

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
GOVERNMENTAL CENTER
Tuesday, March 15, 2005**

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 transcribed the following meeting minutes:

CALL TO ORDER

The meeting was called to order at 9:11 a.m.

APPROVAL OF CHECK REGISTER

Commissioner Jarboe moved, seconded by Commissioner Raley, to authorize the Commissioner President to sign the Check Register. Motion carried, 5-0.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' meeting of Tuesday, March 8, 2005. Motion carried, 5-0.

PROCLAMATIONS

The following Proclamations were presented by the Board of County Commissioners:

- Disability Awareness Month – Southern Maryland Works
- Women's History Month – Commission for Women

NG&O ENGINEERING, INC.: REQUEST FOR EASEMENT THROUGH ST. ANDREWS LANDFILL PROPERTY

Present: John B. Norris, Jr., NG&O Engineering, Inc.
Steve Koczerzek, Curtis Development
Steve King, Metropolitan Commission

George Erichsen, Director, Department of Public Works and Transportation

Representatives from NG&O Engineering, Incorporated presented a request for an easement through St. Andrews Landfill property for the purpose of installing a sanitary sewer line. The line would provide service to the St. Mary's Crossing's Subdivision, and an illustration outlining the property/ boundaries was provided for the record.

The Board of County Commissioners asked that the Metropolitan Commission, the Department of Public Works and Transportation, and the Department of Land Use and Growth Management each provide a written recommendation regarding this request. The item must complete a formal legal review prior to public hearing and a final decision can be made on the matter.

ST. MARY'S COUNTY PUBLIC SCHOOLS: MODIFICATION TO THE FY2006 STATE CIP

Present: Dr. Lorraine Fulton, Acting Superintendent of Schools
Bradley Clements, Chief Administrative Officer, St. Mary's County
Public Schools
Elaine Kramer, Chief Administrative Officer

St. Mary's County Public Schools representatives presented a request for endorsement on a modification to the FY2005 State Capital Improvements Program. Information regarding the reasons for the modification was presented. The modification would place Leonardtown Elementary School's addition/renovation project as the higher priority on the list of Capital Improvement Projects. The modification would still allow a request for a new elementary school to remain valid and would be considered at the state level, along with other requests for new buildings.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, for the Board of County Commissioners to send a letter to the State Interagency Committee recommending the priority placement of Leonardtown Elementary School for renovation be moved to number three in the State Capital Improvements Program. Motion carried, 5-0.

MUSIC IN OUR SCHOOLS MONTH: LEONARDTOWN ELEMENTARY SCHOOL STUDENTS

Students from Leonardtown Elementary School presented an instrumental introduction to jazz performance in honor of Music In Our Schools Month.

COUNTY ADMINISTRATOR

1. Draft Agendas for March 22 and 29, 2005

Commissioner Mattingly request that an update on the Northern Senior Center, to including plans for opening and staffing updates be presented, perhaps during County Administrator Time on March 22nd.

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

~~a. Claim Letter to the Travelers Casualty and Surety Company of America in the amount of \$2,400 for Construction Permit CP 01/02 ROW 02 based on this Department's Inspection Report dated March 1, 2005 indicating that no work has been done on the site. The permit was issued for two (2), R-20 entrances in connection with the parking lot expansion at Monk's Inn, located on Trapp Road, 1st Election District. The Construction Permit and Bond in the amount of \$2,400 were originally issued on January 4, 2001.~~

~~**Action:** Approve and authorize the Commissioner President to sign Claim Letter to the Travelers Casualty and Surety Company of America in the amount of \$2,400 for Construction Permit CP 01/02 ROW 2.~~

b. Public Works Agreement Addendum for Willow Creek of Wildewood Subdivision, Section 1. *Located in the 8th Election District with an expiration date of March 1, 2006. The Letter of Credit provided by the Mercantile Southern Maryland Bank in the amount of \$89,000 remains as posted based on the Department's Inspection Report dated January 21, 2005. The Public Works Agreement and Letter of Credit in the amount of \$89,000 were originally issued on April 14, 2003. The roads included in this agreement are: Willow Creek Road (393') and Willow Creek Court (217').*

c. Public Works Agreement Addendum for the Patuxent Corporate Center. *Located in the 8th Election District with an expiration date of March 1, 2006. The Letter of Credit provided by the Maryland Bank & Trust Company in the amount of \$68,400 remains as posted based on the Department's Inspection Report dated February 16, 2005. The Public Works Agreement and Letter of Credit in the amount of \$68,400 were originally issued on April 20, 2000. The roads included in this agreement are: Patuxent Center Road (429') and Corporate Way Station (500').*

d. Public Works Agreement Addendum for Hickory Hills North Subdivision, Section 3. *Located in the 8th Election District with an expiration date of March 1, 2006. The Bond provided by the Travelers Casualty & Surety Company of America in the amount of \$430,800 remains as posted based on the Department's Inspection Report dated January 20, 2005. The Public Works Agreement and Bond in the amount of \$555,100 were originally issued on January 1, 2003. The roads included in this agreement are: Athlon Drive (434'), Kinnegad Drive (1,106'), Corkaree Place (134'), Ballymore Place (167'), Kilbeggon Court (243'), Moycashel Place (200'), and Shannon Street (191').*

- e. Public Works Agreement Addendum for Pembroke Subdivision, Section 1. *Located in the 8th Election District with an expiration date of March 1, 2006. The Letter of Credit provided by the Mercantile Southern Maryland Bank in the amount of \$1,081,500 remains as posted based on the Department's Inspection Report dated January 18, 2005. The Public Works Agreement and Letter of Credit in the amount of \$1,081,500 were originally issued on February 20, 2004. The roads included in this agreement are: Colby Drive (2,778'), Tenby Drive (1,558'), Ramsey Drive (789'), Pershing Drive (1,203'), Carmarthen Drive (687'), Hampshire Place (245'), and Newport Drive (290').*

Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Public Works Agreement Addendums for

Willow Creek of Wildewood Subdivision, Section 1, Patuxent Corporate Center, Hickory Hills North Subdivision, Section 3, and Pembroke Subdivision, Section 1, all in the 8th Election District. Motion carried, 5-0.

- f. Public Works Agreement Addendum for Forrest Farm Subdivision, Section 3, Phases 3 & 4. *Located in the 3rd Election District with an expiration date of March 1, 2006. The Letter of Credit provided by the Mercantile Southern Maryland Bank in the amount of \$435,000 has been reduced to \$179,400 based on the Department's Inspection Report dated February 7, 2005. The Public Works Agreement and Letter of Credit in the amount of \$435,000 were originally issued on April 23, 2003. The roads included in this agreement are: Pembroke Drive (2,640'), Clifford Court (610'), and Chandler Court (1,614').*
- g. Public Works Agreement Addendum for Kingston Subdivision, Phase 3. *Located in the 3rd Election District with an expiration date of March 1, 2006. The Letter of Credit provided by the Maryland Bank & Trust Company in the amount of \$161,200 remains as posted based on the Department's Inspection Report dated February 16, 2005. The Public Works Agreement and Letter of Credit in the amount of \$161,200 were originally issued on April 15, 2002. The roads included in this agreement are: Marigold Street (396') and Starlight Drive (2,497').*

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Public Works Agreement Addendums for Forrest Farm Subdivision, Section 3, Phases 3 & 4, and Kingston Subdivision, Phase 3, located in the 3rd Election District. Motion carried, 5-0.

Also Present: Richard Tarr, Solid Waste Manager
Mary Ann Chasen, Executive Director, Christmas in April

- h. Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and sign the Resolution waiving tip fees for Christmas in April, which is scheduled for Saturday, April 23, 2005. Motion carried, 5-0.**
- i. Commissioner Dement moved, seconded by Commissioner Raley, to approve a Benefit Projection Worksheet and authorize staff to schedule a Public Informational Meeting with the Chesapeake Bay Drive property owners. Motion carried, 5-0.**

Commissioner Mattingly directed staff to have a sign placed on the Chesapeake Bay Drive property that would prevent overnight traffic and parking from visitors at the state park due to campers, etc. He asked that staff look into how this process was done on Airedale Road in the past, and to follow the same format.

3. Department of Recreation, Parks, and Community Services

Present: Phil Rollins, Director

- a. Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Budget Amendment to increase the unallocated grant reserve accounts by \$6,367 and decrease the revenues and expenses for SOSAR camps, Tobacco Grant #US0560 by \$6,367. Motion carried, 5-0.**
- b. Commissioner Dement moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign Budget Amendment to increase the Capital Reserve accounts by \$50,000 and decrease the revenues and expenses for the Piney Point Lighthouse Museum Renovation Phase II project accounts by \$50,000. Motion carried, 5-0.**
- c. Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign Budget Amendment to increase the unallocated grant reserve accounts by \$60,000 and decrease the revenues and expenses for the Pilot Highway Safety Grant Project #US0564 by \$60,000. Motion carried, 5-0.**
- d. Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign Budget Amendment to increase the unallocated grant reserve accounts by \$500 and decrease the revenues and expenses for the Teen Court Mini Grant #OT0512 by \$500. Motion carried, 5-0.**

4. Real Property Manager

Present: Joyce Malone

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve the signing of the Maryland State Clearinghouse Agency Review Request Form by George G. Forrest, County Administrator. Motion carried, 5-0.

Commissioner Mattingly directed that staff provide a list of the agencies that are represented by the different boxes that are checked off in the Maryland State Clearinghouse Review form.

5. Department of Human Resources

Present: Maxine Somerville, Director
Dee Snyder, Benefits Coordinator

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and sign Resolution adopting Hartford 457 (b) Deferred Compensation Plan with an effective date of April 1, 2005, and to add the organization to the list of options that are already authorized. Motion carried, 5-0.

Mr. Forrest reported, and Commissioners concurred, that the appropriate change will be made to the Personnel Manual.

HUMAN RESOURCES DEPARTMENT: PRESENTATION OF REVISED MANUAL OF POLICIES AND PROCEDURES

Present: Maxine Somerville, Director
John B. Norris III, County Attorney

Staff presented a Revised Manual of Policies and Procedures for review and discussion. An Executive Summary was outlined in detail, and Mr. Forrest reported that the implementation date for the Revised Manual would be July 1, 2005, with subsequent changes being incorporated prior to the implementation date. It was reported that the need to repeal the current manual would be necessary when adoption of the new manual takes place.

Commissioner Mattingly asked for information to be provided at a later date and/or asked for changes to be implemented on the following:

- *Section 14-2 – 1404 – County Vehicles – question regarding the fire department’s use of vehicles that normally transport hazardous materials – issue of certifications – would like to know if persons operating the CDL fire department vehicles are able to transport certain types of emergency vehicles – trailers and buses specifically – is there a way in emergency circumstances that persons operating CDL equipment would be able to transport those emergency type of vehicles to the scene of an emergency;*
- *Page 14-4 – is it allowable for non-County passengers to ride in County vehicles?*

- *Questions answered regarding Sheriff's office policy on overtime;*
- *Military leave pay policy for those called to active duty – ensure that pay supplement is included to meet full pay; and*
- *1305 & 1907(a) – language may limit someone's ability to volunteer in the community if they work for the County. In depth discussion took place regarding this issue. Mr. Norris reported that a County employee may not volunteer for something for the County in the same role/department for which they work; the employee must be financial compensated in this type of case.*

Staff was directed to place the matter of the Revised Manual of Policies and Procedures on an upcoming agenda, preferably in two weeks, for a final decision. Commissioners will need to discuss proposed changes to the manual, and resolve any questions or concerns they might have with Mr. Forrest and Ms. Somerville prior to the final adoption. Commissioner Raley asked that Ms. Somerville speak with Donna Gebicke in order to schedule a meeting with him to discuss several questions he has regarding the manual.

COMMISSIONERS' TIME

Commissioner Mattingly

Along with Commissioner Raley, went with representatives of several nursing homes located in the area to meet with members of the Southern Maryland Delegation about the funding reductions that are proposed. Had a good meeting, but unsure that progress was made.

Attended the High Hopes for Everyone event sponsored by the Commission for People with Disabilities at the Governmental Center, which was an outstanding event, and staff, particularly Arthur Shepherd and personnel from the Department of Recreation, Parks, and Community Services were to be commended for their excellent efforts. There was a nice response with a good crowd of people present at the event.

Extended happy birthday wishes to former Commissioner President Julie Randall.

Reported that many of the Commissioners recently attended the Farm Bureau Banquet in Ridge. They are increasing greatly in membership and are doing a good job recruiting. They should soon be bringing information to the Commissioners regarding the right to farm.

Attended a Sheriff's Office strategic planning meeting at Placid Harbor, which was an excellent event, with a nice turnout.

The Chamber of Commerce Action Committee has a very active committee working on TDRs. This is a broad and diverse group, and hopefully they will be bring forth a presentation within the next few weeks and making some recommendations to the Board of County Commissioners regarding TDRs.

Announced that tomorrow night there will be a meeting of the Tri County Council.

Commissioner Jarboe

Stated that he, in agreement with an earlier request made by Commissioner Mattingly, would like to hear a presentation on the Northern Senior Center status as well as the staffing plans, most likely to take place during County Administrator Time.

Reported that he missed the Farm Bureau event this past weekend, due to the need to travel to West Virginia. Suggested that individuals expressing concerns about County roads should travel to West Virginia in order to compare their roads with ours, given weather conditions.

Attended the event at Holy Angels dinner on Sunday – it was a good dinner, with lots of people, many which were brought in by bus from the Washington Diocese. It proved to be a great event.

Commissioner Raley

Attended Brandon Holley's Eagle Scout Court of Honor ceremony at the Elks Lodge in California. Commissioner Raley presented a letter of congratulations and a commendation on behalf of the Board of County Commissioners. Outlined what a significant accomplishment this was, and recapped some of the comments he shared at the event regarding the need to hear about students such as Mr. Holley who are successful and outstanding young citizens. Expressed his desire for the local press to write positive things about our young people. Reported that the Tri County area has one of the highest concentrations of Eagle Scouts in the country.

Commissioner Dement

Reported that he stopped by the High Hopes for Everyone event on Saturday and enjoyed watching the children fly their kites.

Reported that he attended the Farm Bureau banquet at Ridge and was fortunate at the end to speak on behalf of the Board of County Commissioners.

Commissioner President McKay

Reported that he shared the weekend with his son, who is involved in motor cross racing. Reported that there were likely three or four thousand people in attendance at the event, and unfortunately, due to timing issues, he was unable to attend the Farm Bureau event.

VOTE TO GO INTO EXECUTIVE SESSION

Commissioner Raley moved, seconded by Commissioner Dement, for the Board of County Commissioners to meet in Executive Session in order to discuss matters of Personnel and Real Property Acquisition/Disposition, as provided for in Articles 24, Section 4-210(a) 1 and 11, respectively. Commissioner Jarboe against the motion; all others voted in favor. Motion carried, 4-1.

Donna Gebicke transcribed the remaining meeting minutes:

EXECUTIVE SESSION

Real Property Acquisition/Disposition

Present: Commissioner Thomas F. McKay, President
Commissioner Daniel H. Raley
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
George Forrest, County Administrator
John Norris, County Attorney
Joyce Malone, Real Property Manager
Denis Canavan, Director, LUGM
Phil Rollins, Director, Dept. of Recreation and Parks
Bill Ball, Recreation and Parks
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)11
Time Held: 12:35 pm – 1:10 pm
Action Taken: The Commissioners discussed matters of real property disposition/acquisition.

Personnel

Present: Commissioner Thomas F. McKay, President
Commissioner Daniel H. Raley
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
George Forrest, County Administrator
John Norris, County Attorney
Maxine Somerville, Director, Human Resources
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 1:12 pm – 2:20 pm
Action Taken: The Commissioners discussed personnel matters.

The Board of County Commissioners conducted an afternoon Budget Work Session, and then returned to Executive Session in order to complete the remaining item.

EXECUTIVE SESSION

Personnel

Present: Commissioner Thomas F. McKay, President
Commissioner Daniel H. Raley
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
George Forrest, County Administrator
Maxine Somerville, Director, Human Resources
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 7:45 pm – 8:20 pm
Action Taken: The Commissioners discussed personnel matters.

ADJOURNMENT

The meeting adjourned at 8:21 pm.

Minutes Approved by the Board of County Commissioners on _____

Kate Mauck, Senior Administrative Coordinator

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