

ST. MARY'S COUNTY

BOARD OF COUNTY COMMISSIONERS' MEETING

GOVERNMENTAL CENTER

Tuesday, December 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

Donna Gebicke, Administrative Assistant (Recorder)

CALL TO ORDER

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

APPROVAL OF CHECK REGISTER

Commissioner Mattingly moved, seconded by Commissioner Dement, to authorize Commissioner McKay 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, December 2, 2003, as amended. Motion carried.

COMMENDATION

The Commissioners presented James Singley with a commendation in recognition of his selection as Maryland State Delegate for St. Mary's County to the National 4-H Congress.

NEW LIBRARY DIRECTOR

The Commissioners welcomed Kathleen Reif, new Library Director for St. Mary's County, who described the role of libraries in the community and her plans for the future.

TECHNOLOGY HANDBOOK

Tim Faust, Department of Economic and Community Development (DECD), presented the 'Technology Handbook for St. Mary's County.' The Handbook is produced by DECD to

encourage communication between local firms and to expand markets for the local technology industry by providing information about the range of goods and services that they offer.

Samantha Billingsley was presented with a commendation for winning the Handbook cover contest sponsored by the Patuxent Partnership.

COUNTY ADMINISTRATOR

1. Draft Agenda for December 16, 2003, was reviewed. There will be no Budget Work Session

on 12/15

2. Office of State's Attorney (*Michael J. Stamm, Deputy State's Attorney*)

Commissioner Jarboe moved, seconded by Commissioner Dement, to authorize Commissioner President to sign a Budget Amendment increasing "other contract services" account and decreasing the reserve account by \$12,500. Motion carried.

3. Board of Education (*Daniel Carney, CFO*)

Commissioner Mattingly asked why the supplies/materials item in the State Compensatory Education Carry Over was so high. Commissioner Raley asked if 2 para-educators could carry out the School Improvement grant in place of the one teacher designated for Lexington Park Elementary (i.e., one para-educator at Lexington Park, one at Carver and one at an additional school).

Commissioner Mattingly moved, seconded by Commissioner Jarboe, contingent upon a response to questions raised by Commissioners Mattingly and Raley, to approve and sign letter authorizing the Board of Education's inclusion of the following new grant awards and/or grant changes in the Board of Education FY 2004 budget: Dropout Prevention, Sexual Harassment/Assault Prevention, School Conflict Resolution, Smaller Learning Communities-LHS, State Compensatory Education Carryover (changes to approved grant), School Improvement – Lexington Park Elementary, and School Improvement – Carver Elementary. Motion carried.

4. Office on Aging (*Gene Carter*)

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and sign State Notification of Grant Awards for Senior Nutrition, Senior Care, Guardianship, Subsidized Asst. Housing, Senior I&A, IT, VEPI and State Ombudsman programs and related budget amendments (\$4,425 and \$487). Motion carried.

5. Finance Department (*Elaine Kramer, and Linda Bean, Jane Sypher, College of So. Md.*)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign Budget Amendment allocating an additional \$33,000 from Reserve for Emergency Appropriations to the College of Southern Maryland to cover the operation costs of the new building.

Commissioners Raley and Mattingly felt that more should be allocated to ensure building operation costs are covered and voted no. Motion carried. 3-2.

6. Recreation and Parks (*Phil Rollins, Director; Joyce Malone, Real Property Mgr., Brad Clements*)

Commissioner Dement moved, seconded by Commissioner Raley, to approve and authorize Commissioner President to sign Letter of Understanding with the Board of Education for Temporary Use of the Former George Washington Carver Elementary School. Motion carried.

7. Emergency Management Agency (*Phil Cooper, Acting Director*)

- a. **Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize Acting EMA Director to sign Memorandum of Understanding between MEMA and St. Mary's County Emergency Management Agency regarding costs incurred due to the operation of the FEMA Disaster Recovery Center. Motion carried.**

In order to conserve costs, groups who use the airport facilities for meetings in the evenings will be asked to use Room 14 in the Governmental Center.

- b. **Commissioner Dement moved, seconded by Commissioner Raley, to approve and authorize Commissioner President to sign Memorandum of Agreement for reimbursement to the Metropolitan Commission via Emergency Management Agency and related sub-recipient agreement. Motion carried.**

8. Emergency Management Agency & Real Property Manager (*Phil Cooper, Joyce Malone*)

Receive staff input regarding Mechanicsville Volunteer Fire Department Request for Northern County Park Site

Joyce Malone provided the Board with information on the possible use of land purchased with Program Open Space (POS) funding. The Mechanicsville Fire Department is interested in acquiring 2-3 acres at or near the entrance of Chaptico Park, which is land purchased with POS funds, to build a substation that would serve the citizens of Chaptico, Budds Creek, Wicomico Shores and Country Lakes. POS requirements dictate that a request for a conversion of the use of property purchased with POS funds can't be considered for a period of five years (i.e., after January 2006) unless the Board of County Commissioners find that extraordinary circumstances exist. Replacement property would need to be located, appraisals on both properties would be needed, and the replacement property would have to remain open space. County Attorney John Norris stated that clarification is being sought as to whether the County can currently own the replacement property needed to convert the Chaptico property or if property currently owned by the County can be used for the conversion.

Commissioner President McKay recommended the following: submit 2005 proposed legislation to provide for revision of the Program Open Space guidelines to allow first responder/emergency facilities to be located on POS property (language can be drafted specifying % of property, e.g. 1-3%); define the area now that would be designated for the substation so that it is not planned for another purpose in the future; and begin to move through the process after 2006.

Staff was directed to draft a letter to the Mechanicsville Fire Department indicating that while the outcome can't be guaranteed, the Board is committed to going through the process of requesting conversion of the use of POS property at Chaptico Park once the time restriction has passed; and, in the meantime, will designate on the Chaptico Park property where the substation could be placed.

9. Department of Public Works and Transportation (*George Erichsen, Director*)

Commissioner Raley moved, seconded by Commissioner Jarboe, to sign Resolution accepting Carmen Woods Drive into the County's Highway Maintenance System and Resolutions posting a 25-mph speed limit and stop signs, and to authorize Commissioner McKay to sign Deed. Motion carried.

10. Department of Land Use and Growth Management (*Sue Veith, Environmental Planner*)

The Commissioners were asked to sign a Resolution supporting the request by the Patuxent River Commission for federal legislation that will enable a federally funded and implemented study of the Patuxent River to determine qualification for designation as a Wild and Scenic River. Following discussion, the Commissioners agreed to ask Mr. Jack Leighty, Patuxent River Commission Vice Chair, to provide additional information on the proposed resolution at a future Board meeting.

EXECUTIVE SESSION

Commissioner Dement moved, seconded by Commissioner Raley, to meet in Executive Session to discuss matters of Personnel, specifically boards and committees, as provided for in Article 24, Section 4-210(a)1. Commissioner Jarboe voted no. Motion carried.

Personnel

Present: Commissioner President Thomas F. McKay

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly

Commissioner Daniel H. Raley

Delores Lacey, Boards and Committees, Appointments Secretary

Valerie Pilkerton, Asst. Appointments Secretary

Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)1

Time Held: 11:55 a.m. – 1:28 p.m.

Action Taken: The Commissioners discussed appointments to Boards and Commissions

ACTIONS FROM EXECUTIVE SESSION

Commissioner Dement moved, seconded by Commissioner Jarboe, to direct staff to proceed as discussed in Executive Session. Motion carried.

PUBLIC HEARING: PROPOSED AMENDMENT TO REAL PROPERTY TAX CREDIT ORDINANCE TO INCLUDE TERM "HISTORIC LANDMARK"

Present: Teresa Wilson, Historic Preservation Planner

Ms. Wilson noted for the record that a notice of public hearing on the proposed Amendment to Real Property Tax Credit Ordinance was published in The Enterprise on November 19, and November 26, 2003. The purpose of the proposed amendment is to expand the historic preservation tax credit to include historic landmarks, meaning individual structures as well as local historic districts, which means 10 or more structures. This amendment would make the real property tax credit ordinance consistent with the St. Mary's County Comprehensive Zoning Ordinance. The designation of both landmarks and historic districts is voluntary and must be sought by the owners.

No public comments were received during the public hearing on the proposed amendment. The comment period will remain open for 10 days. The public hearing was closed.

PUBLIC HEARING: PROPOSED AMENDMENT TO COMPREHENSIVE PLAN TO INCORPORATE BY REFERENCE THE SOUTHERN MARYLAND HERITAGE AREA TOURISM MANAGEMENT PLAN

Present: Jeff Jackman, Senior Planner

Carolyn Laray, Tourism Manager

Jeff Jackman noted for the record that a notice of public hearing on the proposed Amendment to the Comprehensive Plan, entitled "Quality of Life in St. Mary's County – a Strategy for the 21st Century," was published in The Enterprise on November 19, and November 26, 2003.

At page 105, the Comprehensive Plan incorporates by reference certain sub-plans. Amending the Comprehensive Plan to incorporate Heritage Tourism Management Plan will add a line 13 to page 105. Draft Plan identifies Target Investment Zones, at Leonardtown, Piney Point, and St. Mary's City. Section 14 of the Draft establishes a five-year capital projects and program activities budget and schedule.

The County Attorney advised that the Planning Commission's recommendation to the Board is to amend section 14 to delete references to specific timeframes of which items must be accomplished. The annual capital improvements program budget will address those items in an appropriate time frame.

Public Comments:

Laschelle Miller, Commissioners Leonardtown

Spoke in support of Southern Maryland Heritage Area Tourism Plan (SMHATP). This plan provides a wonderful tool for the continued revitalization of

Leonardtwn. It incorporates a number of the Town's priority projects and continues to create the link between these projects that we have worked very hard to develop. The development of a

regional plan and future implementation of that plan creates an awareness of the vast tourism resources St. Mary's County has to offer. In today's economic environment of limited funds for development of new projects, it's critical that we have a well-thought out plan for using the funds that are available.

Mary Posey, Solomons, MD, co-owner Southern Maryland Tours

Spoke in support of the SMHATP. The plan will help protect sites, enhance the region as a tourist destination, and help businesses.

The comment period for the proposed amendment will remain open for 10 days. The public hearing was closed.

COMMISSIONERS' TIME

Commissioner Raley

- Attended with other Commissioners the Ridge Volunteer Rescue Squad Installation of Officers. Congratulations to President Frances Ann Cullison and Chief George Gatton and Debbie Drury who was the #1 responder with 183 calls.
- Participated in gingerbread house auction at Lettie Dent Elementary. We auctioned off 83 houses and raised \$3,000, which will be provided to needy families in the area of Golden Beach.
- Attended Sheriff's Office Christmas party that was well attended by members of the Sheriff's Department and Correctional Division.
- Attended Hospice Tree of Lights Ceremony on Sunday. Hospice is one of those organizations that mean so much to our community. It's really a nice thing to see them in their new facility in Leonardtown. It has energized their whole organization.

Commissioner Dement

- Attended Ridge Rescue Squad Installation of Officers.
- Attended Maryland Building Industry Association meeting at Lennies

Commissioner Mattingly

- Attended Drunk and Drugged Driving Awareness kickoff that was well attended. Congratulations to all who put the event together.
- Commissioner McKay and I attended the Winery Round Table at the Higher Ed Center. Had interesting conversation and comments about the future of wine industry in St. Mary's County and Southern Maryland.
- Stopped by Sheriff's Office Christmas party and congratulate them on a real nice event.
- Congratulations to Ridge Rescue Squad as well as Hospice on the tree lighting.
- Remind everyone that we have Tri County Council meeting tonight at Jaycees in Waldorf

Commissioner Jarboe

Had the opportunity to visit with the Great Mills High School Engineering Club.

They are doing something quite unique -- they are building an electric drag racing street rod that runs off battery power. They are going to drag race it over at Budds Creek and will later compete at the *Power DC* in June. It was nice to see this Navy technology that has come into the County, as well as some of the County traditions of fast cars being blended together to a good working combination. Looking forward to working with students.

Commissioner McKay

- Participated in "St. Mary's Splash," at Point Lookout, sponsored by Maryland State Police to benefit Special Olympics. Thanks to the Commissioners for sponsoring me -- we raised \$125.
- Attended Historic St. Mary's City Madrigal Dinner at the State House in St. Mary's City.
- MACo Winter Conference begins tomorrow in Solomons.
- Remind everyone that a Public Hearing on proposed amendment to the Sheriff's Retirement Plan and a Public Forum will be held at 6 and 6:30 p.m., respectively, on December 16 at the Governmental Center. While the public is invited to offer comment on any issue, comments related to Land Use and Growth Management are particularly encouraged.

Commissioner Jarboe moved, seconded by Commissioner Raley, to adjourn the meeting.

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Minutes Approved by the

Board of County Commissioners on _____

Donna Gebicke, Administrative Assistant

to the Board of County Commissioners