
2. **Commissioner Dement moved, seconded by Commissioner Mattingly to approve and authorize Commissioner President to sign the Budget Amendment to reconcile all airport capital accounts for the Captain Walter Duke Regional Airport to provide funds for an Economic Impact Study. Motion carried.**

*The Commissioners requested that the Airport Advisory Committee outline and define what is known about the Airport Master Plan and address steps beyond this regarding Delta.*

- 3. Commissioner Dement moved, seconded by Commissioner Jarboe to approve and authorize Commissioner President to sign the Inter-Governmental Agreement with the St. Mary's County Department of Social Services for the Job Access and Reverse Commute Grant Agreement. Motion carried.**

*The Commissioners requested that a letter be sent to the federal congressional delegation to make them aware of concerns regarding the T21 Job Access Reverse Commute Grant.*

#### **COUNTY COMMISSIONER TIME**

##### Raley

- Attended the King's Christian Academy ground-breaking ceremony September 7, 2003, and sent congratulations to staff on their efforts.
- Attended the ribbon-cutting for the Indigo Grill, formerly Alice's Restaurant.
- Mentioned the kick-off breakfast for the United Way on September 12, 2003.
- The Freedom Garden was getting some attention from Recreation & Parks.

*The Commissioners requested information on the completion of Coral Drive to be provided by George Erichsen, DPW Director.*

##### Dement

- Attended the ribbon-cutting for the Indigo Grill
- Attended the open house for the Lexington Park Adult Community Apartments.
- Hosted his last cable television show "The Hot Corner" for softball recently. He thanked the sponsors, players, and managers for their efforts.

##### Mattingly

- Apologized to folks for canceling his attendance at functions due to family issues.
- Attended meeting with the Maryland Agriculture Land Preservation Task Force and reports the program has good support. Valuation and easements are discussion points. New information will be forthcoming on the status of progress.
- Congratulations to King's Christian Academy.
- Visited the Walden-Sierra anchor site and was impressed with the quality of the facility.

##### Jarboe

- Mentioned when the BOCC tours facilities, to think about the Board of Elections and their space needs for offices and equipment and hoped they could move quickly on locating space.

*The Commissioners requested that space be found for the Elections Office to store voting machines.*

##### McKay

- Commissioner McKay wished Commissioner Mattingly a Happy Birthday.

- Streetscaping on Tulagi Place is to begin shortly and South Coral Drive is also included. Anticipated completion of the project is November, 2003.
- Attending the Procurement Policy Review Committee meeting scheduled for September 10, 2003. If the Commissioners have any thoughts to carry to the committee on behalf of the BOCC, Mr. McKay will do so.
- On September 11<sup>th</sup>, there will be a ceremony at 12:00 at the flagpole in front of the Governmental Center to recognize the victims and fallen military personnel.
- Mentioned the Public Forum on September 9<sup>th</sup> at the Mechanicsville Fire Department Golden Beach Sub Station at 6:30 p.m. to discuss the MTA Northern End Park and Ride proposal.

The meeting adjourned at 12:37 p.m. The meeting reconvened at 1:30 p.m. with a tour of the old Sheriff's building, Leonardtown Library, and Building Services Facility.

## **PUBLIC FORUM**

The Public Forum was held at the Mechanicsville Volunteer Fire Department, Substation 22, Fire Department Lane in Golden Beach, Maryland. Commissioner President McKay opened the meeting at 6:41 p.m and introduced the Commissioners and staff. Staff present were:

George Forrest, Denis Canavan, John Groeger, George Jarboe, Jennifer Fabbricante, Delores Lacey, Mark Curtis and Donna Gebicke.

George Jarboe, Transportation Manager, presented an overview of the MTA's Park and Ride Update presented to the Board of County Commissioners on August 26. Following the presentation, the meeting was opened for public comments.

### Pat Myers, President, Northern Senior Center Council, Mechanicsville

Search on the internet resulted in list of 7 plants that were listed as endangered in Maryland – none of them were the Mosquito Fern or Silvery Aster identified by DNR on the property where the new Senior Center is scheduled to be built. The Northern Senior Center Council is fed up and frustrated with the lack of progress on the construction of the new center. Why did the recent environmental concerns resurface now? George Erichsen provided us with a copy of an August 18 letter that indicated DNR's concerns would result in delays in construction until they confirm the endangered species issue. If DNR does find something, what will this mean in terms of construction delays? Has the County already spent the money allocated for the Northern Senior Center? Will we lose the \$600,000 grant from the state if we don't use it by a certain date? What priority is this project for the Commissioners? Calvert County received \$600,000 state grant at the same time we did - - their building is completed and they will have dedication this month. This project started in the early part of 1999. We are too old to be put on hold. Please do what you need to do to get this center completed. We also need good communication. We asked Enterprise reporter, Susan Crayton, to include status reports on this project in her "North County News" column. Can Commissioners and Mr. Forrest appoint someone as the focal point to provide Susan with updates. Seniors deserve better. We hope you will be able to get the job done. Would also like to commend the excellent job that Mark Curtis does with Channel 12.

### Commissioner Raley

You are correct. You need results, not excuses. We have not spent the funds designated for this project. This Board is committed to getting this project done. Staff is aware that this is a number one priority. It is embarrassing that construction has not begun. We will use any powers we have to make sure it gets done and we apologize for the delays.

Commissioner McKay

I concur with Commissioner Raley. You are correct. Please know that there is no other capital project in the county that has a higher priority, and, yes, we will keep Ms. Crayton informed on this project. *(Mr. Forrest indicated that she could call him directly.)*

Sam Disclafami, 38819 Dr. Johnson Rd., Mechanicsville

Resident of SMC for over 21 years. Don't understand why the environmental people found these endangered species at this time. Why now and not when the property was first found? I think people just don't want the center in their backyard. We are getting a shove and a push from somewhere. These plants are not paying taxes. If all these people here tonight don't pay their taxes, you will have to put us in jail and maybe then we'll have our senior center (jail). The five of you can do just a little more – you need to shove and push them – if you won't shove, come election time, someone else will have to.

James Lynch, 40725 Beach Road, Mechanicsville

Member of the Senior Center Council. It really is an embarrassment. Let's get the center going. We are all frustrated. It seems like there must be people working against us. When will the center be built?

Commissioner Mattingly

We have asked for a rapid response from the state (DNR) on the environmental issue. This is a perfect example of the many hoops we have to jump through with these projects. We have made staff changes because this project wasn't moving forward. We will push. Want you to know that the former Board and this Board are definitely committed to getting the center built. We applaud you for sticking with it.

Commissioner Jarboe

After we made the staffing change the Director of Public Works and Transportation was in the permits office the next day getting the necessary permits for the Northern Senior Center. This endangered species issue is a difficult thing. It's possible that the identified plants are classified as "threatened" and not "endangered." Indian Bridge Road construction was held up for six years because of a toad. I would like to suggest that everyone contact our delegates and representatives. We need to move this project along. We will be doing our part. Let the delegation know how you feel.

Commissioner McKay

The previous person in charge of this project had not applied for the proper permits and it cost him his job. The endangered species issue has been raised at the state level (DNR).

Tom and Elaine Williams, Charlotte Hall

There is a menace in this county – dirt bikes and ATV's. We spoke a year ago in Leonardtown about this and worked with Jon Grimm on it. This problem has been going on for a year at the end of Mohawk Drive. Don't know how long it will last. The radius of noise from these vehicles is ½ mile. Persimmon Hills has the same problem. The decibel machine registers 80 at the property line. We are not pleased with the letter we received from the Commissioners in response to my request for them to review the ordinance. The letter indicated that the Planning Director may

require an acoustical study. Jon Grimm was the Planning Director at that time. The Commissioners told me that if they have to prohibit dirt bikes and ATV's, they would also have to prohibit power lawn mowers, snow blowers, and chain saws. This is comparing apples to oranges. I also addressed environmental concerns in my letter. The response said that in 2 ½ years, we were the only ones to complain to Mr. Guyther. I don't think this is the case. The letter goes on to say that it is impossible to enforce due to the proliferation of dirt bikes in the county. Is this any way for

people in St. Mary's County to have to live? What are you going to do about the noise and environmental damage from these dirt bikes and ATV's.

Unidentified resident of Golden Beach

I live in Persimmon Hills and I can tell you how we handled this issue. Our Homeowners Association contacted the Sheriff's Office. Letters were sent to owners of dirt bikes and ATV's telling them that what they were doing was illegal. This solved the problem.

Commissioner McKay

We will ask the LUGM Director, Denis Canavan, to get a copy of the Charles County noise ordinance to see if it can be a model for us to use.

Daphne McGuire, 39720 Oakleaf Circle, Mechanicsville

I would like to talk about trash. The previous Board was presented with a proposal to open the convenience centers for longer hours or hours later in the evening during daylight savings time. They endorsed this idea but did not implement it. The new Board has also endorsed this idea but nothing has happened.

Commissioner Jarboe

I brought this to the table again several weeks ago. Clare Whitbeck and the SWAC are conducting a survey asking citizens what hours they would prefer. We hope to apply the later hours next year.

Kathleen Fean, 37740 Apache Rd., Golden Beach

Resident for over 20 years. Fighting for the Senior Center. Did the WAWA and other gas stations or fast food places have endangered species where their businesses were built? We have the same problem with dirt bikes on Indian Creek Drive as the other speaker does. The county does not have enough senior citizen housing. We need more housing for seniors. We were promised that there would be no adult day care facility next to the Senior Center. Who found this endangered plant species?

Denis Canavan, Director, Land Use and Growth Management

DNR does on-site inspections and part of the necessary steps that have to be taken by reviewing agencies. I will have staff present when DNR comes to inspect plants and will attempt to get a verbal response.

Kathleen Fean

I spoke with Senator Dyson and Delegate Wood and they told me that the county is holding up the construction of the Senior Center.

(Commissioner McKay pointed out that the county is not holding up the project. It is the state that has raised the environmental issue regarding endangered species.)

Paul McGowan, 29907 Richard Dr., Golden Beach

Have lived in Golden Beach for over 20 years. Mary Ann Polkiewicz (MTA) told us that if ridership coming from Golden Beach is less than 10%, then Park and Ride stop would not be built in Golden Beach. What is the ridership now? Is it more than 10% or only 5% like it was when MTA held the public meeting? If it is not 10%, then they should build Park and Ride in the southern part of the county. There are already problems with stop sign at Golden Beach Road and All Saints Road – people will take this faster route to Route 6. What is the fatality rate at the intersection now? What is the projected increase? Park and Rides also bring increase in crime. Will we have increased protection from Sheriff's Department? The state responds quicker than the Sheriff's Department. Let's build the Senior Center on the proposed Park and Ride site.

Clare Whitbeck, Leonardtown

Lack of housing is a big issue. We are 15 months from the beginning of 2005 when folks visit to see if we can accommodate the additional residents coming to work here. We need to be concerned about where the residents of Lexington Manor will be located as well as general housing needs. It takes a long time to do affordable housing projects. By 2005 we need to lay a plan on the table outlining how we will accommodate residents. I also caution you to make certain we are not just providing *low* income housing - - we need *very low* income housing for the residents of Lexington Manor and others coming to work on the base. We're still waiting for housing and I'll continue to remind you each month.

Clara Moore, 40425 Beach Dr.

I concur with the comments made previously about traffic problems on Golden Beach Road. The proposed Park and Ride will put 120 additional cars on the road at one time. It will not be as staggered as MTA thinks.

Fred Cain, 40247 Waterview Dr., Mechanicsville

The Rt. 5 and Golden Beach Road intersection has 6 feeder roads already. How can MTA justify putting new Park and Ride here? Another site would be more acceptable. The county owns another site. We could do a trade with the state for a piece of property to build a school or another project. The state says they need two new Park and Rides, but they have enough space to do two on Route 6. Put pressure personally and on Board of Public Works.

The public meeting adjourned at 8:10 p.m.

**Minutes Approved by the**

**Board of County Commissioners on \_\_\_\_\_**

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**Donna Gebicke, Administrative Assistant**  
**to the Board of County Commissioners**