

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
GOVERNMENTAL CENTER  
Tuesday, March 16, 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)

*The following meeting minutes were transcribed by Kate Mauck:*

**RIDGE EMENTARY SCHOOL GROUNDBREAKING CEREMONY**

The Board of County Commissioners attended the groundbreaking ceremony for the Ridge Elementary School Gymnasium and Kindergarten Addition at 9:30 a.m.

**CALL TO ORDER**

The meeting was called to order at 1:15 p.m.

**APPROVAL OF CHECK REGISTER**

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

**APPROVAL OF MINUTES**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' meeting of Tuesday, March 9, 2004, as amended. Motion carried.**

**COUNTY ADMINISTRATOR**

1. Draft Agendas for March 22, March 23, March 25, and March 30, 2004
2. **Walden/Sierra, Inc., Marcey House, and Office of Community Services**

Present: Kathleen O'Brien, Executive Director/CEO, Walden/Sierra, Inc.  
Larry Harvey, Director, Marcey House  
Joseph Donick, ATOD Prevention Coordinator

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign Grant Renewal Documents for submission to Department of Mental Health and Hygiene/Alcohol and Drug Abuse Administration (pass-through funds from State: \$2,794,941). Motion carried.**

**3. Department of Recreation and Parks**

Present: Phil Rollins, Director  
Elaine Kramer, Finance Director

- a. **Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and sign Ordinance and approve and authorize the Commissioner President to sign Budget Amendment for supplemental appropriation for a donation received from the Friends of St. Clement's Island and Piney Point Museums. Motion carried.**

- b. Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign Grant Agreement for submission to Department of Mental Health and Hygiene/Developmental Disability Administration in order to assist in funding the New Horizons Summer Camp and specialized therapeutic counselors for other summer camps. Motion carried.**

*Commissioners directed that a Commendation be presented to the Elks Lodge for in-kind pool services that have been provided to the St. Mary's County Department of Recreation and Parks over the past several years.*

- c. Announcement of the Hiring of New Museum Director

Mr. Rollins announced the hiring Ms. Debra L. Pence to the position of Museum Director, effective April 6, 2004.

#### **4. Department of Economic and Community Development**

Present: John Savich, Director  
Donna Sasscer, Agriculture Division Manager

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize the scheduling of a public hearing for three Agriculture Land Preservation Districts: Harvey I. Bailey, James A. Herriman, and Philip B. Hayden. Motion carried.**

#### **OFFICE OF THE SHERIFF: FY05 BUDGET & CAPITAL IMPROVEMENTS PLAN**

Present: Sheriff David Zylak  
Captain Kenneth Cusic  
Erin Gass, Fiscal Manager

The Sheriff's Department appeared before the Board of County Commissioners in order to present the Fiscal Year 2005 Budget Request. An overview of offenses handled, calls for service, arrests, citations issued, and motor vehicle accidents investigated was provided. Sheriff Zylak outlined information regarding the assignment and ranking of officers, training requirements, County Expenditures and Per Capita County Expenditures by Category – Fiscal 2002, vehicle/fleet management information, and long-range plans for the Sheriff's Department.

In addition, Capital Improvement Requests for the Adult Detention Center were submitted in written form.

*Commissioners agreed to provide a target budget amount as well as a target date to the Sheriff's Department in order that they might submit a revised Fiscal Year 2005 Budget Request.*

## **COMMISSIONERS' TIME**

### Commissioner Dement

Expressed thanks to the Board of County Commissioners, employees of the County, the public, friends, and family members for their thoughts, prayers, and gifts while his wife, Shirley, has been recovering from surgery.

### Commissioner Mattingly

Commissioners visited the Captain Walter Francis Duke Regional Airport to view the Huey 091 helicopter, which was on its way to the Smithsonian. There were about 200 people in attendance.

### Commissioner Jarboe

*Asked that Commissioners determine whether or not to move forward on the issue of the Landfill/*

*Convenience Center proposed hours of operations change. Suggested that the matter would need to move forward right away to get it before the Board of Appeals.*

### Commissioner Raley

Expressed congratulations to Buddy Raley for celebrating his 80<sup>th</sup> birthday, and to JoAnn Woodburn for celebrating her 50<sup>th</sup> birthday.

Expressed congratulations to the parents, students, and staff at Ridge Elementary School for the celebration in honor of the addition for the kindergarten and the gymnasium.

## **EXECUTIVE SESSION**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to go into Executive Session regarding Litigation and Property Acquisition issues. Motion carried.**

**Commissioner Raley moved, seconded by Commissioner Dement, to go into Executive Session regarding Personnel. Commissioner Jarboe voted against the motion. Motion carried 4:1.**

*The remaining meeting minutes were transcribed by Donna Gebicke:*

### Litigation

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly  
Commissioner Daniel H. Raley  
George Forrest, County Administrator  
Heidi Dudderar, Assistant County Attorney  
Daniel Karp, Esq., Outside Legal Counsel  
Donna Gebicke, Recorder

**Authority:** Article 24, Section 4-210(a)8

**Time Held:** 3:39-4:15 p.m.

**Action Taken:** The Commissioners discussed litigation matters.

### **Property Acquisition**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly  
Commissioner Daniel H. Raley  
George Forrest, County Administrator  
Heidi Dudderar, Assistant County Attorney  
Joyce Malone, Real Property Manager  
Donna Gebicke, Recorder

**Authority:** Article 24, Section 4-210(a)11

**Time Held:** 4:16-4:34 p.m.

**Action Taken:** The Commissioners discussed property acquisition matters.

### **Property Acquisition**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly  
Commissioner Daniel H. Raley  
George Forrest, County Administrator  
Heidi Dudderar, Assistant County Attorney  
John Savich, Director, Department of Economic and Community  
Development  
Dennis Nicholson, Exec. Director, Housing Authority  
Donna Gebicke, Recorder

**Authority:** Article 24, Section 4-210(a)11

**Time Held:** 4:40 – 5:44 p.m.

**Action Taken:** The Commissioners discussed property acquisition matters.

### **Litigation**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly  
Commissioner Daniel H. Raley  
George Forrest, County Administrator  
Heidi Dudderar, Assistant County Attorney  
Donna Gebicke, Recorder

**Authority:** Article 24, Section 4-210(a)8

**Time Held:** 5:45 – 5:50 p.m.

**Action Taken:** The Commissioners discussed litigation matters.

### **Personnel**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly  
Commissioner Daniel H. Raley  
Delores Lacey, Appointments Secretary  
Valerie Pilkerton, Asst. Appointments Secretary  
Donna Gebicke, Recorder

**Authority:** Article 24, Section 4-210(a)1

**Time Held:** 5:57 – 6:15 p.m.

**Action Taken:** The Commissioners discussed boards and committees.

### **ACTION FROM EXECUTIVE SESSION**

**Commissioner Jarboe moved, seconded by Commissioner Mattingly, to authorize staff to proceed as directed in Executive Session. Motion carried.**

### **PUBLIC HEARING**

**Present:** Denis Canavan, Director, Land Use and Growth Management (LUGM)  
Phil Shire, Senior Planner, LUGM – *presenter*  
Jerry Nokleby, Nokleby Surveying, Inc.  
Dr. Douglas Hallgren, Property Owner

The public hearing to consider a proposed amendment to the Greenview West PUD is a continuation of the hearing held on February 24, 2004. The public hearing notice was published in the Enterprise newspaper on February 4 and February 11, 2004.

The property in question is zoned Planned Unit Development (PUDR 3.5) and is located in the Eighth Election District on Tax Map 43, Block 07. and Parcel 30. The purposes of the proposed amendment are to: (1) convert approximately 15.86 acres of the commercial component to residential; and (2) to increase residential density from 3.5 units to 3.7 units per acre.

Mr. Shire stated that the development plan presented at the February 24, 2004, hearing has been revised to allow a wider setback/buffer. The plan now provides for 20-foot wide common open space area between the proposed State Highway Administration (SHA) right-of-way (ROW) limit and the lot property lines. An additional 20-foot setback area will be provided within the lots. According to the preliminary SHA widening plans, the roadway itself (measured from the face of the curb) is approximately 14-15 feet inside of the ROW limit and will contain green space for

street trees and a five-foot wide sidewalk. The proposed residential lot lines will be approximately 35 feet from the curb of the widened Route 237. Combined with the proposed 20-foot building restriction line, the dwelling will be a minimum of 55 feet from the road.

Details of the concept plan and stormwater management were discussed. Mr. Nokleby requested clarification of a correspondence from the Department of Public Works and Transportation to Mr. Nokleby regarding stormwater management issues. The property owner has agreed to dedicate approximately 3 acres for the future widening of Chancellors Run Road.

The meeting was open for public comment.

**Public Comments:**

Mr. Nokleby presented written comments from Walter and Maggie Farley (22333 Manos Drive, directly behind the pond in Greenview West) in support of the proposed amendment.

Terri Maltbie, 45631 Reservoir Way, Great Mills, MD, Treasurer of Homeowners Association, representing 27 homes

We endorse the proposed program - - prefer residential over commercial.

Judy Craddock, 45535 Mariann Ct., Great Mills, MD

We live behind the pond and fully endorse the program. It will help maintain the quality of Greenview West development and will be a great addition to the neighborhood.

Commissioner McKay announced that the record will be kept open for ten days for written comments.

The public hearing adjourned at 7:25 p.m.

Minutes Approved by the

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

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