

Tuesday, February 24, 2004

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)
Kate Mauck, Senior Administrative Coordinator (Recorder)

Kate Mauck recorded the following portion of the meeting minutes:

CALL TO ORDER

The meeting was called to order at 9:12 a.m.

APPROVAL OF CHECK REGISTER

Commissioner Raley moved, seconded by Commissioner Dement, to authorize Commissioner President McKay to sign the Check Register, with the exception of the item on page 10 for a newspaper subscription out of VISTA funds. Motion carried.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' meeting of Tuesday, February 10, 2004 as amended. Motion carried.

COMMISSIONERS' TIME

Commissioner Raley

Expressed congratulations to past officers and newly installed officers at the Lexington Park Volunteer Rescue Squad. Many of the Commissioners attended the Rescue Squad's 51st Annual Installation of Officers last weekend, and they are to be commended. The person who responded with the most runs completed 554, and many others were recognized as well. These volunteers can never be repaid for their dedication and hard effort.

Received a memo from Carolyn Laray dated February 15th regarding fishing shows. *Directed that staff follow up by sending a letter to charter boat fisherman who provided help.*

Regarding letter to the Metropolitan Commissioner concerning South Colony Drive and a rehabilitation project there – *requested that Mr. Forrest provide paperwork and show how this situation has been resolved.*

Requested Mr. Forrest provide a memo or voice mail update on the status of compressed work schedule for County government employees.

Commissioner Dement

Expressed thanks to NARFE for their luncheon at the Old Breton Inn last Friday. There was a great response from seniors attending.

Expressed condolences on behalf of the Board of County Commissioner to the family of Dawson Jarboe, who was a partner of Commissioner Jarboe for many years.

Expressed congratulations to Jane Russillo for her 90th birthday party. There were probably 100 people in attendance.

Commended volunteers of the Lexington Park Rescue Squad for their service to the community. Over 4,000 calls went out at the Rescue Squad last year. John and Debbie Olsen were singled out and recognized at this event.

Commissioner Mattingly

Expressed congratulations to the Sheriff, who hosted the Chamber of Commerce Business After Hours event last week.

Expressed thanks to NARFE for inviting the Commissioners to their luncheon last week.

Commended Phil Cooper for receiving the John Sabola Award at the Lexington Park Rescue Squad's event for his years of service to County Government. Also noted that the local rescue squads are always looking for volunteers.

Announced that the Rural Legacy funding for the Huntersville area is on the Board of Public Works agenda for Wednesday, February 25th in Annapolis.

Commissioner Jarboe

Asked the community to remember Lieutenant Dino Mahaffey in their prayers. Lieutenant Mahaffey, a veteran of the Prince George's County Fire Department, and St. Mary's County citizen, was badly injured while fighting a fire in Oxon Hill.

Commissioner President McKay

Reminded citizens that next Tuesday, March 2, is Election Day, and it is important for citizens to vote as well as to check out the new voting machines. Election results will be broadcast live on Channel 12, with the first results expected to be reported around 8:30 p.m.

Announced the Procurement Policy Review Committee will be meeting on Wednesday, February 25th at 5:30 p.m. in Room 14 of the Governmental Center. Discussion will cover policy review and comments will be accepted from citizens on how to increase vendor participation. Citizens were encouraged to attend and to share their ideas and opinions on this topic.

Commended the Lexington Park Volunteer Rescue Squad for their event. Heard that some have responded to over 600 calls. Expressed thanks for the commitment of these volunteers.

RECREATION AND PARKS DEPARTMENT: WICOMICO SHORES GOLF COURSE CLUBHOUSE PROJECT

Present: Phil Rollins, Director, Recreation and Parks
George Erichsen, Director, Department of Public Works and Transportation
Elaine Kramer, Director of Finance
Pat Meyers, Golf Course Manager

Staff provided an overview of proposals and problems regarding the Wicomico Shores Golf Course Clubhouse Project. Details on work completed by the architect, bids received, design features, the inability to fund the project as budgeted, and repairs made to the current golf course were outlined. Discussion took place analyzing options available and the following determinations were made:

Commissioner Jarboe moved, seconded by Commissioner Dement, to refer this issue to the Wicomico Shores Golf Advisory Board and to review their recommendations. Motion carried.

It was further determined that Delores Lacey should provide a list to Commissioners today of potential appointees for the Advisory Board. Appointments are to be placed on the Commissioners' Agenda for next week's meeting. An initial "simplified" report will be anticipated from the Advisory Board in late March or early April regarding its recommendation(s) on the Clubhouse Project. Mr. Rollins stated that an April target date for the initial report would be most likely, given time constraints involved.

Commissioner Jarboe moved, seconded by Commissioner Dement, to terminate solicitation and the exempt financing request on the Wicomico Shores Golf Course Clubhouse Project. Motion Carried.

COUNTY ADMINISTRATOR

1. Draft Agendas for March 1, March 2, and March 9, 2004
2. **Finance Department and College of Southern Maryland**

Present: Elaine Kramer, Finance Director

Linda Bean, Dean of Financial & Administrative Services, CSM

The College of Southern Maryland presented Commissioners with a request for additional funding for FY2004 in order to cover electrical costs. *CSM was asked to provide their final 2003 audited report that was never submitted to County government.* In addition, Ms. Bean reported that Budget to Actual costs were to be faxed to the County today.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign Budget Amendment transferring \$34,200 from Emergency Reserve for additional CSM funding. Commissioner President McKay voted against the motion. Motion carried.

3. Recreation and Parks

Present: Phil Rollins, Director, Recreation and Parks

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign Budget Amendment (\$105,000) transferring funds from Capital Reserve to Piney Point Lighthouse Museum renovation project. Motion carried.

4. Real Property Manager

Present: Joyce Malone, Real Property Manager
Carolyn Laray, Tourism Development Coordinator
Phil Rollins, Director, Recreation and Parks)

a. **Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Easement Agreement with Maryland Department of Business and Economic Development for historical markers at the Courthouse and Piney Point Lighthouse. Motion carried.**

b. **Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Easement Agreement with SMECO for electric service to the proposed Piney Point Lighthouse Museum Complex. Motion carried.**

5. Department of Public Works and Transportation

Present: George Jarboe, Transportation Manager

Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to FY-04 5311 Capital Grant Agreement

**(Federal: \$54,040; State: \$6,755; County: \$6,755) for one replacement bus.
Motion carried.**

6. Department of Public Works and Transportation

Present: George Erichsen, Director

- a. Public Works Agreement for the Continued Maintenance and Repair for Hunting Quarter Subdivision, Phase 2, Section 2D. Located in the 2nd Election District with an expiration date of January 1, 2005. The letter of credit provided by the Maryland Bank & Trust Company in the amount of \$55,200 is being released and a check in the amount of \$10,000 has been deposited based on the Department's inspection report dated December 10, 2003. The Public Works Agreement and Letter of Credit in the amount of \$155,250 were originally issued on December 14, 1999. The roads included in this agreement are: Pintail Court (420') and Goldeneye Court (929').
- b. Public Works Agreement for Westbury PUD Subdivision, Section 2, Phase 2. Located in the 8th Election District with an expiration date of January 1, 2005. A letter of credit has been provided by the Bank of Southern Maryland in the amount of \$518,400. The roads included in this agreement are: Westbury Boulevard West (600'), Wilcutt Street (389'), Altman Court (360'), Bolden Court (500'), and Gordon Court (300').
- c. Public Works Agreement Addendum for Wildewood Subdivision, Pepper Ridge, Phase 4. Located in the 8th Election District with an expiration date of January 1, 2005. The letter of credit provided by The First National Bank of St. Mary's in the amount of \$286,200 remains as posted based on the Department's inspection report dated December 12, 2003. The Public Works Agreement and Letter of Credit in the amount of \$286,200 were originally issued on January 22, 2002. The roads included in this agreement are: Cherry Hill Court (490') and Sassafras Drive (895').
- d. Public Works Agreement Addendum for Forrest Farm Subdivision, Section 3, Phases 1, 1A and 2. Located in the 3rd Election District with an expiration date of February 1, 2005. The letter of credit provided by The First National Bank of St. Mary's in the amount of \$87,300 remains as posted based on the Department's inspection report dated January 8, 2004. The Public Works Agreement and Letter of Credit in the amount of \$225,100 were originally issued on March 20, 2002. The roads included in this agreement are: Pembroke Drive, (1,060'), Carriage Court (654'), and Nicholson Street (2,512').
- e. Public Works Agreement Addendum for St. James Subdivision, Section 3. Located in the 1st Election District with an expiration date of February 1, 2005. The letter of credit provided by The First National Bank of St. Mary's in the

amount of \$146,000 remains as posted based on the Department's inspection report dated December 29, 2003. The Public Works Agreement and Letter of Credit in the amount of \$146,000 were originally issued on March 28, 2003. The road included in this agreement is: King James Parkway (1,361').

- f. Public Works Agreement Addendum for the Villages of Leonardtown Subdivision. Located in the 3rd Election District with an expiration date of February 1, 2005. The bond provided by the Western Surety Company in the amount of \$773,000 remains as posted based on the Department's inspection report dated December 3, 2003. The Public Works Agreement and Bond in the amount of \$773,000 were originally issued on November 5, 2001. The roads included in this agreement are: J.M. Gough Court (554'), Gunnell Drive North (1,185'), Gunnell Drive South (250'), Mitchell Drive (246'), Abraham Drive (1,760'), Klear Court (269'), and Candella Place (130').

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Department of Public Works and Transportation Items a through f. Motion carried.

7. Emergency Management

Present: Stanley Williams, Jr., Deputy Director
Elaine Kramer, Finance Director

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the release of deferred funds for the Advanced Life Support unit to include: Continuous Positive Airway Pressure Equipment (\$10,000), Replacement of Medic 3 (\$24,500), and Upgrade of Remaining Lifepak 12 Defibrillators (\$9,748). Motion carried.

GREAT MILLS HIGH SCHOOL AFRICAN AMERICAN HISTORY MONTH ESSAY WINNERS

Present: Lynne Morgan, Supervisor of Instruction for Fine Arts

Students from Great Mills High School provided readings from their winning essays in honor of African American History Month.

Donna Gebicke recorded the remaining meeting minutes as follows:

PUBLIC HEARING: PROPOSED GREENVIEW WEST PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT – ZPUD #03-145-001

Present: Phil Shire, Senior Planner, Department of Land Use and Growth Management (LUGM)
Bob Bowles, Planner I, LUGM

Mr. Shire stated that the notice of public hearing indicated the time incorrectly as 1:30 p.m., instead of 6:30; therefore, the public hearing will be opened at 1:30 p.m. and again at 6:30 p.m. The notice of public hearing on the proposed amendment was published in the Enterprise newspaper on February 4 and February 11, 2004. The purposes of the proposed amendment are: (1) to convert approximately 15.86 acres of the commercial component to residential; and, (2) to change the residential density from 3.5 units to 3.7 units per acre. The property is Zoned Planned Unit Development (PUDR 3.5) and is located in the 8th Election District on Tax Map 43, Block 07, and Parcel 30.

Mr. Shire provided the Board with background information on the PUD. The Planning Commission held their public meeting on Dec. 8, 2003, where they heard from one speaker who raised concerns about the traffic at Longview Blvd. and Greenview West, and at Chancellors Run Road and Rt. 235. Commercial components and residential PUDs such as this can have a non-residential floor area ratio of 25%, which translates into approximately 2,000 daily average trips. Residential use would generate approximately 470 daily trips, or about four times less traffic than commercial use. Based on the decrease in intensity of traffic alone, staff is supportive of the change from office space or retail mix to residential use. However, there is an issue with the widening of Chancellors Run Road. A 50' buffer is required around the perimeter of the entire PUD, but in view of the significant taking by State Highway Administration for the impending road widening and for a stormwater management easement around the existing pond, staff would support a reduced buffer along the road frontage areas. State Highway has asked for dedication of the land that is required for the reconstruction of Chancellors Run Road in lieu of a traffic impact study. Staff would recommend this as a condition should the proposed amendment be approved.

No public comments were received. The Public Hearing was adjourned at 2:02 p.m. and will continue at 6:30 p.m.

APPROVAL TO RELEASE CHECK

Commissioner Raley moved, seconded by Commissioner Dement, to direct staff to release the check for payment of a newspaper subscription that was held up earlier today. Motion carried.

PUBLIC HEARINGS

PROPOSED GREENVIEW WEST PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT – ZPUD #03-145-001

Present: Phil Shire, Senior Planner, Department of Land Use and Growth Management (LUGM)
Bob Bowles, Planner I, LUGM

Commissioner McKay re-opened the public hearing on the proposed amendment to Greenview West PUD and announced that the applicant requested a continuance of the public hearing at a later date. The public hearing was rescheduled for March 16, 2004, 6:30 p.m., in the Governmental Center, Room 14.

Proposal to Amend Chapters 20, 60 and 70 of the Comprehensive Zoning Ordinance (02-01)

Present: Denis Canavan, Director, Land Use and Growth Management

Notice of the public hearing was advertised in the Enterprise newspaper on February 11 and February 18, 2003. The purpose of the proposed zoning text amendments is to review the provisions relevant to the adequate public facilities test and when it is conducted, in so far as subdivision plans and major site plans. The purpose of the text amendment further is to improve the language within the zoning ordinance so that it is clear as to when the determination of adequate public facilities test is actually conducted. In addition, the zoning text amendment affords the opportunity to clear up some clerical errors in the existing text.

The Commissioners received: a copy of the staff report that went to the Planning Commission on February 23, 2003; the Planning Commission Resolution recommending adoption of the proposed zoning text amendments; the relevant pages of the Zoning Ordinance indicating each proposed change; and a copy of a letter from Mr. Bill McKissick, dated February 23, citing ambiguity on one of the elements related to the proposed text amendment.

Mr. Canavan reviewed each of the proposed changes and recommended approval of the text amendments. Mr. Canavan did not recommend the change as put forth by Mr. McKissick.

No public comment was received. The comment period will remain open for ten days for written public comments. The public hearing was closed at 7:24 p.m.

Minutes Approved by the
Board of County Commissioners on _____

Kate Mauck, Senior Administrative Coordinator
to the Board of County Commissioners