

ST. MARY'S COUNTY

BOARD OF COUNTY COMMISSIONERS' MEETING

GOVERNMENTAL CENTER

Tuesday, January 16, 2007

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

Donna M. Gebicke, Administrative Assistant (Recorder)

CALL TO ORDER

The meeting was called to order at 9:04 am.

DELETIONS/CHANGES TO THE AGENDA

The Budget Work Session scheduled for 1:30 pm was placed on the agenda in error, and thus will not take place. The Department of Land Use and Growth Management and the property owner requested that the decision on a proposed Growth Allocation for Rivendell Farm be removed from today's agenda.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve the revisions to the agenda. Motion carried 5-0.

APPROVAL OF CHECK REGISTER

Commissioner Mattingly moved, seconded by Commissioner Dement, to authorize Commissioner President Russell, or his designee, to review and sign the weekly check register in the event that a weekly Commissioners' meeting does not take place and no Commissioner voices concern or opposition to any of the proposed payments. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign this week's Check Register as presented. Motion carried

5-0. *Commissioner Raley noted that a payment was authorized (on page 64) in the amount of \$128,000 for Lexington Manor demolition, which is an indication that this project is moving forward on time and on budget. He also noted that there are several instances where payment is*

authorized to St. Mary's County Public Schools for the use of their facilities, which represents another source of revenue for the school system.

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners' meeting of January 9, 2007, as corrected. Motion carried 5-0.

County Administrator

1. Draft Agendas for January 23 and 30, 2007.

Commissioner Raley requested that a committee be established to look into structuring options for County government, particularly the Code form of government, and to determine whether proposed options should be placed on a future ballot. He also suggested that each Commissioner propose a member to serve on the committee.

Commissioner Jarboe requested that the Board schedule a Public Form on January 23, 2007, at 6:30 pm. Commissioner President Russell agreed to schedule the Forum.

2. **Department of Public Works and Transportation** (*George Erichsen, P.E., Director*)

Commissioner Dement moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the Public Works Agreement for Heritage Manor Subdivision, located in the 1st Election District with an expiration date of June 1, 2007. Motion 5-0.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Public Works Agreement Addendum for Big Chestnut Subdivision, located in the 3rd Election District with an expiration date of December 1, 2007. Motion 5-0.

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Public Works Agreement Addendum for Newton Manor Subdivision, Section 1, located in the 6th Election District with an expiration date of December 1, 2007. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Public Works Agreement Addendum for Woods of Rue Purchase Subdivision, located in the 8th Election District with an expiration date of November 1, 2007. Motion carried 5-0.

3. **Department of Aging** (*Lori Jennings-Harris, Director; Jennie Page, Deputy Director;*

Peggy Maio, Fiscal Supervisor)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Notification of Grant Award, Grant Number ST-2505-017, for the Nutrition Services Incentive Program, and the related Budget Amendment. Motion carried 5-0.

4. **Department of Public Safety** (*Bob Kelly, Acting Director*)

(Thomas A. Mattingly, Jr., Technical Services Coordinator)

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Memorandum of Agreement Between the Maryland Emergency Management Agency and the St. Mary's County Department of Public Safety Regarding the FFY 2007 Hazardous Materials Emergency Preparedness Grant Program and to sign the related Budget Amendment. Motion carried 5-0.

(Michelle Lilly, Emergency Planner)

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Pre-Disaster Mitigation Grant application forms: FEMA Forms 20-16B, 20-16C, and the Standard Form LLL: Disclosure of Lobbying Activities. Motion carried 5-0.

5. Department of Economic & Community Development *(John Savich, Director;*

Donna Sasscer, Agriculture Manager; and Bruce Young, Soil Conservation District)

Commissioner Jarboe moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the revised Soil Study Cooperative Agreement, No. 68-3B19-7-530, and the revised Memorandum of Understanding. Motion carried 5-0.

(Dennis Nicholson, Director, St. Mary's County Housing Authority)

Commissioner Raley moved, seconded by Commissioner Jarboe, to sign the Consent Letter endorsing the Housing Authority's use of Community Development Administration and acknowledging the application for Partnership Rental Housing Program funds. Motion carried 5-0.

6. Boards and Commissions Appointments

Commissioner Mattingly moved, seconded by Commissioner Raley, to appoint the following St. Mary's County citizens to the following Boards and Commissions:

Agriculture Preservation Advisory Board: Kathy Bailey; George R. Baroniak (Reappointment); William Boyd (Reappointment); James W. Spence (Reappointment)

Agriculture, Seafood, and Forestry Commission: Donnie Hammett (Reappointment);

John Richard Knott Jr.

Airport Advisory Committee: George E. Clark (Reappointment); Erin Lesko (Reappointment); John (Skip) Shepherd.

Board of Trustees, Museum Division, St. Mary's County Recreation and Parks:

Steven J. Dunlap (Reappointment); John L. Madel, Jr.; Herbert M. Walling (Reappointment)

Cable Advisory Committee: Marc Apter

Commission for People with Disabilities: Susan Erichsen; Birgit Wilhelm – So. Md. Center for Independent Living Representative; Julie B. Randall (Reappointment); Sheral A. St.Clair

Commission on the Environment: Nancy Paige Smith (Reappointment)

Commission for Women: Jennifer Elkins

Community Health Advisory Committee: Roy Fedders; Dolores Martin

Development Review Forum: William P. Higgs (Reappointment); Lawrence B. Ludwig;

Bill D. McKissick, Jr.

Electrical Examiners Board: John F. Finch, Sr.(Reappointment); William C. Glenn III;

Joe Lynch (Reappointment); Rudolph C. Worch

Elms Advisory Committee: Marianne S. Chapman; Stephen G. Riley, III

Ethics Commission: Terrie L. Holder

Metropolitan Commission: Chuck (Thomas C.) Lancaster - 1st Election District Representative; Joseph A. St.Clair -7th Election District Representative

Recreation and Parks Board: Richard L. Buckler; Patrick Dugan (Reappointment);

Robert N. Hicks, Jr.; Patrick W. Murphy; Andrew Roper (Reappointment); Lisa Rush (Reappointment)

Social Services Board: Patrice T. Gaymon

Tri-County Youth Services Bureau: Kelsey Bush (Reappointment); Paul Martin

Wicomico Shores Golf Course Advisory Board: Philip M. Cranford (Reappointment);

Jim Hodges (Reappointment)

Wicomico River Commission: Robert Elwood; Kathie Reich (Reappointment)

Motion carried 3-2, with Commissioners Jarboe and Dement voting no. *Commissioner Jarboe indicated he was voting against the motion due to concern with a couple of appointments.*

DEPT. OF RECREATION, PARKS, & COMMUNITY SERVICES: WICOMICO SHORES GOLF COURSE RENOVATIONS PROJECT

Present: Phil Rollins, Director, Recreation, Parks & Community Services

Chico Rivers and Wayne Pettit, Wicomico Shores Golf Course Clubhouse

Advisory Committee

Patty Meyers, Golf Course Manager

Mr. Rollins provided an update and proposed funding plan for the Golf Course Clubhouse Renovation and Expansion project. The information provided was reviewed with the Golf Course Advisory Board and they fully support the proposed recommendations.

The total project cost is \$2,416,429, which includes construction cost proposal of \$2,066,429; \$350,000 to cover trailer rental, project management and inspections, equipment and furnishings, and contingencies. Potential cost savings from value engineering are currently being reviewed. Based on evaluation of golf course finances and the construction budget, staff proposes moving ahead with using \$700,000 from the Golf Course Enterprise Fund Balance and borrowing \$1.2 million through exempt financing. The balance of \$500,000 will come from Program Open Space grant funding that has been approved by the state.

There is currently about \$925,000 in the Fund Balance. The proposal is to use only \$700,000 of that amount in order to leave a healthy cushion until the construction project is completed. Early payment on the debt is possible without penalty, so the Fund Balance can be used to do that at any time. Interest rates will be obtained from banks for both 10 and 15-year terms. By way of example, a loan of \$1.2 million at 5% interest with a 10-year term results in an annual debt service of about \$150,000. Based on golf course financial projections for the next 10 years, that level of debt is affordable. A determination is also needed as to whether the use of Program Open Space funding and any related state requirements have an impact (other than the requirement that the facility remain open as a public facility).

It is anticipated that the golf operation will move into temporary trailer by the end of February. A purchase order will be issued to the contractor for \$70,344 for the interior demolition of the Clubhouse which can begin as soon as the operation is moved into the temporary trailer. Building construction is expected to be completed within 15 months.

Future Board action will be required to award the construction contract, appropriate additional funds into the project budget, and execute the exempt financing.

Commissioner Mattingly requested that consideration be given to providing an entrance for caterers that would allow them to gain access to the building other than through the front door, and for appearance purposes, to provide a more discrete parking location for their vehicles.

Commissioner Jarboe moved, seconded by Commissioner Dement, to authorize staff to move forward with the Wicomico Shores Golf Course Renovations Project as presented and to initiate the solicitation for exempt financing. Motion carried 5-0.

COMMISSIONERS' TIME

Commissioner Dement

Along with other Commissioners, attended the St. Mary's County Farm Bureau 2007 Legislative Dinner; Seventh District Volunteer Rescue Squad and Auxiliary Installation of Officers and Hollywood Volunteer Fire Department and Ladies Auxiliary Installation of Officers and Awards Banquet; Seventh District

Volunteer Fire and Department Installation of Officers Banquet; and 3rd Annual Southern Maryland Martin Luther King, Jr. Prayer Breakfast sponsored by St. Mary's College of Maryland and the St. Mary's County Human Relations Commission.

Commissioner Mattingly

Attended Hollywood Volunteer Fire Department and Ladies Auxiliary Installation of Officers and Awards Banquet which was a kick-off to their 50th anniversary celebration events that will be held throughout the year. Congratulations on a great beginning.

Commissioner Raley

The Farm Bureau expressed concern about the need to continue moving forward on the TDR Program. *Request that we schedule a work session or time on the regular meeting agenda to get this matter back on the table.*

The Fire Departments and Rescue Squads have a lot of events happening simultaneously. We appreciate all of the volunteers for what you do and try to spread the events among all of the Commissioners so we can attend as many of these as possible.

Thanks to George Erichsen for taking the time to meet on a holiday with me and Commissioner Mattingly and a group of citizens who were concerned about activities at the airport that are related to the eventual expansion and lengthening of the runway. Everyone left the meeting fully informed on plans for the airport.

I have been approached by two drivers of non-public school buses who are concerned that they must travel to Calvert County for the required drug and alcohol testing, while their public school counterparts can do the testing in St. Mary's County. *Request that the County Administrator check into this situation and determine how the testing can be done in St. Mary's County for non-public school drivers.*

Commissioner Jarboe

Remind everyone that we will have a public forum on January 23, 2007. This is a great opportunity to let us know your concerns and to get any issues you have out and on the table so that they can be addressed.

Commissioner Russell

I also attended several notable events, including St. Peter Claver Church's Martin Luther King event on Saturday afternoon, which was very enjoyable. There was standing room only at the Martin Luther King Breakfast at St. Mary's College. It was a wonderful tribute to a great man.

The Board will be addressing the Transferable Development Rights (TDR) and Adequate Public Facilities (APF) issues as soon as possible. The APF Task Force has suggested that a committee be established to look at the value of Rural Preservation District (RPD).

DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT (DECD), TOURISM DIVISION: PRESENT SO. MD. HERITAGE AREA CONSORTIUM'S ANNUAL REPORT FY2006

Present: Roz Racanello, Director, Southern Maryland Heritage Area Consortium (SMHAC)

Maggie Schwartz, Chairperson, SMHAC Board of Directors
Kim Cullins, Vice Chairperson

Bill Price, Board Member

Carolyn Laray, Manager, Tourism Division, DECD, and Member of the SMHAC

Technical Advisory Committee

Phil Rollins, Board Member, and Director, Recreation, Parks & Community Services Dept.

John Savich, Director, DECD

The Consortium's mission is to enhance the economic activity of Southern Maryland through combining quality heritage tourism and economic development along with preservation, cultural and natural resource conservation and education.

Ms. Racanello provided a summary of the Consortium's FY 06 activities and achievements over the last year. The Maryland Heritage Area program received the Preserve America 2006 Presidential Award for Heritage Tourism. The Consortium's first two annual fundraisers raised enough funds to cover annual increases in the Mini-Grant Program. Eight state-funded project grants were awarded in Southern Maryland, for a total of nearly \$300,000. \$183,000 of this total came directly to St. Mary's County.

At the request of Commissioner Jarboe, Ms. Racanello offered to put Mr. Robert Jarboe and

Ms. Linda Vallandingham in touch with various organizations that may be able to provide assistance regarding their proposal to preserve one of the tobacco auction warehouses as a museum dedicated to the Southern Maryland tobacco farmer.

LOCAL GOVERNMENT INSURANCE TRUST (LGIT) PRESENTATION

Present: Jon Burrell, Executive Director

Larry Bohlen, Loss Control Training Coordinator

Richard Furst, Senior Loss Control Manager

The Local Government Insurance Trust (LGIT) is a non-profit organization owned and managed by its local government members to provide coverage and risk management services at competitive rates. The presenters provided an overview of the organization, risk management issues, training and other services and tools available to keep its members out of harms way.

PUBLIC HEARING: PROPOSED FY 2007 MD COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Present: John Savich, Director, Dept. of Economic & Community Development (DECD)

Hans Welch, Manager, Business Development, DECD

Debbie Gass, Project Director of Homeownership, Southern Maryland Tri County

Community Action Committee (SMTCCAC)

Sandra Gammons, COO, SMTCCAC

The Public Hearing was advertised in a newspaper of general circulation on January 5 and 7, 2007. The purpose of the hearing is to receive public comment on the county's proposed Community Development Block Grant (CDBG) Application. The County's request of \$300,000 in CDBG funds will be used by the Southern Maryland Tri County Community Action Committee (SMTCCAC) to support infrastructure costs associated with the construction of 30 homeownership units at Hunting Creek on Willows Road in Lexington Park. The 30 homeownership units are part of a larger overall subdivision that will provide affordable housing opportunities through both homeownership and rental units. The units will be available for purchase by low-income families under a "sweat equity" program. Funds will be passed through SMTCCAC with no required match under a sub-recipient agreement that will be signed if the grant is awarded.

The hearing was open for public comment. No public comment was offered, and the hearing was closed but will remain open for ten days for written comments.

MOTION TO ENTER INTO EXECUTIVE SESSION

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to enter into Executive Session for the purpose of discussing Property Acquisition, as provided for in Article 24, Section 4-210(a)11. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Mattingly, to enter into Executive Session for the purpose of discussing personnel matters, as provided for in Article 24, Section 4-210(a)1, and specifically for appointments to Boards and Commissions, and employment contracts. Motion carried 4-1. Commissioner Jarboe voted against the motion.

EXECUTIVE SESSION

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

Donna Gebicke, Administrative Assistant to the BOCC, Recorder

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

Time Held: 12:15 pm – 12:57

Action Taken: The Commissioners discussed personnel matters.

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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

John Savich, Director, DECD

Robin Finnacom, Executive Director, Community Development Corporation

Donna Gebicke, Administrative Assistant to the BOCC, Recorder

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

Time Held: 1:00 pm – 1:54 pm

Action Taken: The Commissioners discussed property acquisition 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

Christy Chesser, County Attorney

Sue Sabo, HR Director

Donna Gebicke, Administrative Assistant to the BOCC, Recorder

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

Time Held: 2:06 pm – 3:35 pm

Action Taken: The Commissioners discussed personnel matters.

Personnel

Present: Commissioner Francis Jack Russell, President

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly, Sr.

Commissioner Daniel H. Raley

Christy Chesser, County Attorney

Sue Sabo, HR Director

John Savich, Director, DECD

Donna Gebicke, Administrative Assistant to the BOCC, Recorder

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

Time Held: 3:40 pm – 3:56 pm

Action Taken: The Commissioners discussed personnel matters.

Personnel

Present: Commissioner Francis Jack Russell, President

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly, Sr.

Commissioner Daniel H. Raley

Delores Lacey, Appointments Secretary

Donna Gebicke, Administrative Assistant to the BOCC, Recorder

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

Time Held: 4:00 pm – 4:25 pm

Action Taken: The Commissioners discussed boards and commissions appointments.

OPEN SESSION: action from executive session

Commissioner Jarboe moved, seconded by Commissioner Dement, to direct staff to prepare letters for the Board's signature requesting that the following persons serve on the Department of Public Safety Volunteer Task Force: Merl Evans (Chair); Elizabeth Carroll; Dr. Tom Wilkinson; Shawn Davidson; Dr. John Roach; John Nelson; and Bob Miedzinski; and to appoint the Directors of Human Resources and Public Safety as ex-officio members.

Motion carried 5-0.

ADJOURNMENT

The meeting adjourned at 4:32 pm.

Minutes Approved by the Board of County Commissioners on _____

Donna M. Gebicke, Administrative Assistant