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**ST. MARY'S COUNTY**

**BOARD OF COUNTY COMMISSIONERS' MEETING**

**GOVERNMENTAL CENTER**

**Tuesday, December 20, 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)**

**Donna Gebicke, Administrative Assistant (Recorder)**

*Susan Wolfe recorded the following meeting minutes:*

**CALL TO ORDER**The meeting was called to order at 9:04 a.m.  
**APPROVAL OF CHECK REGISTER** Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register. Motion carried, 5-0.  
**APPROVAL OF MINUTES** Commissioner Mattingly moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' meeting of December 13, 2005, as amended. Motion carried, 5-0.  
**APPOINTMENT OF VICE PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS** Commissioner Raley moved, seconded by Commissioner Jarboe, to appoint Commissioner Dement as Vice President of the Board of County Commissioners for the

2006 calendar year. Commissioner Dement abstained. Motion carried, 4-0.  
**RETIREMENT PROCLAMATION**

Catherine Hill, Food Service Coordinator, Office on Aging, was presented with a retirement proclamation and a gift by the Commissioners honoring her service to St. Mary's County. Jennie Page, Acting Director, Office on Aging, spoke to Mrs. Hill's outstanding career.

**HOLIDAY CONCERT** Ms. Lynn Morgan-Smoot, Supervisor of Instruction for Fine Arts, St. Mary's County Public Schools, introduced the Leonardtown Middle School Girls' Chorus and its Director, Katherine Frederick. The Chorus sang a medley of holiday selections and received certificates of appreciation from the Commissioners.

#### **COMMENDATION**

Ms. June Robrecht, HR Risk Analyst, and Ms. Kathy Arnold, HR Specialist, Department of Human Resources, were introduced by the HR Director, Sue Sabo, who spoke to the women's accomplishments that led to the Local Government Insurance Trust (LGIT) 2005-2006 Claims Award honoring St. Mary's County for the exceptional job of reporting, investigating, managing and communicating with LGIT's Claim Service Department on claims issues. LGIT is a non-profit association authorized by state government and managed by its local government members. Each woman received a commendation from the Commissioners.

**COMMENDATION**  
Pastor Marguerite Morris, New Beginning Christian Worship Center, Leonardtown, received a commendation from the Commissioners in recognition of her donation of 37 boxes of foodstuffs to the recent Commissioners' "Stuff the Bus" campaign. Pastor Morris' congregation is a "Food for a Friend" ministry.  
**ADOPTION OF 2005 LAND PRESERVATION, PARKS AND RECREATION PLAN AND RELATED ORDINANCE** (*Phil Rollins, Director, Recreation, Parks & Community Services;*

*Denis Canavan, Director, Land Use & Growth Management; John Savich, Director, Economic & Community Development; and Clive Graham, Consultant*) Commissioner Jarboe moved, seconded by Commissioner Mattingly, to adopt the draft 2005 Land Preservation,

**Parks and Recreation Plan as revised following the Board of County Commissioners Public Hearing on November 8, 2005, and to adopt the related ordinance. Motion carried, 5-0.**

**NEW "TEEN PAGES" ON THE ST. MARY'S COUNTY LIBRARY WEBSITE** (*Kathleen Reif, Director; Janice Hummel, Lexington Park Library Manager; and Priscilla Dyson, Lexington Park Librarian; also present was the Library Board of Trustees, including Janice Briscoe, Barbara Conrath, Evelyn Holland, Joan Marsh, Jacqueline Anne Mervine, Lorraine Wallace and*

*Joseph Bush*)

**Ms. Reif introduced her staff and the Library Board of Trustees. She introduced Priscilla Dyson who, with the help of four teenagers, developed the new "teen pages" on the St. Mary's County Library website.**

**UPDATE ON WEBSITE LAUNCH BY THE LOCAL MANAGEMENT BOARD** (*Bennett Connelly, Executive Director; Sheila Philip, Contracts Specialist*)

**Mr. Connelly provided an update on The Local Management Board's website development, scheduled for presentation to the Commissioners on January 12, 2006, immediately prior to its launch countywide. The website, entitled "Network of Care for Children and Family Services," will provide online information for the individuals, families, and agencies involved with children and youth ages**

#### **0-18. COUNTY ADMINISTRATOR (PART ONE)**

**1. Draft Agenda for January 10, 2006. (There will be no meetings on December 27, 2005, or January 3, 2006)**

**2. Department of Recreation, Parks & Community Services** (*Phil Rollins; Director; Cynthia Brown, Community Services Manager*)

**a. Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the lease agreement between the County and the New Beginnings Christian**

**Worship Center for the use of the Blairbuilding in Leonardtown for the *Strengthening Families Program*. Motion carried, 5-0.**

***(Phil Rollins; Director)***

**b. Commissioner Raley moved, seconded by Commissioner Jarboe, to endorse the Chesapeake Bay Gateways Nomination Form for Myrtle Point Park as prepared by the Department of Recreation, Parks & Community Services, and to sign the letter of support for the nomination application. Motion carried, 5-0.**

**3. SMC Community Development Corporation (*Robin Finnacom, President/CEO; John Savich, Director, Department of Economic & Community Development; Joseph Xavier Curtis, Owner/Operator, Curtis Tire Center, Inc.; Joseph M. Curtis, Founder, Curtis Tires*) Commissioner Raley moved, seconded by Commissioner Jarboe, to adopt a Resolution endorsing the loan application of Curtis Tire Center, Inc., seeking funding in the amount of \$102,333 from the MD Dept. of Housing and Community Development, Neighborhood Business Works Program to finance the purchase of equipment for its newly expanded business. Motion carried, 5-0.**

**4. Sheriff's Department (*David D. Zylak, Sheriff, and Erin K. Shoemaker, Fiscal Manager*)**

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Police Protection State Aid Report. Motion carried, 5-0.**

**5. Department of Economic & Community Development and Community Development Corporation (*John Savich, Director; Robin Finnacom, President/CEO*)**

**a. Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Economic Development Initiatives (EDI) Grant Agreement in the amount of \$496,000 from the U.S. Department of Housing and Urban Development for the**

**demolition and redevelopment of Lexington Manor. Motion carried, 5-0. b. Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Economic Development Initiative Grant Agreement in the amount of \$240,560 from the U.S. Department of Housing and Urban Development for the demolition and redevelopment of the Lexington Manor neighborhood. Motion carried, 5-0.**

**6. Public Safety Department (*Tim Cameron, Director; Shirley Copado, Manager, Emergency***

***Communications)***

**Commissioner Mattingly moved, seconded by Commissioner Dement, to accept the first component of the Emergency Numbers Systems Board Grant from the Numbers Board in the amount of \$700.00 for the purchase of a television with a DVR/VCR player for training personnel and monitoring the daily news and weather for Emergency Management purposes. Motion carried, 5-0.**

**7. County Administrator (*George Forrest*)**

**Commissioner Jarboe moved, seconded by Commissioner Mattingly, to appoint the following proposed list of St. Mary's County citizens to County Boards, Committees and Commissions. Motion carried, 5-0.**

<b>Board/Commission/Committee</b>	<b>Name</b>	<b>New or Reappointment</b>
Airport Advisory Committee	Joseph F. Mitchell	Reappointment
	Walter Gillette	New
Board of Trustees for the Museum Division, St. Mary's County Department of Recreation, Parks & Community Services	Lewie Aldridge, Jr.	Reappointment
	Rose Davis	Reappointment
	George Kennett	Reappointment

	Shirley L. Leyland	Reappointment
Cable Advisory Committee	Chris Rupert	Reappointment
Commission on Aging	Kathie Reich	New
	Ardith Young	Reappointment
Commission for Women	Marta H. Kelsey	New
Community Health Advisory Committee	Richard Bjurberg	Reappointment
	Lt. Louis Burris	Reappointment
	Jennie Page	Reappointment
	Patricia Wince	Reappointment
Historic Preservation Commission	James W. Grusholt, Sr.	Reappointment
Human Relations Commission	Sanjay Apte	New
	Barbara Hendricks	New
	Norma Pipkin	New
Marcey House Board	Harry Metzler	Reappointment
Metropolitan Commission	Philip M. Cranford	Reappointment
	Kevin Suggs	Reappointment
Planning Commission	Lawrence A. Chase	Reappointment
	A. Merl Evans, Jr.	New
	Brandon Hayden	New
	Susan P. McNeill	New
		New
Sheriff's Office Retirement Plan Board of Trustees	Terry L. Black	Reappointment
	Danny Morris	Reappointment
	William E. Raddatz	Reappointment

Solid Waste Advisory Committee	John Gaylord	New
	Joseph W. Moschler, Jr.	New
	Paul Waxman	Reappointment
Tri-County Youth Services Bureau	Denise Barnes	New
	Kathleen M. Werner	Reappointment
Wicomico River Commission	Robert W. Denning	New
	Kathie Reich	New
Wicomico Shores Golf Course Advisory Committee	Robert R. Richardson	Reappointment
Zoning Board of Appeals	George Allen Hayden	Reappointment
	Wayne Miedzinski	Reappointment
	Gertrude V. Scriber	Regular Member
	Brian Werring	2 <sup>nd</sup> Alternate

**Commissioner Raley moved, seconded by Commissioner Mattingly, to appoint**

**Kathleen M. Werner to the Metropolitan Commission. Motion carried, 4-1. Commissioner Jarboe voted no.  
Commissioners Time**

**commissioner Mattingly**

**Expressed appreciation to the Southern Maryland Volunteer Firemen's Association.**

**Attended Madrigal concert at St. Mary's College.**

**Extended holiday greetings.**

**Commissioner Jarboe**

**Represented Board of County Commissioners at the Future Business Leaders of America chapter event at Chopticon High School.**

**Extended holiday greetings.**

**Commissioner Raley**

Drew attention to last year's house fire in Park Hall and a recent traffic accident. Expressed concern to all citizens to be careful at home and on the highways during the holidays.

Extended holiday greetings.

**Commissioner President McKay**

Attended Christmas party sponsored by Filipino-American organization at Pax River.

Noted the Barnes family received the keys to the latest Habitat for Humanity home.

Discussed a recent report on workforce housing and asked John Savich, Director, Economic & Community Development, to look at the program and make a presentation at a future Commissioners' meeting.

Attended the Southern Maryland Volunteer Firemen's Association legislative reception.

Extended holiday greetings.

**Commissioner Dement**

Attended the Southern Maryland Fire Volunteer Firemen's Association legislative reception.

Attended the Northern Senior Center Christmas party.

Attended the NARFE Christmas lunch and represented Santa Claus.

Attended the annual Shop with a Cop event at Wal-Mart. 99 children and 71 law enforcement officers participated in the day's events. Each child received an average of \$240 to shop for presents, were provided lunch at the County fairgrounds, and received assistance in wrapping gifts. He also expressed appreciation to the sponsors of the event.

Extended birthday greetings to Commissioner President McKay.

Extended holiday greetings.

**PRESENTATION OF 2006 TECHNOLOGY HANDBOOK AND COVER CONTEST WINNER (*John Savich, Director, Courtney Franklin, Economic Development Coordinator, and Hans Welch, Business Development Manager, Department of Economic & Community Development; Jack Candela, The Patuxent Partnership; Kim Oliver, President, American Electronics; Thomas Proctor, American Electronics [contest winner]*)**



Mr. Savich introduced Courtney Franklin who provided a brief overview of the development of the 2006 Technology Handbook, noting 29 new companies are listed, for a total of 225. Through a partnership between the County and The Patuxent Partnership, a contest for the handbook cover was

conducted. The winner, Thomas Proctor, of American Electronics, received a commendation from the Commissioners and a \$500 check from The Patuxent Partnership.

**PRESENTATION OF REPORT ON AUDIT OF ST. MARY'S COUNTY FOR 2005** (*Elaine Kramer, Chief Financial Officer, and Timothy Murphy, Partner, Murphy & Murphy*)

Commissioner Raley moved, seconded by Commissioner Dement, to accept the report on the independent audit for St. Mary's County for fiscal year 2005, as presented. Motion carried, 5-0.

**PROPOSED TEXT AMENDMENTS TO ST. MARY'S COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN, SECTIONS 1.3.1 AND 1.3.3. TO ALLOW SEWER SERVICE TO BE EXTENDED TO LANDS WHICH ADJOIN AND ARE ACCESSIBLE BY A STREET THROUGH A DEVELOPMENT DISTRICT FOR THE EXCLUSIVE PURPOSE OF SERVING AN ELEMENTARY OR SECONDARY SCHOOL FACILITY** (*Denis Canavan, Director, Land Use & Growth Management*)

Mr. Canavan noted that a public hearing was held on the proposed text amendment on December 6 and most testimony was in support of the proposed amendment.

Commissioner President McKay noted the attendance of Dr. Sal Raspa, President, Board of Education, and Dr. Michael Martirano, Superintendent of Schools.

Commissioner Jarboe proposed that the land for the proposed school site be transferred into the Lexington Park Development Plan and that Myrtle Point be transferred out of the Plan.

Commissioner Raley expressed concern that the proposed action would establish a precedent that sewer could be extended beyond the Development District boundary into the RPD, which would seriously hamper our ability to manage growth. Commissioner Mattingly moved, seconded by Commissioner Raley, to accept and adopt the findings of the Planning Commission and approve the proposed amendment to the St. Mary's County Comprehensive Water and Sewer Plan for service to schools in the Rural Preservation District (RPD) as recommended by the Planning Commission for the text amendment, including editorial changes recommended by the Commissioners. Motion failed, 2-3. Commissioners Dement, Jarboe and Raley voted no.

Commissioner Jarboe moved, seconded by Commissioner Raley, to accept and adopt the findings of the Planning Commission and approve the proposed amendment to the St. Mary's County Comprehensive Water and Sewer Plan for service to schools in the Rural Preservation District

(RPD) as recommended by the Planning Commission for the text amendment as modified by staff in this resolution, with a sunset clause provision with an effective date of January 1, 2007. Motion failed, 1-4. Commissioners McKay, Dement, Mattingly and Raley voted no.

Commissioner Mattingly moved, seconded by Commissioner Raley, to accept and adopt the findings of the Planning Commission and approve the proposed amendment to the St. Mary's County Comprehensive Water and Sewer Plan for service to schools in the Rural Preservation District (RPD) as recommended by the Planning Commission for the text amendment, including editorial changes recommended by the Commissioners. Motion failed, 2-3. Commissioners Dement, Jarboe and Raley voted no.

**ORDINANCES (2) ADOPTING AMENDMENTS TO THE INTERNATIONAL BUILDING CODE AND THE INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS, WITH AMENDMENTS AS ST. MARY'S COUNTY BUILDING CODE**

*(Denis Canavan, Director, and Adam Knight, Deputy Code Official, Department of Land Use & Growth Management)*

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to adopt amendments to the International Building Code and the International Residential Code for One and Two Family Dwellings, with Amendments as the St. Mary's County Building Code. Motion carried, 5-0.

**CHAMBER OF COMMERCE ADEQUATE PUBLIC FACILITIES TASK**

**FORCE PRESENTATION** Commissioner Mattingly moved, seconded by Commissioner Raley, to schedule the presentation by the Chamber of Commerce Adequate Public Facilities Task Force to a Board of County Commissioners meeting in January, and to reopen discussion on the Proposed Text Amendment to the Comprehensive Water and Sewer Plan. Motion carried, 5-0.

**PROPOSED TEXT AMENDMENTS TO ST. MARY'S COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN, SECTIONS 1.3.1 AND 1.3.3. TO ALLOW SEWER SERVICE TO BE EXTENDED TO LANDS WHICH ADJOIN AND ARE ACCESSIBLE BY A STREET THROUGH A DEVELOPMENT DISTRICT FOR THE EXCLUSIVE PURPOSE OF SERVING AN ELEMENTARY OR SECONDARY SCHOOL FACILITY (continued)** Commissioner Mattingly moved, seconded by Commissioner Jarboe, to direct staff to prepare amendments to the Lexington Park Development District boundary relating to the inclusion of the proposed Wildewood School site and exclusion of Myrtle Point Park and that a recommendation be presented to the Board of County Commissioners within six (6) months from this date. Motion carried, 5-0.

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve the Text Amendment to the Comprehensive Water and Sewer Plan as recommended by the Planning Commission and as amended and presented today by staff. Motion carried, 3-2. Commissioners Raley and Dement voted no.

**VOTE TO MOVE INTO EXECUTIVE SESSION**

**Commissioner Raley moved, seconded by Commissioner Jarboe, to move into Executive Session as provided for in Article 24, Section 4-210(a)11, Real Property, and Article 24, Section 4-210(a)1, Personnel. Motion carried, 5-0.**

*Donna Gebicke recorded the following meeting minutes.*

**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 B. Norris, III, County Attorney**

**Liz Passarelli, Real Property Manager**

**Sheriff David Zylak**

**Capt. Kenneth Cusic, Office of the Sheriff**

**Donna Gebicke, Administrative Assistant to the BOCC, Recorder**

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

**Time Held: 3:55 – 4:03 pm**

**Action taken: The Commissioners discussed a lease agreement.**

**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 B. Norris, III, County Attorney**

**Donna Gebicke, Administrative Assistant to the BOCC,Recorder**

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

**Time Held: 4:04 - 4:46 pm**

**Action taken: The Commissioners discussed personnel matters.**

**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 B. Norris, III, County Attorney**

**Liz Passarelli, Real Property Manager**

**Phil Rollins, Director, Recreation, Parks and Community Services**

**John Savich, Director, Dept. of Economic&CommunityDevelopment**

**Donna Sasscer, Agriculture and Seafood Manager**

**George Erichsen, Director, Dept. of Public Works andTransportation**

**Donna Gebicke, Administrative Assistant to the BOCC,Recorder**

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

**Time Held: 4:49 – 6:30 pm**

**Action taken: The Commissioners discussed real propertyissues.**

**Personnel**

**Present: Commissioner Thomas F. McKay, President**

**Commissioner Kenneth R. Dement**

**Commissioner Thomas A. Mattingly, Sr.**

**Commissioner Daniel H. Raley**

**George Forrest, County Administrator**

**John B. Norris, III, County Attorney**

**Sue Sabo, Human Resources Director**

**Donna Gebicke, Administrative Assistant to the BOCC,Recorder**

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

**Time Held: 6:30 – 6:58 pm**

**Action taken: The Commissioners discussed personnel matters.**

**ACTION FROM EXECUTIVE SESSION**

**Commissioner Mattingly moved, seconded by Commissioner Dement, to directstaff to proceed as discussed in Executive Session on matters related topersonnel and real property. Motion carried. 4-0.**

**ADJOURNMENT**

**The meeting adjourned at 7:00 pm.**

**Minutes approved by the Board of County Commissioners on \_\_\_\_\_**

\_\_\_\_\_

**Susan Wolfe, Acting Senior Administrative Coordinator**