

**ST. MARYS COUNTY
BOARD OF COUNTY COMMISSIONERS MEETING
GOVERNMENTAL CENTER
Tuesday, July 1, 2008**

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, County Administrator
Betty Jean Pasko, Sr. Administrative Coordinator (Recorder)

CALL TO ORDER

Commissioner President Russell called the meeting to order at 10:00 am.

CHANGES TO AGENDA

Commissioner Russell announced that an additional item was added to the County Administrator agenda; i.e., Board Appointments.

APPROVAL OF MINUTES

Commissioner Raley moved, seconded by Commissioner Jarboe, to adopt the minutes of the Commissioners meeting of June 24, 2008, as submitted. Motion carried 5-0.

COUNTY ADMINISTRATOR

1. Draft Agenda for July 15, 2008 (no BOCC meeting July 8)

2. **St. Marys Circuit Court**

(Bill Tench, Court Administrator)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the County Law Library Grant from the Maryland State Law Library, in the amount of \$20,000. Motion carried 5-0.

(Judge William Stamm; Pete Cucinotta, Coordinator, Drug Court Program)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve the FY09 Juvenile Drug Court grant and authorize the Commissioner President to sign the Budget Amendment, in the amount of \$9,569, decreasing the grant project budget in alignment with the actual award amount. Motion carried 5-0.

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve the FY09 Adult Drug Court grant award and authorize the Commissioner President to sign the Budget Amendment, in the amount of \$5,260, decreasing the grant project budget in alignment with the actual award amount. Motion carried 5-0.

3. Dept. of Finance (*Jeannett Cudmore, Deputy Director*)

Commissioner Jarboe moved, seconded by Commissioner Raley, to approve and authorize Commissioner President Russell to sign the Budget Amendment which closes the CIP FIN 08 project, and utilizes \$428,627 in local funding to add to the budget authority in the land acquisition project, PS0807, and rolling the unused state/federal authority of \$1,347,377 to set up a similar reserve for FY2009 (FIN09). Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Budget Amendment realigning \$8,000 from the County Administrator to the Department of Land Use and Growth Management. Motion carried 5-0.

4. Dept. of Economic and Community Dev. (*Bob Schaller, Dir., DECD; Denis Canavan, Dir., LU&GM; Hans Welch, Mgr., Business Dev., DECD; Gary Williams, President, Patuxent Habitat for Humanity; Glenda Lytle Patuxent Habitat For Humanity Board member*)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and sign the letter to the President of the Patuxent Habitat for Humanity, indicating that the Department of Land Use and Growth Management has limited authority to issue up to five building permits so that construction can begin on the single family homes on Park Road in Fenwick Ridge; however, use and occupancy permits for any completed dwelling cannot be issued until the earlier of either the adoption of updated legislation providing the Board with the authority to waive or defer impact fees, or payment of the impact fees is made by Patuxent Habitat for Humanity. Motion carried 5-0.

5. Dept. of Aging (*Peggy Maio, Fiscal Supervisor; Alice Allen, Operation Manager*)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the St. Marys County Department of Aging Notice of Grant Award (NGA) for the Nutrition Service Incentive Program (NSIP) Grant, and the related Budget Amendment reflecting

the decrease of \$4,667, revising the program budget in accordance with the grant award. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the St. Marys County Department of Aging Notice of Grant Award (NGA) for the Older Americans Act Title IIIs , and the related Budget Amendment reflecting the overall increase of \$3,520, revising the project budgets in accordance with the actual grant awards. Motion carried 5-0.

6. Dept. of Public Works and Transportation (*George Erichsen, P.E., Director*)

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to sign the items identified in the June 25, 2008 memo as A. through L. Motion carried 5-0.

Motion references the June 25, 2008 memo from Mr. Erichsen, listing the following items (that were each reviewed by Mr. Erichsen):

- A. Public Works Agreement Addendum for St. Jeromes Crossroads Subdivision, Section 2, located in the **1st Election District** with an Expiration Date of March 1, 2009. *The roads included in this Agreement are: Dan Court (437) and Ellyn Court (369).*
- B. Public Works Agreement Addendum for Lighthouse Commons Subdivision located in the **2nd Election District** with an Expiration Date of March 1, 2009. *The roads included in this Agreement are: Lighthouse Road (410) and Lighthouse Commons Drive (882).*
- C. Public Works Agreement Addendum for Forrest Farm Subdivision, Section 3, Phases 9 and 10, located in the **3rd Election District** with an Expiration Date of July 1, 2009. *The roads included in this Agreement are: Thornberry Drive (844), Camden Court (464), and Holloway Court (398).*
- D. Public Works Agreement Addendum for Leonardtown Farms Subdivision, Section 1, located in the **3rd Election District** with an Expiration Date of November 1, 2008. *The roads included in this Agreement are: Heritage Drive (4,610), Huntmar Drive (400), Fairwood Court (1,642), Baywood Place (341), Marwood Court (429), Hunting Court (1,316), and Redmar Place (257).*
- E. Public Works Agreement Addendum for Ben Oaks Subdivision, Phases 1, 2, 3 & 4, located in the **5th Election District** with an Expiration Date of May 1, 2009. *The roads included in this Agreement are: Ben Oaks Drive (8,963), Yanak Court (658), Tom Rose Court (779), and Claire Drive (3,714).*

- F. Public Works Agreement Addendum for Pembroke Subdivision, Section 1, located in the **8th Election District** with an Expiration Date of March 1, 2009. *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).*
- G. Public Works Agreement Addendum for Wildewood Condominiums located in the **8th Election District** with an Expiration Date of June 1, 2009. *The road included in this Agreement is: FDR Boulevard (1,248).*
- H. Public Works Agreement Addendum for Dahlia Park of Wildewood, Phase 2, located in the **8th Election District** with an Expiration Date of June 1, 2009. *The roads included in this Agreement are: Daffodil Drive (786), Delphinium Drive (780), and Camellia Drive (400).*
- I. Public Works Agreement Addendum for Hunting Creek Subdivision, Section 1, located in the **8th Election District** with an Expiration Date of July 1, 2009. *The roads included in this Agreement are: Crimson Drive (1,058), Bluebell Street (300), Crocus Street (565), Lily Street (393), and (widening) Willows Road (962).*
- J. Public Works Agreement Addendum for Cecils Mill Subdivision, Section 1, located in the **8th Election District** with an Expiration Date of April 1, 2009. *The roads included in this Agreement are: Pleasant Mill Drive (2,400), Autumn Mill Court (514), Brook Mill Court (919), Cecils Mill Court (321), Dry Mill Lane (368), Edge Mill Court-South (603), Edge Mill Court-North (176), Flower Mill Court (691), Governors Mill Court (706), Harvest Mill Court (455).*
- K. Performance Agreement for Continued Maintenance and Repair for Murphy Subdivision located in the **6th Election District** with an Expiration Date of April 1, 2009; and Resolutions accepting Murphy Court into the County Highway Maintenance System and authorizing the posting of stop and 25-mph speed limit signs on said road located in the Murphy Subdivision.
- L. Performance Agreement for Continued Maintenance and Repair for Newton Manor Subdivision, Section 1, Phase 2, located in the **6th Election District** with an Expiration Date of June 1, 2009; and Resolutions accepting Pappys Way into the County Highway Maintenance System and authorizing the posting of 25-mph speed limit sign on said road located in the Newton Manor Subdivision.

Commissioner Mattingly moved, seconded by Commissioner Raley, to sign the Resolutions identified in item 6.d. and e. on the July 1, 2008 County Administration agenda. Motion carried 5-0.

Motion specifically pertains to:

- Resolutions accepting Murphy Court into the County Highway Maintenance System and authorizing the posting of stop and 25-mph speed limit signs on said road located in the Murphy Subdivision.
- Resolutions accepting Pappys Way into the County Highway Maintenance System and authorizing the posting of 25-mph speed limit sign on said road located in the Newton Manor Subdivision.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to sign the Authorization for Entry for Construction and the Certification of Real Estate Acquisition documents for the Patuxent Beach Road Shoreline Stabilization Project. Motion carried 5-0.

7. County Administration (*John Savich, County Administrator*)

RE: States Attorney funding request; i.e., FY2009 Budget Amendment realigning \$26,018 from the County Commissioners Reserve for Emergency Appropriations to provide additional funding to the States Attorney, allowing him to provide additional annual salary increases, in the total amount of \$22,200.

Commissioner Dement moved, that the Board of County Commissioners may wish to consider as well that these positions did not receive the countywide market adjustment of one percent that was approved in FY2008, and if the BOCC provides a salary increase of \$22,200, this would bring the total increase in salary and benefits to just over \$26,000. Commissioner Mattingly added and to sign the Budget Amendment, in the amount of \$26,018, and then seconded the motion. *Commissioner Jarboe commented that the request should have been presented during an open meeting by the States Attorney (request was received late in the budget cycle, funding is coming from the BOCC reserve account) and that County employee reclassifications were not approved (none were funded). It was clarified the amount (\$26,018) is more than a 2.83% (average merit) increase. Commissioner Raley said he was prepared to support a motion that equates to the average annual merit increase that County Employees would normally get, but not more. Motion carried 3-2. (Commissioners Jarboe and Raley voted no).*

8. Appointments to Boards and Commissions

Mr. Savich read the following Board, Committee, and Commission appointments:

<u>BOARDS, COMMITTEES AND COMMISSIONS</u>	<u>TERMS TO EXPIRE</u>
<u>Airport Advisory Committee</u>	
Jacque LaValle	6/30/2010
<u>BOCA Code Appeals Board</u>	
Robin Guyther <i>Reappointment</i>	6/30/2013
<u>Commission for Women</u>	
Patricia Friend <i>Reappointment</i>	6/30/2011
Norma Pipkin <i>Reappointment</i>	6/30/2011
<u>Commission on Aging</u>	
Florence Lanham <i>Reappointment</i>	6/30/2011
Patricia A. Woodburn	6/30/2011
Sheral St. Clair <i>Reappointment</i>	6/30/2011
<u>Development Review Forum</u>	
Lawrence B. Ludwig	12/31/2010
<u>Ethics Commission</u>	
Robert Elwood <i>Alternate</i>	6/30/2009
Robert W. Denning <i>Regular Member</i>	6/30/2011
<u>Historic Preservation Commission</u>	
Harold L. Willard - <i>Reappointment</i>	6/30/2011
<u>Human Relations Commission</u>	
Pamela McKay	6/30/2012
<u>Human Services Council</u>	
Ella May Russell <i>Dept. of Social Services Rep.</i>	NO TERM
William B. Icenhower <i>Health Dept. Rep.</i>	NO TERM
Dennis Nicholson <i>Housing Authority Rep.</i>	NO TERM
Lori Jennings-Harris <i>Dept. of Aging Rep.</i>	NO TERM
Daniel Schaidt <i>Dept. of Juvenile Services</i>	NO TERM
Kathleen Lyon <i>St. Marys County Public Schools Rep.</i>	NO TERM
Joan Gelrud <i>St. Marys Hospital Rep.</i>	NO TERM
Timothy K. Cameron <i>Law Enforcement Agency Rep.</i>	NO TERM
Pete Cucinotta	NO TERM
Constance A. Walker	NO TERM
Carol H. Gallagher	NO TERM
Melissa J. Alexander	NO TERM
Harry S. Lancaster	NO TERM
Kathleen OBrien	NO TERM
Julie B. Randall	NO TERM
Marguerite R. Morris	NO TERM
George Donely	NO TERM

Gerard McGloin	NO TERM
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<u>Mental Health and Addictions Advisory Council</u>	
Gary Lynch	6/30/2012
Cynthia A. Phillips	6/30/2009
Daniel Schaidt	6/30/2012
<u>Nursing Center Governance Board</u>	
J. Ernest Bell	6/30/2011
Alma Jordan	6/30/2011
James O. Farrell	6/30/2011
<u>Retiree Health Plan Board of Trustees</u>	
Jack Candela	NO TERM
<u>Social Services Board</u>	
Clair Kollar <i>Reappointment</i>	6/30/2011

It was clarified the terms for the Human Services Council will be defined in the by-laws.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize the Board, Committee, and Commission appointments as identified by the County Administrator. Motion carried 5-0.