

**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 9:17 a.m.

## **ADOPTION OF AGENDA**

**Commissioner Raley moved, seconded by Commissioner Dement, to accept the agenda as amended. Motion carried.**

## **APPROVAL OF CHECK REGISTER**

**Commissioner Raley moved, seconded by Commissioner Jarboe, 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, January 20, 2004. Motion carried.**

## **COMMENDATION**

The Commissioners recognized AmeriCorps\*VISTA volunteer, Viet Nguyen, for his successful year of service to the citizens of St. Mary's County.

## **COUNTY ADMINISTRATOR**

1. Draft Agendas for February 3 and 10, 2004, were reviewed.
2. Office of the Sheriff (*Capt. Cusic, Erin Gass*)  
**Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign Budget Amendments reallocating funds in unused grant appropriation to the Sheriff's Office to set up Federally Forfeited Funds received but not budgeted for Projects US0339/\$3,812, US0449/\$2,537, and US0234/\$1,000. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign Budget Amendment reflecting decrease in FY 03 Local Law Enforcement Block Grant VII (\$28,648 in grant revenue and \$2,311 in grant match) and reallocating funds to appropriate accounts. Motion carried.**

3. Department of Land Use and Growth Management (*Denis Canavan, Director; Steve King, MetCom*)

**Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign Budget Amendment transferring funds to responsible department for FY04 funding (\$4,040) of SMC Groundwater Monitoring Well Network and to sign the Agreement with MD Geological Survey for FY04 only, deleting any references to funding for FY05 and 06 in the Agreement. Motion carried.**

*(Teresa Wilson, Historical Planner)*

**Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President to sign Certified Local Government Grant Application to Maryland Historical Trust to develop a brochure explaining the process of historic preservation to county citizens. Motion carried.**

4. Department of Public Works & Transportation (*George Erichsen, Director*)

**Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign Public Works Agreement Addendum for Hanover @ Breton Bay, Section 1. Motion carried.**

*(George Jarboe, Transportation Mgr.)*

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign FY04 Rural Public Transportation Operating Grant Agreement. Motion carried.**

5. Hurricane Recovery Coordinator (*Robin Finnacom*) and Dept. of Public Works & Transportation (*George Erichsen, Director*)

**Commissioner Raley moved, seconded by Commissioner Dement, to approve and sign a State Hazard Mitigation Grant application and cover letter for state and federal funding through the MEMA to elevate 5 private homes impacted by Hurricane Isabel and to enlarge two culverts and elevate Mechanicsville Road at Chaptico Creek and Coffee Hill Run to mitigate chronic flooding. Motion carried.**

6. Recreation and Parks (*Phil Rollins, Director; Bill Ball, Parks Div. Mgr.*)

Mr. Rollins and Mr. Ball provided information and recommendations for the Board's consideration relative to the Wicomico Shores Public Landing projects. \$150,000 in Waterway Improvement funding is currently available for ramp/dredging/shoreline erosion project. Total projected cost is \$333,611. Staff recommends that shore erosion control be done as phase one of the project (\$140,000) and to "forward fund" the \$200,000 needed for the **dredging and boat ramp** in the FY05 CIP to enable the ramp to be completed by winter 2004/05. **Dredging the channel would be phase II and ramp replacement would be phase III of the project. State Waterway Improvement funds will be requested in FY05 and '06 to reimburse the County for these costs.** Regarding the large pier replacement, staff recommends (a) include this as a Capital project in the County's FY05 CIP in the event state funding is appropriated with funding sources as follows: Federal (FEMA)= \$107,790; State (WWI) = \$78,583; County=\$85,000 (\$50,000 transferred from Wicomico tennis court project and \$35,000 in new funds); B)defer a final decision pending the results of possible state funding in FY05 (if state funds are not appropriated for this purpose, defer the project indefinitely).

*The Board agreed with staff's recommendations regarding the sequence of the projects and to forward fund the monies needed for the boat ramp and the pier in the FY05 CIP. Actual decision to move forward on these two projects will come at a later date.*

**Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner McKay to sign Grant Application to renovate existing two-story building on former Steuart property to house Piney Point Lighthouse Museum. Motion carried.**

7. Finance Department (*Elaine Kramer, Director*)  
**Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign Budget Amendment to realign funds in FY04 budget to match the allocation of the exempt financing proceeds to EMA for a vehicle as well as to adjust the budget to the expected payments needed in FY04. Motion carried.**
8. Emergency Management (*Stanley Williams, Deputy Director; Tim Bennett, Emergency Planner*)  
**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President to sign Budget Amendment reallocating \$14,299 in unused grant appropriations to the Emergency Management Agency for funds received in 2004 for Rural Access Automatic External Defibrillator which were not included in the budget. Motion carried.**
9. Rec Plex  
*The Commissioners agreed to schedule a presentation at an upcoming Board meeting by a privately owned recreation company regarding a potential public/private partnership.*

10. Office on Aging (*Gene Carter*) and County Attorney (*John Norris*)

**Commissioner Jarboe moved, seconded by Commissioner Dement, to authorize staff to advertise and schedule a Public Hearing regarding a Senior Tax Credit in accordance with the draft Ordinance presented by staff. Motion carried. Commissioner Mattingly abstained.**

## EXECUTIVE SESSION

**Commissioner Dement moved, seconded by Commissioner Raley, to meet in Executive Session to discuss matters of Personnel and Litigation, as provided for in Article 24, Sections 4-210(a)1 and 4-210(a)8, respectively. Motion carried.**

### Personnel

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly  
George Forrest, County Administrator  
John Norris, County Attorney  
Donna Gebicke, Recorder

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

**Time Held:** 11:35 am – 12:25 p.m.

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

## ACTION FROM EXECUTIVE SESSION

Commissioner Raley moved, seconded by Commissioner Jarboe, to direct the County Administrator to accept Phil Cooper's resignation and to approve any subsequent, associated administrative actions; to communicate to Ms. Wood that she will assume the duties of Communications and Operations Center Manager and to Stanley Williams that he will assume duties of Emergency Management Manager; and to take all actions necessary to ensure the ongoing management and organizational stabilization of that Department. Motion carried.

*The portion of the Minutes of the Board of County Commissioners meeting of October 28, 2003, regarding reorganization of County government was reviewed and the agreement to combine Emergency Management and Emergency Communications into one Department was reaffirmed.*

Commissioner Jarboe moved, seconded by Commissioner Raley, to direct County Administrator and Human Resources Director to begin the process of advertising and filling the new position of Public Safety Director immediately. Motion carried.

*It was agreed that the Selection Committee for the new position of Public Safety Director will include representation from fire and police organizations.*

**PATUXENT TIDEWATER LAND TRUST**

On behalf of the Patuxent Tidewater Land Trust, Agricultural Manager Donna Sasscer updated the Commissioners on the Rural Legacy Program and requested support of the Huntersville Rural Legacy Renewal Application and resubmission of the 2003 St. Mary's River Watershed Application.

**Commissioner Jarboe moved, seconded by Commissioner Mattingly, to endorse the submission of the two Rural Legacy Applications as presented. Motion carried.**

**EXECUTIVE SESSION**

**Personnel**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly  
George Forrest, County Administrator  
John Norris, County Attorney  
Donna Gebicke, Recorder

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

**Time Held:** 1:26 p.m. – 2:00 p.m.

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

**Litigation**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly  
George Forrest, County Administrator  
Heidi Dudderer, Assistant County Attorney  
Robert Gray, Attorney  
Donna Gebicke, Recorder

**Authority:** Article 24, Section 4-210(a)8

**Time Held:** 2:01 p.m. – 2:50 p.m.

**Action Taken:** The Commissioners discussed litigation matters.

## **Personnel**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly  
George Forrest, County Administrator  
Donna Gebicke, Recorder

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

**Time Held:** 2:51 p.m. – 3:04 p.m.

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

## **ACTION FROM EXECUTIVE SESSION**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to authorize staff to proceed as directed in Executive Session. Motion carried.**

## **WIRELESS PHONES UPDATE (INFORMATION AND TECHNOLOGY DEPT)**

Bob Kelly, IT Director, provided the Commissioners with information, statistics, and recommendations for cost-effective cell phone infrastructure improvements. One of the recommendations was to establish standards for departments to incorporate when determining the need for a cell phone and service plan required for a position and to provide semi-annual payments (authorized stipends) to staff to purchase and utilize their own cell phone to perform job duties.

*The Commissioners agreed to review Mr. Kelly's written report dated January 13, 2004, and to follow up on recommendations contained therein at a later date.*

## **THREE NOTCH TRAILS STATUS (RECREATION AND PARKS DEPARTMENT)**

Recreation and Parks Department Director Phil Rollins reported that design and engineering for Phase I of the project (from Route 236 in New Market approximately one mile to the Northern Senior Center site in Charlotte Hall) is being done in-house by the Department of Public Works and Transportation and is nearly complete. Plan reviews and approvals are expected to be completed in the next six weeks and construction is expected to be done by the County's rental contractor this spring, with the first section of the trail expected to be opened by summer.

## **NORTHERN SENIOR CENTER**

Commissioner Jarboe moved, seconded by Commissioner Dement, to direct staff to investigate the feasibility of utilizing the site of the proposed Northern Senior Center as a St. Mary's County Multi-generational Center, with provisions made for persons of all age groups; and should the Board agree to propose a program change based on this report, the report will be presented at a Public Meeting

for community input. In addition, I move that the Procurement Officer direct that a Notice to Proceed on the contract for the Northern Senior Center not be issued without direction from this Board. I further move that we direct the Real Property Manager to investigate additional lease opportunities for the current temporary Northern Senior Center and make recommendations to the Board before the expiration of the current lease with All Faith Protestant Episcopal Church; and, if the Board should agree to make a program change the report will be presented at a Public Meeting. Commissioner Mattingly voted no. Motion carried.



## **COMMISSIONERS' TIME**

### **Commissioner Dement**

Attended:

- Cub Scout meeting at Piney Point
- Community meeting at Carver Elementary School to discuss programs held there
- Introduction of Juvenile Drug Court Program
- Ridge Volunteer Fire Department Installation of Officers. Congratulations to all.
- John and Barbara Montgomery's 50<sup>th</sup> anniversary. Congratulations.

### **Commissioner Mattingly**

- Congratulations to Ridge Volunteer Fire Department and Leonardtown Rescue Squad
- Accompanied Donna Sasscer and a group of local farmers to Bell Nurseries to see their program and evaluate.
- Attended Tri County Council meeting in Annapolis.

### **Commissioner Jarboe**

- Be careful on the roads – very hazardous conditions exist.
- Request that staff pay vendor for Hazardous Waste Day

### **Commissioner Raley**

- Activities have been limited due to shoulder surgery.
- Congratulations to Ridge VFD new officers, Fireman of the Year, and 40-year members.

### **Commissioner McKay**

Tremendous event at RidgeVFD. Apologize for missing Leonardtown's event. Congratulations to all.

The meeting adjourned.

Minutes Approved by the  
Board of County Commissioners on \_\_\_\_\_

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Donna Gebicke, Administrative Assistant  
to the Board of County Commissioners