

**ST. MARY'S COUNTY**

**BOARD OF COUNTY COMMISSIONERS' MEETING**

**GOVERNMENTAL CENTER**

**Tuesday, October 14, 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, County Administrator

Donna Gebicke, Administrative Assistant (Recorder)

**CALL TO ORDER**

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

**APPROVAL OF CHECK REGISTER**

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

**APPROVAL OF MINUTES**

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve the minutes of the Public Hearing on the Comprehensive Water and Sewerage Plan Revisions held on Tuesday, September 30, 2003. Motion carried.**

**Commissioner Mattingly moved, seconded by Commissioner Dement, to approve the minutes of the Commissioner's meeting of Tuesday, October 7, 2003. Motion carried.**

**PROCLAMATIONS**

The Commissioners presented proclamations declaring October as Breast Cancer Awareness Month and October 18 as the First Annual Community Cultural Day.

**PUBLIC HEARING - Supplemental Appropriation**

Finance Director, Elaine Kramer, certified that notice of a Public Hearing to consider a supplemental appropriation to authorize the expenditure of \$7,870.00 from the Office of Community Services Revolving Funds for the Alliance and for events was published in the October 3 and October 10, 2003, editions of The Enterprise newspaper.

The Public Hearing was open and closed with no public comments received. The written comment period will remain open for 10 days.

## **DEPARTMENT OF SOCIAL SERVICES & FOSTER PARENTS ASSOCIATION UPDATE**

Present: Ella May Russell, Director, Dept. of Social Services

Roberta Loker, Asst. Director

Katz Springer, Chair, Board of Directors

Michele Barnette, President, St. Mary's Foster Parent Association

The Commissioners received an overview of the department's structure, functions, programs, accomplishments and plans for the future. Ms. Russell emphasized the Department's close working relationship with the county and its commitment to the community. The Department's main themes are protection of vulnerable children and adults and independence for families and children.

Michelle Burnette, President of the St. Mary's County Foster Parent Association, related her experiences as a foster parent and encouraged citizens to become foster parents.

## **COUNTY ADMINISTRATOR TIME**

1. Draft Agendas for October 21 and 28, 2003, were reviewed.
2. Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize Commissioner President McKay to sign Notification of Grant Award for Title IIIB grants and related Budget Amendments. Motion carried.

Commissioner Jarboe moved, seconded by Commissioner Dement to approve and authorize Commissioner President McKay to sign Notification of Grant Award (\$35,733) and related Budget Amendment (\$9,083) for Nutrition Services Incentive Program. Motion carried.

3. Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President McKay to sign DNR Waterway Improvement Fund Application (\$5,000) for St. Inigoes Landing Renovation Project and related Budget Amendment. Motion carried.
4. Commissioner Jarboe moved, seconded by Commissioner Dement to approve and authorize Commissioner President McKay to sign Budget Amendments relating to reclassifications and a realignment that were previously approved (\$5,894, \$44,281, \$38,050, \$11,595). Motion carried.

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President McKay to sign Budget Amendment for additional street lighting, storm drainage and erosion control, and additional concrete patching costs for S. Coral Drive. Motion carried.

## **2004 LEGISLATIVE PROPOSALS**

The Commissioners discussed the following legislative proposal submissions for 2004:

1. St. Mary's Metropolitan Commission (*Steve King, Tom Russell, MetCom*)  
– Pension System & Designation of Non-Voting Member of Commission

- a. To enable MetCom employees to join the Maryland State Employees Pension System, to receive credit for 50% of their prior service, and to define those employees eligible for participation.
- b. To designate the Commanding Officer of the Patuxent River Naval Air Test Center as a non-voting member of the Metropolitan Commission

2. Office of Sheriff (*Captain Cusic, Mary Ann Thompson*)

- a. Courts & Judicial Proceedings, Salaries and Expenses, Deputies, Employees, Equipment, Inmate Labor

To demarcate the salary of the Sheriff; appointment of deputies, grants law enforcement and correctional officers the ability to bargain collectively with the Sheriff; outlines the duties and responsibilities of the Sheriff and Office of the Sheriff.

- b. Criminal Law, Gaming, Statewide Provisions

To establish a Gaming Permit Review Board for SMC that will clearly define the Authority of the Board of County Commissioners for gaming events, including Bingo.

- c. Correctional Services, Local Correctional Facilities

To establish authorized programs such as Home Detention and Work Release.

3. Impact Fee – Excise Tax

- a. Department of Economic and Community Development – Defer Impact Fees

for Affordable Housing

To help meet the need for affordable housing in St. Mary's County, it is proposed that incentives be offered to developers to help reduce the cost of building housing for lower income households, specifically, deferring impact fees. The County must request specific authority from the State to defer impact fees.

b. Commissioner Larry Jarboe – Exemption from Payment of Homestead-Based Taxes

To grant specific exemption from payment of any impact fee or excise tax placed upon home construction. This exemption will assist in the construction of affordable housing and promote home ownership.

4. Finance Office – Extend Sunset Date on the Imposition of Transfer Taxes

Currently, Chapter 138 of SMC Code imposes a sunset date of 6/30/05 on the imposition of transfer taxes. A five-year extension is needed to be able to plan for the capital needs of the County, especially the 4 new schools that are in the Board of Education Plan. The County is embarking on a capital plan through 2010, and some certainty about the sources of funding is needed.

5. Finance Office – Fire Tax

To revise the current Fire Tax to allow the Volunteer Rescue Squads and Advanced Life Support Unit to impose such a tax, and also to provide that the tax includes covering certain expenditures that had previously been identified as being funded by the County property tax. *County Attorney John Norris will confirm need for referendum to institute the tax and identify procedures involved for discussion at 10/20 Budget Work Session.*

6. Department of Public Works and Transportation – Sidewalk Maintenance

Responsibility

To clarify the responsibility of sidewalk maintenance by assigning levels of responsibility within road right-of-ways.

7. Commissioner Daniel Raley – Economic Impact Fee

To expand local authority to allocate portion of proceeds of economic impact fee imposed on new residential construction to solid waste management.

The Commissioners will hold a joint Public Meeting with the Legislators on October 21, 2003, to receive public input on the proposals.

**COMMISSIONERS' TIME**

**Commissioner Raley**

- Attended "Capitol Steps" show at Great Mills High to benefit Three Oaks. They are to be commended for their private fundraising efforts.
- Attended Clarence "Buzzy" Ridgell's 79<sup>th</sup> birthday and 50 year anniversary celebration for Buzzy's County Store. Buzzy, a former Commissioner, deserves a lot of credit for his long-time service to the county.
- Ask staff to respond to Ridge Rescue Squad and St. Mary's Caring requests.

### **Commissioner Dement**

- Attended Board of Ed meeting at Do Dah Deli.
- There was a big turnout for the Kings Christian Academy Auction. Congratulations to them on a successful event.
- Happy birthday to grandchildren Brooke (8) and Alexandra (5).
- Presented Proclamation to Betty Quade at her surprise 72<sup>nd</sup> birthday celebration.
- Congratulations to Doris Bowdoin. Attended her 100<sup>th</sup> Birthday party at Cedar Lane

### **Commissioner Mattingly**

- Attended the Open House at Charlotte Hall Veterans Home. Phase IV – D Wing & E Wing were dedicated to former Maryland State Senator Ed Conroy.
- Attended 15<sup>th</sup> Annual Mental Illness Awareness Week Awards Luncheon at Old Breton Inn.
- Congratulations to Patricia Teague, St. Mary's County representative to the Maryland Teacher of the Year Awards Gala.
- Participated in the Leonardtown Elementary School Walk. There was good participation from the town.
- Will attend MALF Meeting this Thursday.
- Happy anniversary to my wife Dennie

### **Commissioner Jarboe**

As we deal with curbside pick up on county roads, request that staff work to include roads that are not on county system yet, but are due to come on-line soon. Private roads should be a part of the clean up. Ms. Finnacom is putting together a priority list for clean up activities.

### **Commissioner McKay**

- State will work closely with SMC in terms of organizing volunteer help and community clean up days.
- The Governor appointed Audrey Scott as the statewide hurricane recovery coordinator and also appointed a volunteer coordinator. We may need to do this too, to assist Robin Finnacom with workload.
- State is bringing volunteer crews into community into -- they will coordinate with Robin Finnacom.
- Beginning 10/13, the county's Disaster Recovery Center will be under new operating hours: Monday, Sat. 9-6, closed Sunday.
- There will be a Public Hearing and Public Forum this evening at the Governmental Center (6:00 and 6:30 p.m., respectively).

## **EXECUTIVE SESSIONS**

**Commissioner Dement moved, seconded by Commissioner Raley to meet in Executive Session to discuss matters of Personnel related to staff, as provided for in Article 24, Section 4-210(a)1. Motion carried.**

**Personnel**

**Present:** Commissioner President Thomas F. McKay

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly

Commissioner Daniel H. Raley

George G. Forrest, County Administrator

John Norris, County Attorney

Donna Gebicke, Recorder

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

**Time Held:** 2:10 – 4:30 p.m.

**Action Taken:** The Commissioners discussed staff issues.

**PUBLIC HEARING**

Present: Teresa Wilson, Historic Preservation Planner, LUGM

Jeff Jackman, Senior Planner, LUGM

Robert Hurry, Chair, St. Mary's Historic District Commission

James Grusholt, Commission Member

Dawn Frost, Commission Member

Richard Wagner, A.I.A., David H. Gleason & Associates

Notice of Public Hearing was advertised on September 24, 2003, and October 1, 2003, in the Enterprise newspaper to receive public comment on the proposed Historic Preservation Guidelines. The Public Hearing was opened at 6:15. Commissioner Jarboe asked that staff look at how to

maintain some of the historic, unpaved roads by expanding the more than five lots regulation requiring paving. The Public Hearing closed with no comments from the public received. Written comment period will remain open for 10 days.

## **PUBLIC FORUM**

The Public Forum opened at 6:25 p.m. The following citizens provided comment:

Mary Ruth Horton, 4473 St. Andrews Lane, California, Md.

(Senior citizen and member of the Commission on Aging). We do not believe that the proposed reorganization that would place the Office on Aging in a cluster called "Community Enhancement" is in the best interest of seniors. Establishing a new level of upper management between the Department and the BOCC will not serve our needs. The Commission on Aging sent a letter to the BOCC outlining some of our concerns. The state of Maryland has a cabinet position for aging – why would we want to downgrade the county's Department on Aging. Office on Aging needs to be a strong, independent department. Your proposal will make it more difficult for seniors to locate services. Combining departments that don't have similar missions is not a good idea. This reorganization may require more taxes or reduced services in order to pay for it. Seniors can't afford either. We do believe that the County Administrator could use some assistance. Please give him help instead.

Sandra Wheeler, 43224 Riverside Dr., Hollywood, MD

(Chair, Commission on Aging) Have worked in aging in Maryland for over 20 years and recurring theme at all levels has been the importance of making it easy for seniors and families to locate services – please keep aging in the title. Our senior population is increasing as the baby boomers retire, and we will need more specific services and programs. Keep the county organizational structure as modeled by the state and responding directly to the BOCC.

Theodore Rauen, 44087 Red Bud Lane, California, MD

I am representative from Coalition on Aging - Military Association of America. Want to emphasize that Department on Aging should not be moved down a notch. This flies in the face of common sense. I agree with the speakers before me.

Kathleen Fean, 37740 Apache Road, Charlotte Hall, MD

I represent the 5<sup>th</sup> District Homemakers' Club and have brought a petition from the club indicating our disapproval of the proposed reorganization whereby you are considering putting the Office on Aging in a "cluster" with other county departments. The Office on Aging should be a stand-alone entity reporting directly to the County Commissioners. The senior population is increasing and we don't want seniors to get lost in the shuffle.

Janaree Nagel, 45277 Stark Dr., Piney Point, MD

I have brought a petition to request that the Commissioners and highway administration have the vehicles parked on the shoulder of Rt. 249 at 45330 Leahy Drive removed. The vehicles block the view of drivers who are coming out on to 249 from Leahy Drive causing a serious traffic hazard that is going to result in an accident if not taken care of. The residents and owners of the property at 45330 Leahy Drive have been asked to move these vehicles to the driveway or garage and they have

not done so. Children are going to get hurt. The tall pampas grass is also blocking drivers' views. Please take a look at this and consider putting "no parking" signs and asking the residents to cut the tall grass. *(Photos of the parked vehicles and approach to intersection were provided to the Commissioners)*

David Triantos, Medley's Neck, MD

While at Buzzy's Country Store's 50<sup>th</sup> anniversary event, I heard high praise for the county from Lexington Manor residents who have been relocated. Also heard high praise for new Director of Land Use and Growth Management, Denis Canavan. You are to be commended for your choice. Mr. Canavan has been invited to participate in the Medley's Neck Homeowners Association meeting at the SMECO auditorium in Leonardtown, Thursday at 7:30. The public is invited to attend. Also want to commend Bill Ball for his efforts to refurbish Abell's Wharf.

Arlene Cooper (call-in), Wildewood, California, MD

Combining Office on Aging with Rec & Parks is not a good idea. Do not approve this.

Ben Simmons, 42541 Woodberry Place, Leonardtown, MD

Representing Retired Teachers Association – agree with others who have spoken against the placement of the Office on Aging in the reorganization proposal.

The Public Forum adjourned at 6:55 p.m.

Minutes Approved by the

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

\_\_\_\_\_

Donna Gebicke, Administrative Assistant

to the Board of County Commissioners