

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Governmental Center  
Tuesday, March 18, 2003**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
Alfred A. Lacer, County Administrator  
Donna Gebicke, Administrative Assistant to BOCC (Recorder)

**CALL TO ORDER**

The meeting was called to order at 9:02 a.m.

**ADDITIONS/DELETIONS TO AGENDA**

**Commissioner Raley moved, seconded by Commissioner Jarboe, to accept the agenda as amended. Motion carried.**

**APPROVAL OF CHECK REGISTER**

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

**APPROVAL OF MINUTES**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' meeting of Tuesday, March 11, 2003, as amended. Motion carried.**

**PRESENTATION TO RETIRING EMPLOYEE: PAUL WIBLE**

In sincere appreciation for serving St. Mary's County for twenty years, Mr. Wible was presented with a thank you letter signed by the Board of County Commissioners, a framed proclamation, and a framed picture of the Emergency Operations Center. It was acknowledged that Paul practiced the highest moral and ethical standards and was a role model for many. His service as the Director of the Emergency Management Agency will end on April 1, 2003.

**PUBLIC HEARING: PROPOSED DRAFT ORDINANCE TO AMEND  
CHAPTER 267 OF SMC CODE OF PUBLIC LAWS TO ALLOW PROPERTY  
TAX CREDIT TO THE SURVIVING SPOUSE OF A FALLEN RESCUE  
WORKER**

Present: John Norris, County Attorney

A notice and fair summary of the draft Ordinance to amend chapter 267 of the St. Mary's County Code of Public Laws to allow property tax credit to the surviving spouse of a fallen rescue worker was published in *The Enterprise* on March 7, and 14, 2003. A "fallen rescue worker" is defined as an individual who dies while in active service in a fire, rescue, or emergency medical service (fire department, rescue squads, ALS volunteers). It is proposed that a seven year, 100% tax forgiveness for the family of the deceased volunteer be enacted. This credit would be applied for seven tax years following the death of the rescue worker or until the surviving spouse remarries, whichever is earlier.

The Public Hearing was opened for public comment.

Bobby Balta, VP, Ridge Volunteer Fire Department

Support the Ordinance, but request that the Board broaden it's intent to include other stresses that might be considered. Heart attack is the number one killer of firemen and rescue workers.

The record will be open for written testimony for the next ten (10) days.

**YOUTH ART AND DISABILITY MONTH: THEATRE PRESENTATIONS**

Present: Lynn Morgan, Supervisor of Fine Arts, SMCPS  
Janine Adair, Drama Teacher, Chopticon HS  
Katie Peek, student and Thespian  
Jessica Duncan, student and Thespian

Drama students Katie Peek and Jessica Duncan performed monologues. The Board presented the actresses with special commendations.

**DEPARTMENT OF HEALTH UPDATE**

Present: Dr. Icenhower, Health Officer

Percolation tests were suspended last year due to the drought. As a consequence, a large number of percolation tests from this year and last year were backlogged. Of the 1400 requested tests, 340 have been completed, and remaining applications filed prior to the deadline have been scheduled. Every effort will be made to clear the backlog prior to the end of the wet season.

It is expected that St. Mary's County will have more cases of West Nile Virus this year. Antiviral drugs help with the virus, but there is no cure or immunization expected until at least 2004-5. Self-protective measures will be essential: wearing long pants and shirts in the evenings, spraying with DEET, and emptying tires, buckets and other collectors of water. Crow collection will not be done this year. The Department of Agriculture will test mosquito pools for several diseases. Larvacide can be put down to kill immature mosquitoes. Stormwater management ponds may be treated with larvacide or use guppies to eat the larvae. The Department of Ag and MDE are addressing these ponds. At some point a decision must be made whether or not to spray. *Dr. Icenhower was asked to return to the Board with a plan regarding spraying and the budget implications.*

*Commissioner Raley recommended that Dr. Icenhower do an internal review to ensure that staff is clearly advising citizens of their rights to appeal when the Health Department needs to deny their requests.*

## **COUNTY ADMINISTRATOR**

**Present: Alfred A. Lacer, County Administrator**

1. Draft Agendas: March 24, 25, 27 and April 1, 2003
2. Grants
  - a. Department of Recreation and Parks (*Arthur Shepherd, Rec. Division Manager*)  
To approve and authorize Comm. President to sign Dept. of Mental Health & Hygiene grant agreement to assist in funding the New Horizons Summer Camp and specialized therapeutic counselors for other summer camps (\$27,704)

**Commissioner Raley moved, seconded by Commissioner Dement, to authorize Commissioner McKay to sign the grant agreement. Motion carried.**

3. Budget Amendments
  - a. Circuit Court (*Judge Kaminetz; Bill Tench, Court Administrator*)  
To approve and authorize Comm. President McKay to sign a Budget Amendment transferring funds from Reserve account to purchase of a digital audio recording system for the Circuit Court.

**Commissioner Dement moved, seconded by Commissioner Mattingly, to authorize Commissioner McKay to sign the budget amendment. Motion carried.**

- b. State's Attorney's Office (*Mike Stamm, SA's Office; Elaine Kramer, Finance Director*)  
To approve and authorize Comm. President to sign Budget Amendment reducing the BOCC Reserve by \$10,000 and increasing State's Attorney's Office other contract services account

**Commissioner Raley moved, seconded by Commissioner Mattingly to authorize Commissioner McKay to sign budget amendment. Motion carried.**

- c. Office of Community Service (*Cynthia Brown, Director*)  
To approve and authorize Comm. President to sign Budget Amendment to realign The Alliance for Alcohol and Drug Prevention 530 Fund with revenue received but not budgeted for FY03.

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

4. Human Resources (*Randall Schultz, Director*)  
To approve and authorize Comm. President to sign SMC Government Policy Form "Section 503 & 504 Affirmative Action & Equal Opportunity Policy for Individuals with Disabilities"

**Commissioner Dement moved, seconded by Commissioner Mattingly, to authorize Commissioner McKay to sign the Policy Form Sections 503 & 504. Motion carried.**

5. Exemptions from Hiring Freeze

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve the exemptions of four (4) seasonal groundskeepers (hourly, at will employees) for Rec & Parks from April 1 to July 1, 2003. Commissioner Jarboe abstained from the vote. Motion carried.**

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to exempt the Staff Specialist Property Clerk, Senior Administrative Coordinator (IAD), and Senior Office Specialist (CID) from the hiring suspension. Motion carried.**

Human Resources Director Randall Schultz updated the Commissioners on the county's employment diversity initiatives. A focus group is being created that will bring recommendations to the Board for a long-range targeted approach.

## COMMISSIONERS' TIME

### Commissioner Jarboe

- Glad to hear Christie McDonald's problem is being resolved.
- *Request Sue Veith send copies to the Commissioners of the draft language for critical area commission submission that incorporates Coast Guard regulations so that it can be reviewed by charter boat captains.*
- *People calling in complaints to Permits and Inspection are not always using their own name. Suggest in the future the County adopt a policy requiring callers to sign a written complaint. This would hopefully reduce frivolous complaints and allow inspectors to focus on real complaints.*

### Commissioner Raley

- Congratulations to the Chopticon basketball team. They are to be congratulated not only for their athletic skills, but also for their exemplary class exhibited on and off the court.
- Attended St. Mary's College dance and auction in support of the River Concert Series which is deserving of our support.

### Commissioner Dement

- Hosted 40+ softball teams that played 175 games Saturday and Sunday. Thanks to Rec & Parks for the use of fields and private organizations for their support.

### Commissioner Mattingly

- Along with Commissioner McKay, attended the Board of Ed art display reception. Congratulations to our young talented artists.
- Remember the Breton Bay Watershed Restoration meeting will be held at Leonardtown Middle School on Wednesday, March 19.

### Commissioner McKay

- You will be hearing a lot about public private partnerships. For instance, Commissioner Raley was the auctioneer at SMCM and helped raise over \$10,000 for the college, and Commissioner Dement brought revenues to the county through softball tournaments.
- Maryland Day Celebrations begin Sunday. Monday, March 24, the Board meeting will be held at the State House in St. Mary's City and the public is always welcome. On Tuesday, the Board will be at St. Clement's Museum for more Maryland Day festivities. Please join us.

**Commissioner Jarboe moved, seconded by Commissioner Dement, to meet in Executive Session following the Department of Public Works and Transportation tour to discuss matters of Personnel, as provided for in Article 24, Section 4-210(a)1. Motion carried.**

## **DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION**

The Commissioners received a briefing from Director George Erichsen and toured the Department's facilities.

## **EXECUTIVE SESSIONS**

### Personnel

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

Commissioner Daniel H. Raley  
Alfred A. Lacer, County Administrator  
Donna Gebicke, Recorder

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

**Time Held:** 2:50-3:30 p.m.

**Action Taken:** The Commissioners discussed a personnel issue and gave direction to staff.

### **CAPTAIN WALTER F. DUKE REGIONAL AIRPORT**

The Commissioners were briefed by DPW Director, George Erichsen on the status of the airport and toured the facility.

### **EXECUTIVE SESSION DIRECTION**

Commissioner Raley moved, seconded by Commissioner Dement, to direct staff to proceed as discussed in Executive Session on issues relating to Personnel.  
Commissioners McKay and Jarboe voted no. Motion carried 3-2.

### **ADJOURN**

The Commissioners agreed to adjourn at 5:11 p.m.

**Minutes Approved by the  
Board of County Commissioners on \_\_\_\_\_**

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**Donna Gebicke, Administrative Assistant  
to the Board of County Commissioners**