

**ST. MARY'S COUNTY**

**BOARD OF COUNTY COMMISSIONERS' MEETING**

**Governmental Center**

**Tuesday, July 1, 2003**

**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, Acting County Administrator

Donna Gebicke, Administrative Assistant to BOCC (Recorder)

**CALL TO ORDER**

The meeting was called to order at 9:10 a.m.

**APPROVAL OF CHECK REGISTER**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to authorize Commissioner McKay to sign the Check Register. Motion carried.**

**APPROVAL OF MINUTES**

**Commissioner Raley moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' meeting of Tuesday, June 24, 2003, as amended. Motion carried.**

**COMMENDATION**

The Commissioners presented a Commendation to AmeriCorps\*VISTA Wendy Povitsky recognizing her year of service to the citizens of St. Mary's County.

**PROCLAMATION**

The Commissioners presented a Proclamation for National Recreation and Parks Month to Recreation and Parks Director Phil Rollins, his staff, and program participants. Mr. Rollins highlighted summer activities, including summer camps, New Horizon camp, Summer Stock, Camp Olympics, Jazz and Seafood Festival, and Junior Golf Program at Wicomico Shores, and thanked staff, volunteers and participants that make these programs successful.

**RECREATION AND PARKS DEPARTMENT – MONTHLY UPDATE**

Present: Phil Rollins, Director

Art Shepherd, Recreation Division Manager

Mr. Rollins updated the Commissioners on Nicolet Park, Chaptico Park, Great Mills Swimming Pool, Potomac Maritime Museum Master Plan and offer from the Harry Lundeberg School to donate vessels.

On behalf of the Recreation and Parks (R&P) Board, Mr. Rollins requested clarification from the Board on fiscal expectations for the Great Mills Swimming Pool. Commissioner President McKay indicated that the Board expects the pool to be self-supporting, but recognizes that Enterprise Fund resources may be needed in the first year of operation to offset any operating deficits. The Board also recognizes that other funding sources may need to be considered in the future after assessing pool operations for a period of time. The R&P Board discussions continue regarding options for pool opening dates.

*The Board directed Mr. Rollins to draft a letter to the Lundeberg School expressing interest in discussing the possibility of receiving donated vessels from the school.*

### **WICOMICO SHORES GOLF COURSE CLUBHOUSE PROJECT**

Present: Phil Rollins, Director, Recreation and Parks

Patty Myers, Golf Course Manager

Commissioner President McKay expressed his concern that even the most conservative estimate for renovation was \$700,000 . The renovation plan did not meet the program needs of the golf course and would only bring the facility up to minimal code standards. Commissioner President McKay suggested that a new facility be built, but that borrowing should be limited to \$1,000,000 for no more than a 10-year term. George Erichsen, Director of Public Works and Transportation, suggested that a rebid process would allow for deduction of alternates and requests for best and final proposals. Carol Gallagher spoke to the need to address contract issues related to the current design firm. The Commissioners directed staff to send a 30-day termination letter canceling the existing bid.

**Commissioner Jarboe moved, seconded by Commissioner Mattingly, to move forward with construction of the new Wicomico Shores Golf Course Clubhouse through the rebid process as recommended by George Erichsen and Carol Gallagher, within the fiscal constraints identified by Commissioner President McKay (borrowing limit of \$1,000,000 for no more than 10 year period), taking into account the character of the community and the needs of the golf course. Motion carried.**

Commissioner President McKay directed Mr. Rollins to return to the Board with a plan to establish a new Wicomico Shores Golf Course (WSGC) Board of Directors to provide oversight to this Enterprise operation. The Recreation and Parks Director, Golf Course Manager, and five citizens from the community will comprise the membership of this Board. This newly constituted, advisory Board will report directly to the Board of County Commissioners. The Chairperson of the WSGC Board will not be a staff person, however, the two staff persons on the Board will be voting members. Applicants for this board will be solicited from the community and selected by the Board of County Commissioners through the regular Boards/Committees process.

**Commissioner Jarboe moved, seconded by Commissioner Dement, to direct the Director of Recreation and Parks Department to develop a plan to establish a Wicomico Shores Golf Course Board of Directors and to return to the Board for approval. Motion carried.**

#### **STATE'S ATTORNEY'S OFFICE**

Present: Richard Fritz, State's Attorney

Mr. Fritz reported that morale is high in the State's Attorney's Office (SAO) and cooperation received from the Board and the County Administrator is greatly appreciated. The SAO also enjoys a good working relationship with the Sheriff's Office and State Police. The following programs were reviewed: incentive grant received from State of Maryland to upgrade computers in the Child Support Division, Project Graduation, and the Bad Check Program. Crime statistics were reviewed and discussed.

#### **PUBLIC WORKS AND TRANSPORTATION MONTHLY UPDATE**

Present: George Erichsen, Director

Mr. Erichsen updated the Board on the department's activities and upcoming solid waste and recycling event dates. Met with SHA on June 23 with respect to issues in SMC. Commissioners were asked to provide a list of state highway concerns prior to the annual SHA visit this fall.

*Commissioner President McKay concurred that the Transportation Plan must be in effect prior to BRAC 05.*

#### **LAND USE AND GROWTH MANAGEMENT (LUGM) - MONTHLY UPDATE**

**Present: Denis Canavan, Director**

Mr. Canavan updated the Commissioners on recent developments in his department and priorities as the new Director of LUGM. He has spoken individually with Commissioners, staff, Planning Commissioner Chair and representatives from the business community. Customer service is recognized as the top priority. Plans for reorganization are progressing. A full report will be provided to the Board at a later date. The Commissioners commented that Mr. Canavan and his staff are working very well together and with the Commissioners.

*Mr. Canavan agreed to convene the Adequate Public Facilities Task Force as soon as possible.*

#### **COMMISSIONERS' TIME**

##### Commissioner Dement

- Attended Golden Beach community's parade on Saturday, Veteran's Home kick off for Alzheimer's Walk in September, three birthday celebrations

##### Commissioner Mattingly

- Congratulations to Maryland State Police Aviation Unit. 100,000<sup>th</sup> flight was commemorated in Annapolis on Saturday.
- Congratulations and best wishes to Jim Spence and Admiral Dyer on their retirements.

- Attended Tri County Council meeting. They are working hard to come to grips with State budget cuts.
- Attended Builders Association function in Waldorf. Spoke with representative from Fachina who confirmed that the company will be coming forward with 30 acres for SMC to use as a potential school site (adjoins Spring Ridge Middle School).
- Wish everyone a safe 4<sup>th</sup> of July. Have concerns about Maryland's relaxing of some of the laws related to fireworks use by individuals. Enjoy fireworks at Freedom Fest.

#### Commissioner Jarboe

- Golden Beach hosted fireworks festivities on Saturday night. Golden Beach citizens are concerned about additional traffic in the area from proposed MTA park and ride site. Would like to ask that BOCC request a "heads up" from the State as to where this project is headed and to address safety concerns.

#### Commissioner Raley

- Attended T&E Museum Committee. Open House will be held July 19, from 11-5. Joint Strike Fighter from Lockheed Martin will be there, along with refreshments and activities for children.
- BOCC received an invitation from the Chamber of Commerce to join them for lunch. Looking forward to working with them.

#### Commissioner McKay

- Want to recognize the fine work of Donna Sasscer, Agricultural Manager, and other DECD staff who are organizing the BOCC's visit to Ingelside winery to observe grape growing and wine making operations.
- Attended Veteran's Home event to kick off Alzheimer's Walk in September.

*Commissioner McKay asked staff to organize a Board and staff – "St. Mary's County Government Team" for the Alzheimer's Walk.*

- The BOCC will convene as the Board of Health at the July 15 BOCC meeting to address the State's position on mosquito spraying.
- Effective today, I have been appointed by the Governor to serve on the Chesapeake Bay Critical Areas Commission. Recognize the importance of this Commission and look forward to the opportunity to serve. Will be forming a personal advisory council to advise me in my service to the Commission that will include members of the community. Will also report back to this Board on activities of the Commission.
- The St. Mary's County Board of Commissioners and Richard Rohrbaugh, Director of Facilities Management, reached an agreement. Effective June 30, 2003, Mr. Rohrbaugh left County government to pursue other opportunities. George Forrest, Acting County Administrator, is responsible for overseeing the Department of Facilities Management at this time. Future operations of this department will be determined in the reorganization process.
- County offices will be closed on Friday, July 4. STS buses will not be running.

- State Highway has agreed not to work on state highway projects from noon, July 3 until Monday morning, July 7.

#### **COUNTY ADMINISTRATOR**

1. Draft Agendas: July 8, 2003 and July 15, 2003
2. Office of Community Services (*Cynthia Brown, Director; Walt Biscoe, VISTA Supervisor*)

a. To approve and authorize Commissioner President McKay to sign the AmeriCorps\*VISTA Project Application to the Corporation for National and Community Service (\$24,500)

**Commissioner Mattingly moved, seconded by Commissioner Dement, to authorize Commissioner President McKay to sign the AmeriCorps\*VISTA project application. Motion carried.**

b. To approve and authorize Comm. President to sign application for VISTA mileage grant for Federal Assistance (Federal - \$10,000; State - \$0; County - \$0).

**Commissioner Jarboe moved, seconded by Commissioner Mattingly, to authorize Commissioner President McKay to sign the application for VISTA mileage grant. Motion carried.**

3. St. Mary's County Public Schools (*Paula Smith; SMCPs; Jeannette Cudmore SMC Deputy Finance Director*)

To approve and sign request for categorical transfers and revenue adjustment as presented to and approved by the Board of Education on June 25, 2003.

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and sign the SMCPs request for categorical transfers and revenue adjustment. Motion carried**

4. Sheriff's Department/Facilities Dept. (*Sheriff Zylak; Joyce Malone, Real Property Manager*)

a. To approve and authorize Commissioner President to sign Lease Agreement for the North End Outpost with H.D.W., Ltd.

**Commissioner Jarboe moved, seconded by Commissioner Dement, to authorize Commissioner President McKay to sign the Lease Agreement for the North End Outpost with H.D.W., Ltd. Motion carried.**

- b. (*Lotti Bell, Budget Analyst, Finance Dept.; Sheriff Zylak and Erin Gass*)

To approve and authorize Commissioner President to sign Budget Amendment transferring funds in salary and pension accounts to cover expenditures for FY 2003, prior to final payments (\$32,105).

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize Commissioner President McKay to sign Budget Amendment transferring funds in salary and pension accounts to cover expenditures for FY 2003. Motion carried.**

*The County Attorney will review timeline requirements for payouts to retirees.*

c. To approve and authorize Commissioner President to sign Budget Amendment to realign Corrections Accounts to cover projection of salaries (\$10,027)

**Commissioner Mattingly moved, seconded by Commissioner Dement, to authorize Commissioner President McKay to sign Budget Amendment to realign Corrections Accounts to cover projection of salaries. Motion carried.**

d. To approve Sheriff Zylak signing the MOU to accept the School Bus Safety Enforcement Program Award (State- \$17,500)

**Commissioner Mattingly moved, seconded by Commissioner Dement, to approve Sheriff Zylak signing the MOU to accept the School Bus Safety Enforcement Program Award. Motion carried.**

5. Public Works (*George Erichsen, Director*)

a. To approve and authorize Comm. President to sign Agreement for Dunleigh Subdivision, Section 1, located in the 8th Election District, with an expiration date of August 1, 2004. A bond has been provided by the Utica Mutual Insurance Company in the amount of \$410,600. The roads included in this agreement are: Dunleigh Drive (933'), and Dunleigh Court (463').

b. To approve and authorize Comm. President to sign Public Works Agreement Addendum for Brooks Cluster Subdivision, Section 1, located in the 3rd Election District, with an expiration date of June 1, 2004. A letter of credit provided by the Bank of America in the amount \$184,500 remains as posted based on the Department's May 12, 2003 inspection report. The Public Works Agreement and Letter of Credit in the amount of \$184,500 were originally issued on August 8, 2002. The roads included in this agreement are: Sweet Oak Drive (1,198'), and Brooks Court (940').

c. To approve and authorize Comm. President to sign Public Works Agreement Addendum for Emerald Hills Subdivision, Phases 2 and 3, located in the 8th Election District, with an expiration date of April 1, 2004. The letter of credit provided by County First Bank in the amount \$175,700 is being reduced to \$64,000 based on the Department's December 11, 2002 inspection report. The Public Works Agreement and Letter of Credit in the amount of \$175,700 were originally issued on May 6, 2002. The roads included in this agreement are: Mary Margaret Court (817'), and Hillary Court (342').

d. To approve and authorize Comm. President to sign Public Works Agreement Addendum for Aberdeen Subdivision, Section 2, located in the 2nd Election District, with an expiration date of July 1, 2004. The letter of credit provided by Cedar Point Federal Credit Union in the amount \$34,800 remains as posted based on the Department's June 12, 2003 inspection report. The Public Works Agreement and Letter of Credit in the amount of \$58,700 were originally issued on August 9, 1999. The road included in this agreement is: Nelson Court (461').

**Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President McKay to sign Public Works Agreements and Addenda 5. a-d, as presented. Motion carried.**

e. To approve and sign for No Parking Resolution for Clarke's Landing Road, County Route 30198, 6<sup>th</sup> Election District, approximately 2.2 miles from its intersection with Mervell Dean Road (MD Route 944) in the vicinity of the William W. Winpisinger Complex (Placid Harbor).

**Commissioner Mattingly moved, seconded by Commissioner Dement, to sign the No Parking Resolution for Clarke's Landing Road, County Route 30198, approximately 2.2**

miles from its intersection with Mervell Dean Road in the vicinity of William W. Winpisinger Complex. Motion carried.

#### 6. Boards and Committees – Appointment Letters

**Commissioner Jarboe moved, seconded by Commissioner Raley, to appoint Helen Dorsey to the Board of Trustees for the St. Clement's Island Potomac River Museum, for a term to expire 12/31/07. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Raley, to re-appoint Michael J. Pellegrino to the BOCA Code Appeals Board, for a term to expire 6/30/08.**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to appoint Steven P. Cooper to the Cable Advisory Committee for a term to expire 12/31/07. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Raley, to appoint Susan J. Wolfe and re-appoint Raymond W. Cooper to the Commission for Women for terms to expire 6/30/06. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Mattingly, to re-appoint David S. Deaderick to the Ethics Commission for a term to expire 6/30/06. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to appoint Harold L. Willard (term expires and re-appoint Margaret Padukiewicz, Dawn M. Frost, and Peter Himmelheber, to the Historic Preservation Commission for terms to expire 6/30/06. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Mattingly to reappoint Patricia A. Ball to the Housing Authority Board for a term to expire June 30, 2008. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to appoint Michelle R. Lucas and Pat Johnson to the Human Relations Commission for terms to expire 6/30/06. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Mattingly, to appoint John W. Duchesne to the Marcey House Board for a term to expire 12/31/06. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to appoint Frank E. Taylor to the Metropolitan Commission for a term to expire 6/30/06. Motion carried**

**Commissioner Jarboe moved, seconded by Commissioner Mattingly to reappoint Everlyn Holland to the Nursing Center Governance Board for a term to expire 6/30/06. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to appoint Samuel F. Brown to the Recreation and Parks Board for a term to expire 12/31/07. Motion carried.**

Commissioner Jarboe moved, seconded by Commissioner Dement to appoint Daniel Morris to the St. Mary's County Sheriff's Office Retirement Plan Board of Trustees for a term expiring 12/31/05. Motion carried.

Commissioner Jarboe moved, seconded by Commissioner Mattingly to appoint Monika Williams, Rosalyn March and Pat Johnson and reappoint Katz Springer to the Social Services Board for terms to expire 6/30/06. Motion carried.

Commissioner Jarboe moved, seconded by Commissioner Dement, to reappoint Denise Reichard to the Southern Maryland RC&D Board for a term to expire 3/1/06. Motion carried.

Commissioner Jarboe moved, seconded by Commissioner Raley to appoint Randy Maltbie to the Teen Center Advisory Board for a term to expire 12/31/07. Motion carried.

Commissioner Jarboe moved, seconded by Commissioner Dement, to appoint Lynda Louise Andrus and Pat Johnson to the Tri-County Animal Shelter Advisory Board for terms to expire 6/30/07. Motion carried.

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to appoint Kathleen M. Werner to the Tri-County Youth Services Bureau for a term to expire 12/31/05. Motion carried.

Commissioner Jarboe moved, seconded by Commissioner Dement, to appoint Ronald C. Delahay, Sr. to the Zoning Board of Appeals for a term to expire 6/30/06, and to appoint Greg Callaway as First Alternate and Bryan Barthelme as Second Alternate for terms to expire 12/31/06. Motion carried.

7. Human Resources

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to create the Public Information Officer position at a grade 10. Motion carried.

**ADJOURNED**

Commissioner Jarboe moved, seconded by Commissioner Dement, to adjourn the meeting at 3:10 p.m.

**Minutes Approved by the**

**Board of County Commissioners on \_\_\_\_\_**

\_\_\_\_\_  
**Donna Gebicke, Administrative Assistant**

**to the Board of County Commissioners**