

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
GOVERNMENTAL CENTER  
Tuesday, February 13, 2007**

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

**CALL TO ORDER**

The meeting was called to order at 9:32 am. The Commissioners attended the BOCC Multi-Agency Meeting, Leonardtown Library, 7:45 AM – 9:00 AM.

**APPROVAL OF MINUTES**

**Commissioner Mattingly moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners' meeting of February 5, 2007, as presented. Motion carried 3-0**

**Commissioner Mattingly moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners' meeting of February 6, 2007, as presented. Motion carried 3-0.**

**APPROVAL OF CHECK REGISTER**

**Commissioner Mattingly moved, seconded by Commissioner Dement, to authorize the Commissioner President to sign the Check Register. Motion carried 3-0.**

**PROCLAMATION: "ESCAPE TO KEY WEST DAY"**

Present: Penny Brueggemann, Management Team Member

The purpose of Special Olympics of St. Mary's County is to provide year-round sports training and athletic competition in a variety of Olympic-type sports for all children and adults with intellectual disabilities, giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendships with their families, other Special Olympics athletes, and the community. Special Olympics will be holding a fundraising concert "Escape to Key West" the 10<sup>th</sup> of March at the Hollywood Volunteer Fire Department. The Key West Band plays Caribbean style rock and roll music.

The Commissioners presented a Proclamation to Ms. Brueggemann proclaiming March 10<sup>th</sup>, 2007 “Escape to Key West Day” in St. Mary’s County to support the Special Olympics fundraising event.

**DEPT. OF HUMAN RESOURCES: ANNUAL ACCRUED SICK LEAVE AWARDS**

Present: Sue Sabo, Director  
June Robrecht, Deputy Director

The following County employees were recognized for accruing a sick leave balance in multiples of 100 days:

100 Days: Kelsey Bush, James M. Gray, Richard Guy, Larry S. Johnson, Robert Johnston, Kathleen Kreps, Michael A. Licausi, Clayton O. Safford, Russell C. Trow, Mark Smith

200 Days: Richard Gray, Larry Harvey, John S. Hewitt, Michael Merican, Saraha Norris, Elizabeth Passarelli, Edward Willenborg

300 Days: Phillip Shire

**LETTIE MARSHALL DENT ELEMENTARY SCHOOL PRESENTATION:  
AFRICAN-AMERICAN HISTORY MONTH**

Present: Lynn Morgan Smoot, Supervisor of Instruction for Fine Arts

Fourth grade students prepared essays in celebration and recognition of February being African-American History Month. Christian Pavlik, student, provided an overview of the class project, stating the students were assigned to write essays about Dr. Martin Luther King, Jr.’s “ideal community”. Students Krista Wolford, Savannah Trinch, Devyn Gass, and Eric Maxey read their essays, which had been selected by the students to be read during the Commissioner’s meeting. The 4<sup>th</sup> grade students were presented Commendations by the Board in support of their work with this class project.

**COUNTY ADMINISTRATOR**

1. Draft Agendas for February 20 and 27, 2007
2. **Dept. of 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 Application for Renewal of the Alcohol Beverage License for the Wicomico Shores Golf Course and Recreation Complex. Motion carried 3-0.**

3. **Dept. of Economic and Community Development** (*John Savich, Director*)

Note: Meeting was recessed and called back to order at the request of Commissioner Mattingly.

(*Donna Sasscer, Agriculture Manager*)

**Commissioner Dement moved, seconded by Commissioner Mattingly, to direct staff to: create an agriculture subdivision of approximately 40 acres on the Fenwick Property to allow for the construction of a Farmers Market; apply for two perc tests on the property; and to prepare an MOU establishing a Farmers' Cooperative as manager of the property. Motion carried 3-0.**

(*Dennis Nicholson, Executive Director, HASMC*)

**Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Maryland Community Development Block Grant Amendment, awarding an additional \$75,000 for the Gateways Infrastructure, and the revised Sub-recipient Agreement with the Housing Authority extending the Grant period to October 31, 2007, and recognizing the additional Grant funding. Motion carried 3-0.**

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

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the employment contract for the Public Information Officer position. Motion carried 3-0.**

(*Karen Everett was selected to fill the PIO position.*)

5. **St. Mary's County Public Schools** (*Daniel Carney, Chief Financial Officer*)

**Commissioner Mattingly moved, seconded by Commissioner Dement, to approve the Board of Education's request to add one F.T.E. position to the Mid-level Administration Category for FY2007 (increase of \$42,737) and to approve the following, additional FY2007 General Fund categorical transfers: Administration (increase of \$8,997); Instructional Salaries (decrease of \$31,900); Textbooks and Supplies (decrease of \$16,000); Other Instructional Costs (increase of \$16,000); Special Education (increase of \$7,654); and Fixed Charges (decrease of \$27,488). Motion carried 3-0.**

**DEPT. OF LAND USE & GROWTH MANAGEMENT: DECISION ON PROPOSED AMENDMENTS TO THE COMPREHENSIVE WATER AND SEWERAGE PLAN**

The Public Hearing for the proposed amendments was held on January 30, 2007. There were no additional public comments received during the open record period. There are a number of easements that need to be worked out. Mr. Jackman stated, however, that not

having the easements resolved should not have any impact on approving these amendments.

1. Willows Run Subdivision, CWSP #06-120-015

**Commissioner Dement moved, seconded by Commissioner Mattingly, to amend the St. Mary's County Water and Sewerage Plan as recommended by the Planning Commission to change the service area category from W-6 and S-6 to W-3D and S-3D for ~~29.2~~ 23.75 acres described as Parcel ~~636~~ 72 of Tax Map 51 in the 8<sup>th</sup> Election District. Motion carried 3-0.**

*Corrected motion, April 10, 2007 BOCC meeting:*

**Commissioner Mattingly moved, seconded by Commissioner Dement, to amend the motion to change the service area categories in the Comprehensive Water and Sewer Plan for the Willows Run Subdivision, adopted at the meeting held on February 13, 2007, by striking out 29.2 (number of acres) and inserting 23.75, and by striking out 636 (Parcel number) and inserting 72. Motion carried 5-0.**

2. Valley Lee -Second District VFD, CWSP 06-131-010.

Commissioner Mattingly clarified that this is in the village center and it is to address failing systems.

**Commissioner Dement moved, seconded by Commissioner Mattingly, to amend the St. Mary's County Water and Sewerage Plan as recommended by the Planning Commission to change the service area category from NPS to S-3D for 15.32 acres described as Tax Map 61, Grid 5, Parcels 78, 108, 134, 399 and 418 in the Second Election District. Motion carried 3-0.**

3. Pembroke Run Subdivision, CWSP #06-120-008

**Commissioner Dement moved, seconded by Commissioner Mattingly, to amend the St. Mary's County Water and Sewerage Plan as recommended by the Planning Commission to change the service area category from W-6 and S-6 to W-3D and S-3D for 29.2 acres described as Parcel 636 of Tax Map 51 in the 8<sup>th</sup> Election District. Motion carried 3-0.**

4. Strickland Subdivision, CWSP 05-110-004

During the Public Hearing, it was communicated that the cost to make the water line service connection was upwards of \$30,000. At their request, LU&GM received calculations from MetCom; copies were provided to the Board during the meeting. According to the Metropolitan Commission engineers, the estimated cost will be closer to \$7,500. Robin Guyther explained initially the request was for constructing a regular public water line (at that time, that's what the requirement was). In conjunction with the public hearing process, the Metropolitan Commission

determined they could go with the service connection versus constructing a water line.

**Commissioner Dement moved, seconded by Commissioner Mattingly, to amend the St. Mary's County Water and Sewerage Plan as recommended by the Planning Commission to change the service area category from W-6 to W-3D for 76.93 acres described as Tax Map 43, Parcel 574, Lot 1 in the 8<sup>th</sup> Election District. Motion carried 3-0.**

## **DEPT. OF ECONOMIC & COMMUNITY DEVELOPMENT & THE SO. MD. NAVY ALLIANCE: ENCROACHMENT STUDY COMMITTEE REPORT**

Present: Todd Morgan, Eagan and McAllister & President, So. Md. Navy Alliance  
Keith Fairfax, Titan and So. Md. Navy Alliance  
Captain Glen Ives, Commanding Officer, NAS  
John Savich, Director, DECD  
Denis Canavan, Director, LU&GM

A report on the Southern Maryland Navy Alliance Encroachment, Study Committee Findings and Recommendations, dated January 27, 2007, was presented to the Board. The overriding objective of the Encroachment Study Committee is to provide recommendations to St. Mary's County decision makers that will result in policies that balance economic growth with an unswerving devotion to maintaining world-class Department of Defense facilities and airspace free from encroachment at the Navy's Patuxent River complex. Noise encroachment attributed to larger and unmanned aircraft was presented as a major concern.

Denis Canavan presented composite zoning map exhibits of Accident Potential Zones (APZ) 1 and 2 and a noise contour exhibit, that had been prepared in 1999.

The report presented findings and recommendations regarding the following:

- Strengthen ongoing Navy – St. Mary's Communication
- Residential Development in the Patuxent River APZ-2
- Establishment of Buffer Zones
- Encroachment at Webster Field
- Analyze Merits of a Joint Land Use Study (JLUS)

Captain Ives summarized success at Patuxent River as being attributed to having a clear mission, terrific workforce, and community partnership.

The report summarized:

- Joint St. Mary's County – Navy review of development proposals is strong and effective by the County should remain vigilant and will to adapt to change.
- New Navy and joint missions & technologies require a fresh look at potential encroachment.
- Development can co-exist with the Navy by strong communication and smart compatibility ordinances.

**Commissioner Mattingly moved, seconded by Commissioner Dement, to direct staff to move forward following the report recommendations:**

- 1. Develop an MOU to improve communications and joint planning to address encroachment between County Government and the Commanding Officer, NAS, Patuxent River.**
- 2. Prepare the necessary amendments to the Comprehensive Zoning Ordinance that will prohibit new residential develop in the APZ-2 zone of the AICUZ.**
- 3. Prepare an amendment to the AICUZ overlay zone in the Comprehensive Zoning Ordinance to create a new buffer zone, in which additional noise mitigation will be required and residential density will not be increase above currently allowed levels.**
- 4. Develop AICUZ overlay zones and a buffer zone for Webster Field.**
- 5. Include in the MOU with the Commanding Officer a joint Navy/County Government program of land and easement acquisition to ensure protection of the Clear Zone at Webster Field and any other critical lands.**
- 6. Prepare a letter for signature by the BOCC requesting Governor O'Malley direct the Maryland Military Installations Council explore the merits of a Joint Land Use Study for NAS, Patuxent River that would encompass land and air space in Maryland, Virginia, and other affected states.**

**Motion carried 3-0.**

## **COMMISSIONER TIME**

### Commissioner Mattingly

Attended the Christmas in April appreciation dinner and kick-off for 2007, thanked all the volunteers.

Represented the Board at the Mechanicsville Volunteer Rescue Squad and Auxiliary Annual Installation of Officers.

Attended the St. Clement's Museum annual meeting Sunday afternoon.

Will be attending MACo tomorrow.

Happy 6<sup>th</sup> Birthday to Granddaughter, Kaylee.

### Commissioner Dement

Also attended the Christmas in April appreciation dinner.

Attended the Second District Volunteer Fire Department and Rescue Squad Installation of Officers banquet in Valley Lee.

### Commissioner Russell

Attended the Spring Ridge Middle School curriculum breakfast.

Attended Skills USA tri-county competition at the Forrest Center on Saturday.

Also attended the Second District Volunteer Fire Department and Rescue Squad Installation of Officers banquet.

Sunday, attended the Wine Society's wine tasting, at the J. T. Daughtery Center. Provided a few remarks about the importance of the wine industry relative to St. Mary's farmers.

Announced that the Commissioners attend the BOCC Multi-Agency meeting this morning, prior to the BOCC meeting.

## **ADJOURNMENT**

The meeting adjourned at 12:00 pm.

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

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Betty Jean Pasko, Senior Administrative Coordinator