

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
GOVERNMENTAL CENTER
Tuesday, December 19, 2006**

Present: Commissioner President Francis Jack Russell
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
George G. Forrest, County Administrator
Betty Jean Pasko, Senior Admin. Coordinator (Recorder)

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

ADDITIONS/DELETIONS TO THE AGENDA

Added "Acceptance of 2007 Meeting Schedule."
Added Items 3c and 5h, and removed Items 5c-g from the County Administrator's List.

APPROVAL OF CHECK REGISTER

Commissioner Mattingly moved, seconded by Commissioner Raley, to authorize the Commissioner President to sign the Check Registers as presented. Motion carried 5-0.

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Raley, to adopt the minutes of the Commissioners' meeting of December 12, 2006, as presented. Motion carried 5-0.

2007 BOCC MEETING SCHEDULE

The Commissioners accepted the 2007 Meeting Schedule as presented.

COUNTY ADMINISTRATOR

1. Draft Agenda for January 9, 2007

2. **Juvenile Drug Court Program** (*Pete Cucinotta, Coordinator*)

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Budget Amendment increasing

the Maryland Drug Court Commission Grant Project, #MD0725, by \$16,786, aligning the project with the actual grant amount. Motion carried 5-0.

- 3. Department of Economic & Community Development** (*John Savich, Director; Donna Sasscer, Agriculture Manager*)

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to sign the Letter to the Maryland Agriculture Land Preservation Foundation showing FY2007 properties ranked using the Land Evaluation and Site Assessment (LESA) System. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Jarboe, to sign the Letter to the Maryland Agriculture Land Preservation Foundation committing \$1,095,544 for the FY2007 easement applicants. Motion carried 5-0.

(Dennis Nicholson, Executive Director HASMC; Jane Loughran, Vice Chair, HASMC; Rhonda Garcia, Program Mgr. HASMC)

Commissioner Raley moved, seconded by Commissioner Dement, that the Board of County Commissioners for St. Mary's County, send the formal written request to the Department of Housing and Community Development, Community Development Administration, to approve an amendment to provide \$75,000 in additional funds for CDBG Project No. MD-05-CD-33, "Gateways Infrastructure Project", to pay for additional infrastructure costs. Motion carried 5-0.

- 4. Recreation, Parks and Community Services** (*Phil Rollins, Director*)

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Budget Amendment increasing the Tennis Court Replacement Project, #RP0701, by \$5,000, aligning the project with the actual grant. Motion carried 5-0.

Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Budget Amendment decreasing revenues and expenses for the Parks Land Acquisition Project, #RP0604, by \$3,000,000, and increasing the Capital Reserve accounts by that amount. Motion carried 5-0.

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Budget Amendment decreasing revenues and expenses for the FY05 Fox Harbor Landing Project, #PL0503, by \$68,720, and increasing the Capital Reserve accounts by that amount. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and

authorize the Commissioner President to sign the Budget Amendment closing out revenues and expenses for the Patuxent River Public Landing Project, #PL0601, by \$1,275,000, and increasing the Capital Reserve accounts by that amount. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the MOU with the Maryland State Highway Administration for the National Recreation Trails Program, Three Notch Trail, Phase 2, Development Project, #PA0106, and the associated Budget Amendment increasing project revenues and expenses in the amount of \$30,000 in accordance with the grant agreement. Motion carried 5-0.

(Cynthia Brown, Community Services Division Manager, RP&CS; Laura Joyce, Executive Director, Southern Maryland Center for Family Advocacy, Inc.)

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Edward Byrne Memorial Justice Assistance Grant Award and Acceptance in the amount of \$69,000 for the Southern Maryland Center of Family Advocacy, Inc., and to sign the related Sub-Recipient Agreement. Motion carried 5-0.

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

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Public Works Agreement for Continued Maintenance and Repair for the Forrest Farm Subdivision, Section 3, Phases 3 & 4, located in the 3rd Election District with an expiration date of November 7, 2007; and to sign the Resolutions accepting Pembroke Drive, Clifford Court, and Chandler Court into the County Highway Maintenance System, located in the Forrest Farm Subdivision, 3rd Election District, and to post 25-mph speed limit and stop signs on said roads. Motion carried 5-0.

(Jacqueline Fournier, Transportation Manager, DPW&T)

Staff was authorized to forward the application (for Public Transportation Programs (PTP), Americans with Disabilities (ADA), Statewide Special Transportation Assistance (SSTAP), and Job Access Reverse Commute (JARC) as described in the FY2008 St. Mary's County Transportation Plan) for state and federal funding as outlined in the documents presented this date by the Dept. of Public Works and Transportation with the understanding that final approval will be authorized once the state requests the Board's signature on the respective Grant Assurances.

6. Dept. of Finance *(Elaine Kramer, CFO)*

Commissioner Raley moved, seconded by Commissioner Jarboe, to sign the Budget Amendment authorizing the transfer of estimated budget savings from the premium refund, in the amount of \$490,500, to the Commissioners Reserve for Emergency Appropriations. Motion carried 5-0.

7. Board and Commission Appointments (*George Forrest, County Administrator*)

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to appoint the following St. Mary's County citizens to the following Board and Commission:
Adult Public Guardianship Review Board: Lori Jennings-Harris – *Department of Aging Representative;*
Commission for People with Disabilities: Jolanda Campbell – *Greenwell Foundation Representative;* S. Kendall Sorenson-Clark – *Greenwell Foundation Representative;* Mark Kalmus – *Dept. of Public Works & Transportation Rep.;* and William F. (Bill) Nicholas – *Center for Life Enrichment Rep.*
Motion carried 5-0.

BOCC SITTING AS THE BOARD OF HEALTH

Commissioner Raley moved, seconded by Commissioner Dement, to adjourn as the Board of County Commissioners and reconvene as the St. Mary's County Board of Health. Motion carried 5-0.

Present: William B. Icenhower, M.D., M.P.H., Health Officer
Tracy Kubinec, Deputy Health Officer
Nancy Luginbill, Director, Health Services
Daryl Calvano, Director, Environmental Health
Susan Bergmann, Addictions Coordinator

Representatives from each of the Health Department Divisions provided a review of their respective responsibilities, activities and accomplishments. Copies of the St. Mary's County Health Department Annual Report, Fiscal Year 2006 (July 1, 2005 – June 30, 2006) were provided. Dr. Icenhower and his staff covered the following topics:

Dr. William Icenhower

The Future of Public Health in St. Mary's County:

- Personnel
- Capital Assets

Setting Goals:

- Immunization
- Expanding primary care
- Expanding nursing care
- Transportation
- Communication

Tracy Kubinec, Deputy Health Officer

- Laptops for all field personnel
- Vital Records
- New Website (www.smchd.org)
- 2006 Annual Report

Susan Bergmann, Additions Coordinator

- Introduction to Alcohol & Drug Abuse Coordination Program at the Health Department

Nancy Luginbill, Director, Health Services

- Influenza

Daryl Calvano, Director, Environmental Health

- Environmental Health's Response to Tropical Depression Ernesto

Commissioner Raley commented that as the Board of Health, the Board of County Commissioners should be involved up front in the Board of Health strategic planning and review process.

Commissioner Raley moved, seconded by Commissioner Dement, to adjourn as the Board of Health and reconvene as the St. Mary's County Board of County Commissioners. Motion carried 5-0.

PATUXENT HABITAT FOR HUMANITY AND THE DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT: PROPOSED RESOLUTION SUPPORTING USE OF THE COMMUNITY INVESTMENT TAX CREDIT PROGRAM FOR THE "BUILDING AFFORDABLE HOMES IN SOUTHERN MARYLAND" PROJECT

Present: Jack Marrkand, Exec. Dir. Patuxent Habitat
John Savich, Director, DECD

The Patuxent Habitat for Humanity (PHH) applied for and was awarded tax credits under the Community Investment Tax Credit Program, which is administered by the Maryland Department of Housing and Community Development, Division of Neighborhood Revitalization. The name of PHH's project is "Building Affordable Homes in Southern Maryland". The tax credits will enable the PHH to build more affordable homes.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and sign the Resolution Supporting Use of the Community Investment Tax Credit Program for the Patuxent Habitat for Humanity's Building Affordable Homes in Southern Maryland Project. Motion carried 5-0.

DEPARTMENT OF PUBLIC SAFETY: REQUEST DIRECTION FROM THE BOARD FOR THE ESTABLISHMENT OF AN AM EMERGENCY ALERT RADIO STATION

Present: Bob Kelly, Acting Director
Tim Bennent, Manager, EMA Division
Michelle Lilly, Emergency Planner, EMA Division

The presenters briefed the Board on the potential to use a grant from Homeland Security to support the establishment of an AM Emergency Alert Radio Station in St. Mary's County. Phase one, as proposed, includes using Homeland Security grant funding for the installation of the base station, two satellite stations, and four flashing alert signs that are linked to the system. Phase two, which would be budgeted through the St. Mary's County 2008 budget cycle, includes installing two additional satellite locations and four additional flashing alert signs.

Discussion ensued regarding options (existing infrastructure; i.e., St. Mary's College radio station, Patuxent River, and the old WKIK transmitter), the number of transmitters that will be needed (county coverage, watts of power) for the AM Emergency Alert radio station, and bringing in a 'test transmitter' to demonstrate transmitter range. It was clarified by Mr. Kelly that the demo should be conducted on the shoreline.

Commissioner Jarboe suggested that the Board visit the Northern Neck area of Virginia which has experienced success with their emergency alert notification system. A copy of the projected coverage map (computer models) was requested by Commissioner Mattingly. Commissioner Jarboe questioned the cost, in addition to the base coverage transmitter, to install a repeater station for a fire department or rescue squad. Ms. Lilly responded that it's typically about \$30,000 for each transmitter station.

The Board directed staff to meet with the contractor to discuss and address questions and get back to the Board at the first of the year. It was noted that the Homeland Security funds need to be invoiced by March 31, 2007.

COMMISSIONERS' TIME

Commissioners' Time was waived.

MOTION TO ENTER INTO EXECUTIVE SESSION

Commissioner Jarboe moved, seconded by Commissioner Raley, to enter into Executive Session for the purpose of discussing personnel, and for the purpose of discussing Real Property Acquisition and Litigation matters. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Mattingly, to enter into Executive Session for the purpose of discussing personnel matters, specifically Boards and Committees, and also contracts for staff. Motion carried 4-1. Commissioner Jarboe voted against the motion.

EXECUTIVE SESSION

Property Acquisition

Present: Commissioner Francis Jack Russell, President
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
George Forrest, County Administrator
John Savich, Director, Dept. of Economic & Community Development
Robin Finnacom, Executive Director, Community Development

Corporation

Liz Passarelli, Real Property Manager
Denis Canavan, Director, Land Use and Growth Management

Donna Gebicke, Administrative Assistant to the BOCC, Recorder

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

Time Held: 12:24 pm – 1:08 pm

Action Taken: The Commissioners discussed property acquisition matters.

Property Acquisition

Present: Commissioner Francis Jack Russell, President
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
George Forrest, County Administrator
Christy Chesser, County Attorney
Denis Canavan, Director, Land Use and Growth Management
George Erichsen, Director, Dept. of Public Works & Transportation
Liz Passarelli, Real Property Manager
Denis Canavan, Director, Land Use and Growth Management

Donna Gebicke, Administrative Assistant to the BOCC, Recorder

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

Time Held: 1:15 pm – 1:37 pm

Action Taken: The Commissioners discussed property acquisition matters.

Litigation

Present: Commissioner Francis Jack Russell, President
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.

Commissioner Daniel H. Raley
George Forrest, County Administrator
ChristyChesser, County Attorney

Donna Gebicke, Administrative Assistant to the BOCC, Recorder
Authority: Article 24, Section 4-210(a)8
Time Held: 1:38 pm – 1:47 pm
Action Taken: The Commissioners discussed litigation 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
George Forrest, County Administrator
ChristyChesser, County Attorney

Donna Gebicke, Administrative Assistant to the BOCC, Recorder
Authority: Article 24, Section 4-210(a)1
Time Held: 1:47 - 1:50 pm
Action Taken: The Commissioners discussed personnel matters.

ACTIONS FROM EXECUTIVE SESSION

Commissioner Raley moved, seconded by Commissioner Jarboe, to direct staff to proceed as discussed in Executive Session with regards to Property Acquisition.

Motion carried 5-0.

FY 2008 BUDGET WORK SESSION

The meeting was adjourned and the Board reconvened to hold a FY2008 Budget Work Session.

ADJOURNMENT

The meeting adjourned at approximately 4:30 pm.

Minutes Approved by the Board of County Commissioners on _____

Betty Jean Pasko, Senior Administrative Coordinator