

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
GOVERNMENTAL CENTER  
Tuesday, November 22, 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  
Susan J. Wolfe, Acting Senior Administrative Coordinator (Recorder)

*Susan Wolfe recorded the following meeting minutes:*

**CALL TO ORDER**

The meeting was called to order at 9:12 a.m.

**APPROVAL OF CHECK REGISTER**

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

**APPROVAL OF MINUTES**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' Meeting of November 15, 2005. Motion carried, 5-0.**

**COUNTY ADMINISTRATOR**

1. Draft Agenda for December 6, 2005 (There will be no meeting on November 29.)
2. **Department of Recreation, Parks & Community Services** (*Phil Rollins, Director; and  
Parran Bean, Vice President, and Robert Mattingly, Maryland Rock Industries*)

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to accept the Deed from The Arundel Corporation, dated November 5, 2005, to convey 21,023 square feet of land, more or less, for use in conjunction with the Abell's Wharf Public Landing and authorize the Commissioner President to sign the Certificate of Acceptance on behalf of the County. Motion carried, 5-0.**

*Additional property will be made available from Maryland Rock Industries reclaimed land for the new girls' lacrosse informal fields.*

3. **Department of Economic & Community Development and St. Mary's County Housing Authority** (*Dennis Nicholson, Executive Director, Housing Authority*)

Commissioner Raley moved, seconded by Commissioner Dement, to approve and sign the Resolution supporting the St. Mary's County Housing Authority's FY2006 Community Legacy Application for the Colony Square Revitalization Project from the Maryland Department of Housing and Community Development. Motion carried, 5-0.

4. **Metropolitan Commission** (*Steve King, Director; accompanied by Heidi Dudderar, Deputy County Attorney*)

Commissioner Dement moved, seconded by Commissioner Mattingly, to sign a Resolution approving the refinancing of the St. Mary's Metropolitan Commission's \$618,272.86 outstanding principal amount of its Water Quality Bond, Series 1991, dated December 4, 1991, and to authorize the Commissioner President to sign the Endorsement of the Bond and the General Certificate of the County Commissioners. Motion carried, 5-0.

*Mr. King indicated that these savings can be earmarked for other capital projects. Mr. King was asked to inquire of the Metropolitan Commission whether relief could be granted to the residents of the St. Georges Park and Sheehan subdivisions.*

5. **Department of Public Safety** (*Tim Cameron, Director*)

Mr. Cameron was introduced by Mr. Forrest as the County's new Director of Public Safety.

**DECISION ON PROPOSED ZONING ORDINANCE TEXT AMENDMENTS FOR THE RIGHT TO FARM AND AMENDMENT TO THE COUNTY CODE WITH ADDITION OF NEW CHAPTER 254** (*Denis Canavan, Director, Department of Land Use & Growth Management; Heidi J. Dudderar, Deputy County Attorney*)

This proposal was considered by the Planning Commission at their public hearing on August 22, 2005, and was unanimously recommended for approval. On November 8, 2005, the Board of County Commissioners held their public hearing at which time they received a report and testimony from the Department of Land Use and Growth Management. Testimony received at the public hearing was in favor of the Zoning Ordinance and amendment to Chapter 254 and the record was held open for ten additional days. As of the date of the report, only one additional piece of correspondence was received from the Maryland Farm Bureau.

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve the proposed Zoning Ordinance Text Amendments for the Right to Farm and Amendment to the County Code with the addition of a new Chapter 254, effective December 9, 2005. Motion carried, 5-0.

*Commissioner Jarboe noted there was a dissenting opinion expressed at the Commissioners' public hearing. He inquired about adding language to the Ordinance. Mr. Canavan asked that the Ordinance be approved as presented and that language be added in the form of an amendment at a later date, as follows:*

*“Be it further ordained by the Board of County Commissioners for St. Mary’s County that although active farming is an encouraged land use, farmers may choose not to farm. The use of farm subsidies and contractual commitments with governmental agencies, non-profit organizations, neighborhood association, and private individuals not to farm or harvest crops or trees for environmental, economic, or aesthetic reasons may also be a means to preserve tillable land and future agricultural potential.”*

**PROPOSED ORDINANCE AND EASEMENT AGREEMENT TO PROVIDE EASEMENT TO METROPOLITAN COMMISSION OVER ST. ANDREWS LANDFILL PROPERTY**

*(George Erichsen, Director, Department of Public Works & Transportation; Heidi J. Dudderar, Deputy County Attorney)*

A public hearing was held to consider this request on May 3, 2005, notice of which was published in The Enterprise on April 22, 2005 and April 29, 2005.

Commissioner Jarboe asked if a land exchange could occur instead to provide sewerage for future schools.

**Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign Ordinance 2005-12 and the easement agreement, in order to grant the St. Mary’s County Metropolitan Commission an easement over the property where the St. Mary’s County Landfill is located, on the following conditions: (1) that the third party beneficiary to the easement agreement, St. Mary’s Crossing, LLC., pay \$20,000 to St. Mary’s County Board of County Commissioners; and (2) that the sewer line that would be placed within the easement be of sufficient capacity to address any potential sewer deficiencies that we have in St. Andrews Estates, a legal recorded subdivision in St. Mary’s County. Commissioner Jarboe voted against the motion. Motion carried, 4-1.**

**DECISION ON PROPOSED AMENDMENTS TO SERVE CATEGORIES IN COMPREHENSIVE WATER & SEWERAGE PLAN, ST. GEORGES PENINSULA**

Due to a November 21 letter to Denis Canavan, Director, Land Use & Growth Management, from the Maryland State Critical Areas Commission, as referred to representatives from Empire Homes on November 22, the requestors asked this item be tabled to a future date.

**Commissioner Raley moved, seconded by Commissioner Dement, that CWSP-04-120-001, St. George Peninsula, be tabled until such time as the applicant desires to bring it back to the Board of County Commissioners. Motion carried, 5-0.**

**DECISION ON PROPOSED AMENDMENT TO THE SENIOR PROPERTY TAX CREDIT ORDINANCE** *(Heidi J. Dudderar, Deputy County Attorney)*

**Commissioner Dement moved, seconded by Commissioner Raley, to approve the Amendment to the Senior Tax Credit establishing a Senior Property Tax Credit Review Committee. Motion carried, 5-0.**

*Commissioner President McKay said he would vote for the Amendment with reluctance. He said that in previous Ethics Commission rulings, people that would be affected by the senior tax credit would not be able to serve on the committee. He further noted that the state said this would give relief to the sunset provision, but Carroll County does not have a sunset provision.*

## **COMMISSIONERS' TIME**

### Commissioner Mattingly

Attended the ribbon cutting ceremony for the new Best Buy store. Noted that the store is hiring 100-105 employees, 40 of whom are full-time.

Attended the Highway Safety meeting.

Attended the Third and Seventh District Optimist appreciation dinners.

Attended the Bay District fire department installation of officers.

Will attend the Christmas tree lighting ceremony in Leonardtown on November 25.

Extended Thanksgiving wishes to all.

### Commissioner Jarboe

Noted the attendance of Boy Scout Peter Wieser and his mother at today's meeting. Peter is working on a merit badge focusing on dissent in government.

Extended Thanksgiving wishes to all.

### Commissioner Raley

Attended the ribbon cutting ceremony for the new Best Buy store.

Attended the Bay District fire department installation of officers. They are looking forward to the next installation in their new facility.

Noted correspondence from Mr. McNair, re: Lake Hollis, in the First Election District., asked George Erichsen to report on progress on this request.

Asked that a public meeting be set up as soon as possible with the residents of Kingston Creek to discuss the concerns in their letter.

Will serve as auctioneer at annual gingerbread auction at Lettie Dent Elementary School.

Extended Thanksgiving wishes to all.

### Commissioner Dement

Attended the ribbon cutting ceremony for the new Best Buy store.

Attended the Bay District fire department installation of officers.

Attended the 7<sup>th</sup> District Optimist appreciation dinner.

Sent anniversary wishes to his wife, Shirley, for their recently celebrated 51<sup>st</sup> anniversary.

### Commissioner President McKay

Met with St. Mary's College staff responsible for River Concert series. They are in need of a permanent facility for that series and other cultural events. That group will come to FY2007 County budget discussions.

Asked Commissioners to mark calendars for December 9 to host a "Stuff the Bus" event at the Newtowne Players community theatre in Lexington Park. Food for needy residents will be collected.

Noted that the meeting would reconvene at the St. Mary's County Airport to hear a presentation from the local Habitat for Humanity group, after a tour of two of their homes.

### **VISIT TO PATUXENT HABITAT FOR HUMANITY HOMES**

The Commissioners visited a Patuxent Habitat for Humanity home under construction and one newly- inhabited home in the Sans Souci area.

### **PATUXENT HABITAT FOR HUMANITY PRESENTATION** (Meeting reconvened at the St. Mary's County Airport, main terminal meeting room.)

Present: Chuck Stein, President  
June Cornillaud (Mgr of Administration)  
John Wagner (Board Member)  
Rick Sass (Board Member)  
Bobby Swann (Board Member)  
Rolanda Tate (Board Member)  
Rev. Paula Robinson (Board Member)  
June Castro (Home Owner)  
Mark Dillow (Home Builder)

The Commissioners received an overview of the Patuxent Habitat for Humanity organization and how it works to address the need for affordable, workforce housing. Their goal is to grow to be able to build 5-9 houses per year by 2007. Ms. June Castro, a new Habitat homeowner, and Mark Dillow, one of the Habitat home builders, spoke on how the Habitat program has affected their lives.

Mr. Stein explained the need for land in St. Mary's County to build new Habitat homes and presented a concept for a solution to this problem through a partnership with St. Mary's County. Habitat proposes to build 35 duplex units (70 homes) on 13.6 acres of County-owned property next to the Great Mills swimming pool. The proposal calls for the County to provide the land and waive the impact fees, and for Habitat to obtain the funding for the necessary engineering and development of the infrastructure. Once the infrastructure is in place, Habitat will build and finance the units over a 5-7 year period.

The Commissioners expressed their strong support for the mission of Habitat for Humanity and their appreciation of the good work of all the Patuxent Habitat volunteers. Commissioner McKay indicated his support for the proposal as a good first step. However, several concerns were raised regarding the proposal. Commissioner Jarboe questioned the plan for duplexes, as opposed to the more desirable single-family home. Commissioner Raley expressed reservations about the plan for duplexes as well as the proposed site for the homes, stating that the land was originally purchased at a cost that was well below the appraisal amounts to protect the Great Mills High School facility and to ensure space for government buildings that may be required in the future for this major population center. Commissioner Mattingly was concerned that although the Habitat homes are considered workforce housing, there is already a high concentration of low-income homes already in the proposed area. He asked that staff provide Patuxent Habitat with a list of County-owned properties for their re-consideration. Commissioner Raley asked staff to provide the Commissioners with a copy of the draft master plan for this property that was prepared some time ago.

As a next step, Commissioner McKay asked staff to find an appropriate avenue to bring the project to a more detailed discussion stage, e.g. a work session. School needs in the area, plans that were previously discussed for this property, and input from the Department of Economic and Community Development on the impact of additional affordable housing in the area, will be part of future discussions.

## **ADJOURNMENT**

The meeting adjourned at 4:05 p.m.

Minutes approved by the Board of County Commissioners on

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Susan Wolfe, Acting Senior Administrative Coordinator