

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
GOVERNMENTAL CENTER
Tuesday, February 6, 2007**

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

CALL TO ORDER

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

ADDITIONS / DELETIONS TO AGENDA

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to add Executive Session to the Agenda and to enter into Executive Session at the end of today's agenda for the purpose of discussing personnel, specifically the Public Information Officer interviews. Motion carried 5-0.

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners' meeting of January 29, 2007, as presented. Motion carried 5-0

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to adopt the minutes of the Commissioners' meeting of January 30, 2007, as corrected. Motion carried 5-0.

APPROVAL OF CHECK REGISTER

Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register dated February 1, 2007, as presented. Motion carried 5-0.

PROCLAMATION: CAREER AND TECHNICAL EDUCATION WEEK (FUTURE BUSINESS LEADERS OF AMERICA [FBLA] FROM CHOPTICON, GREAT MILLS, AND LEONARDTOWN HIGH SCHOOLS)

Present: Ken Smith, Supervisor, Career Technology Education

Administrators, Advisors, and Students from Great Mills, Leonardtown, and Chopticon High Schools representing FBLA

Student FBLA members representing Leonardtown, Great Mills, and Chopticon were on hand to accept the Proclamations presented by the Board in recognition of “Career and Technical Education Week,” February 11 – 17, 2007. Several hundred students participate in a career technology student educational program in St. Mary’s County. The students are currently preparing for their regional competition.

PROCLAMATION: ENERGY ASSISTANCE MONTH (TRI COUNTY COMMUNITY ACTION COMMITTEE)

Present: Ruth Harodd, Director, Energy Assistance Program
Mary Dryden, Board member

The Southern Maryland Tri-County Community Action Committee has provided thousands of St. Mary’s citizens with Energy Assistance Services through the Maryland Energy Assistance Program, the Electric Universal Services Program, and the Tri-County Fuel Fund. On behalf of all St. Mary’s County citizens, the Board expressed their appreciation to the volunteers and staff who have worked diligently to provide energy assistance in response to the numerous requests from local residents and thereby helping them meet their home energy needs.

The Board presented Ms. Harodd and Ms. Dryden with a Proclamation proclaiming the month of February as Energy Assistance Month in St. Mary’s County. Ms. Harodd provided information about the Energy Assistance Program.

COUNTY ADMINISTRATOR

1. Draft Agendas for February 13 and 20, 2007

2. **St. Mary’s County Public Schools**

(Daniel L. Carney, Chief Financial Officer; Dr. Charles E. Ridgell, Director of Curriculum and Instruction)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and sign the letter authorizing the new FY2007 Restricted Program Fund Science Technology Engineering Mathematics Grant in the amount of \$25,000. Motion carried 5-0.

(Daniel L. Carney, Chief Financial Officer; Theo Cramer, Director of Academic Support)

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and sign the letter authorizing the following new FY2007 Restricted Program Fund Grants totaling \$311,515: Title I, School Improvement Grant (which includes two FTE positions), the State School Improvement Grant, and the Local Donation for Reading Intervention Program Grant. Motion carried 5-0.

3. **Dept. of Public Works and Transportation** (*George Erichsen, P.E., Director*)
(*Steve Bildman, President, Airport Properties, Inc.; Patrick Weaver, President S.M. Hangars, Inc. and S.M. Hangars Assoc., Inc.*)

Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Lease, Sub-Lease, and Operating Agreement between the Board of County Commissioners for St. Mary's County, S.M. Hangars, Inc., Airport Properties, Inc., and St. Mary's Hangar Association, Inc. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Public Works Agreement for Cecil's Mill Subdivision, located in the 8th Election District, with an Expiration Date of March, 1, 2008. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Public Works Agreement for Primrose Park Subdivision, located in the 8th Election District, in the Wildewood PUD, with an Expiration Date of March, 1, 2008. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Deed from Laurel Glen, Inc., for widening of Old Rolling Road at intersection of Rt. 235, located in the 8th Election District. Motion carried 5-0.

4. **Acting County Administrator** (*John Savich*)

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the Employment Contract for the Public Safety Director position. Motion carried 4-1, Commissioner Jarboe voted against the motion.

5. **Dept. of Land Use and Growth Management** (*Denis Canavan, Director*)

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Budget Amendment in the amount of \$2,000, moving funding from the Consultant account to the Other Contract Services account. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Budget Amendment in the amount of \$4,500, moving funding from the Consultant account to the Temporary Part Time account. Motion carried 5-0.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the Budget Amendment in the amount of \$2,500, moving funding from the Inspections – Other Contract Services account, to the Electrical – Other Contract Services account. Motion carried 5-0.

**DEPT. OF LAND USE AND GROWTH MANAGEMENT & ST. MARY'S COUNTY
PUBLIC SCHOOLS: SCHOOL CAPACITY 2006-2007 SCHOOL YEAR - ANNUAL
REPORT**

Present: Denis Canavan, Director, LU&GM

Mr. Canavan reviewed the annual report from staff regarding full time equivalent (FTE) enrollments for the current school year and school capacity available for approving development pursuant to Chapter 70 (Adequate Facilities) of the Comprehensive Zoning Ordinance. Based on the report, Mr. Canavan, noted that the northern and central service areas are “shut down” for preliminary plan approval of major subdivisions due to inadequate school capacity. Within the southern service area, there are 232 seats available at the elementary school level, 133 at the middle school level, and 171 at the high school level; this translates to 1,079 lots that could be approved as major subdivisions with the southern service area. Factors that could change capacity status were discussed, including:

1. Potential capacity may be factored in, as 100% of design funding for a new school is included in the County's Capital Improvements Program (CIP). Design funding for an addition to Leonardtown Elementary School and a new elementary school planned to be built in the Wildewood vicinity is factored into the FY07 CIP, and still there is a deficit of capacity within the central service area at the middle school level. The School Facilities Master Plan calls for a second new elementary school to be ready by FY 2012 and a new high school in FY2014.
2. Enrollment could drop (unlikely) and service area boundaries could be changed.
3. Proposed Chesapeake Public Charter School's planned capacity of 120 students could alter some service area numbers in the future.
4. Previously granted preliminary approvals could expire (not expected to happen).
5. Mitigation could be allowed (currently prohibited by the Zoning Ordinance)
6. The 107% of State Rated Capacity limit could be increased, either County-wide or in targeted areas.
7. The three service areas could be consolidated.

Mr. Canavan also reviewed recommendations included in the Adequate Public Facilities (APF) Taskforce Report, which included developing an Annual Growth Policy and increasing capacity percentages, i.e., 108% elementary school level, 111% middle school level, and 119% high school level. The APF Taskforce Report is currently before the Planning Commission, which will be making recommendations to the BOCC.

Commissioner Raley moved, seconded by Commissioner Dement, to accept the 2006-2007 School Year Annual Report on Adequacy of School Capacity for review and approval of development projects. Motion carried 5-0.

COLLEGE OF SOUTHERN MARYLAND: STATE OF THE COLLEGE REPORT

Present: Dr. Bradley Gottfried, President
Dean F. J. Talley, Leonardtown Campus

Dr. Gottfried presented the State of the College Report, reviewing the College of Southern Maryland's (CSM) Mission Statement and Goals and plans for how each of the goals will be achieved.

The following five goals were presented by Dr. Gottfried:

- Goal 1: CSM effectively addresses the life-long educational workforce development, and cultural needs of Southern Maryland.
- Goal 2: CSM promotes student success by providing outstanding educational and related support services that help students achieve their goals
- Goal 3: CSM is an employer of choice.
- Goal 4: CSM employs effective management tools to ensure that it provides outstanding services in an efficient and proactive manner at all campuses.
- Goal 5: CSM has the resources to provide outstanding educational services, fairly compensate faculty and staff, and provide modernized facilities.

It was noted that the Wellness Center is not on the list to receive state funding (only received \$800,000 of the \$58,000,000). Dr. Gottfried indicated that he will continue to work toward obtaining the funds.

PUBLIC HEARING: ESTABLISH MD AGRICULTURE LAND PRESERVATION DISTRICTS ON 53.2 ACRE PROPERTY OWNED BY CECELIA ANN HOLLEY AND ELIZABETH MASON HOLLEY

Present: Donna Sasscer, Agriculture Manager, DECD

Ms. Sasscer began by reviewing the notice of the Public Hearing, as published in the January 26, and February 2, 2007, editions of the Enterprise newspaper and stated the purpose of the public hearing is to consider a proposal to recommend property located at 40333 Holly Acres Farm Lane, Leonardtown, MD, (acreage 53.2, Tax Map 40, Grid 1, Parcel 97), for establishment of Maryland Agricultural Land Preservation District.

Public Comments:

There were no public comments.

Commissioner Russell closed the Public Hearing and stated the record will remain open for a period of ten days. During the open record period, written comments may be sent to the Board of County Commissioners.

COMMISSIONERS' TIME

Commissioner Dement

Congratulations to Ms. Anna Fenwick. Presented Ms. Fenwick an 80th Birthday Proclamation on behalf of the Board.

Commissioner Mattingly

MACO information placed in each of the Commissioners mailboxes.

Commissioner Raley

On behalf of the Board, had the pleasure and honor to present a Commendation to Ms. Harvey, Postmistress at the St. Mary's City Post Office, who retired after 37 years of service.

Commissioner Jarboe

Had the pleasure to teach six classes at Great Mills High School on Friday -- the Model Cities Project. Thanked the Board of Ed, and the teacher, Mike McGraw. It was a very positive experience.

Commissioner Russell

Also had a pleasant experience visiting Great Mills High School and meeting Ms. Tracy Hiebel and Mr. Johnson. The County has great schools, students, and teachers.

MOTION TO ENTER INTO EXECUTIVE SESSION

Commissioner Raley moved, seconded by Commissioner Mattingly, to enter into Executive Session with regards to personnel, specifically to discuss the Public Information Officer interviews. Motion carried 5-0.

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
John Savich, Acting County Administrator
Donna Gebicke, Administrative Assistant to the BOCC, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 12:20-12:40
Action Taken: The Commissioners discussed the interviews for the Public Information Officer position.

OPEN SESSION - ACTION FROM EXECUTIVE SESSION

Commissioner Raley moved, seconded by Commissioner Mattingly, to direct staff to proceed as discussed in Executive Session regarding the Public Information Officer position. Motion carried 4-0. Commissioner Dement abstained since he was not present during the interviews.

ADJOURNMENT

The meeting adjourned at 12:43 pm.

Minutes Approved by the Board of County Commissioners on _____

Betty Jean Pasko, Senior Administrative Coordinator