

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
Tuesday, December 17, 2002**

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 9:03 a.m.

ADDITIONS/DELETIONS TO AGENDA

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

APPROVAL OF CHECK REGISTER

Commissioner Mattingly moved, seconded by Commissioner Dement, to authorize Commissioner McKay to sign the Check Register at the end of the day, subject to verification of items specified by Commissioner Raley. Motion carried.

Mr. Lacer will present a draft policy to the Board in January 2003 that will speak to the need for Board and staff to submit travel expenses for reimbursement in a timely manner.

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, December 10, 2002, as corrected. Motion carried.

LEONARDTOWN ELEMENTARY SCHOOL CHORUS

Present: Nicole Beard, Music Director
Lynn Morgan, Supervisor Instruction - Fine Arts

The students entertained the Board and attendees with Christmas carols.

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agenda: January 7, 2003 (no meetings Dec. 24 and 31)
2. Grant Agreement
Three Oaks Center (Lanny Lancaster, Director)
To approve and authorize Comm. President to sign the (2) Agreement extending the lease term to 12/31/2018 and the (1) Operating Agreement extending the agreement five years to 2008

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve the operating agreement. Commissioner Jarboe voted no. Motion carried 4-1.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the lease. Commissioner Jarboe voted no. Motion carried 4-1.

- 3. Facilities Management (Richard Rohrbaugh, Director; Janet Parks, Property Manager)
To accept and authorize Comm. President to sign storm water management easement for the Naval Museum

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize Commissioner McKay to sign the easement. Motion carried.

- 4. Office of Community Services (Cynthia Brown, Director)
To approve and authorize Comm. President to sign amended bylaws for Human Relations Commission

Commissioner Raley moved, seconded by Commissioner Dement, to authorize Commissioner McKay to sign the amended bylaws. Motion carried.

- 5. Department of Economic and Community Development (John Savich)
To approve and authorize Comm. President to sign the MOU with SMTCCAC designating SMTCCAC as the recipient of 20 acres donated by the Facchina Group for development of affordable housing.

Commissioner Mattingly moved, seconded by Commissioner Dement, to authorize Commissioner McKay to sign the MOU and for the Board to sign the letter. Motion carried. A public hearing will be held prior to proceeding with development.

- 6. County Attorney's Office (John Norris)
To approve and authorize Comm. President to execute a Statement of Policy establishing screening procedures to avoid disclosure of confidential information in case of conflict of interest in the Office of County Attorney

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize Commissioner McKay to executive the Statement of Policy. Motion carried.

- 7. Planning and Zoning Department (Jon Grimm, Director; Chad Holdsworth; Planner)
 - a. To adopt and sign resolution to amend Water and Sewerage Plan (W/S 92-01 to assign one EDU to the property as described as Tax Map 66, Parcel 57

Commissioner Jarboe moved, seconded by Commissioner Raley to sign the resolution. Motion carried.

- b. To authorize staff to hold a public hearing to consider proposed amendments to Chapter 52 – Comprehensive Zoning Ordinance.

Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize staff to hold a public hearing to consider amendments to Chapters 52, Nonconforming Uses, Structures, and Signs, and Chapter 65, Signs, relating to amortization and temporary Real Estate signs, respectively. Motion carried.

- 8. Patuxent Tidewater Land Trust (Gita S. Van Heerden)
To endorse the St. Mary's River Rural Legacy Plan and application and sign letter of support

Commissioner Jarboe moved, seconded by Commissioner Dement, to endorse the application and sign the letter of support. Motion carried.

- 9. Appointments to Boards, Committees, and Commissions

Terms to Expire

Ag Preservation Advisory Board

Henry A. Virts – Reappointment

12/31/07

Commissioner Jarboe moved, seconded by Commissioner Raley, to approve appointment. Motion carried.

Airport Advisory Committee

Joseph F. Mitchell – Reappointment

12/31/05

Edward "Mike" Breen

12/31/05

Commissioner Jarboe moved, seconded by Commissioner Raley, to approve appointments. Motion carried.

Board of Trustees for the St. Clement's Island Potomac River Museum

Millie Huseman – Reappointment 12/31/07
Joseph A. Gass, Jr. 12/31/07
J. Harry Norris, III 12/31/07

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve appointments. Commissioners Raley and Mattingly voted no. Motion carried 3-2.

Cable Advisory Committee

Thomas H. Jones, Jr. – Reappointment 12/31/07
W. Laurence Whitbeck 12/31/07

Commissioner Jarboe moved, seconded by Commissioner Raley, to approve appointments. Motion carried.

Commission for People with Disabilities

Julie B. Randall 12/31/06
Gene Potts 12/31/06

Commissioner Jarboe moved, seconded by Commissioner Raley, to approve appointments. Motion carried.

Commission on the Environment

Nancy Paige Smith 12/31/06

Commissioner Jarboe moved, seconded by Commissioner Raley, to approve appointment. Motion carried.

Electrical Examiners Board

John M. Finch, Sr. – Reappointment 12/31/06

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve appointment. Motion carried.

Family Center of St. Mary's Advisory Committee

Michael Schwartz – Reappointment 12/31/05
Michael Snavely – Reappointment 12/31/05

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve appointments. Motion carried.

Library Board of Trustees

Everlyn L. Holland 12/31/07
Joan Marsh – Reappointment 12/31/07
Jacqueline Anne Mervine – Reappointment 12/31/07

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve appointments. Commissioner Jarboe voted no. Motion carried 4-1.

Marcey House Board

Patricia Bryant – Reappointment 12/31/05
Harry Metzler – Reappointment 12/31/05
Robin Ray Coll 12/31/05

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve appointments. Motion carried.

Metropolitan Commission

Philip M. Cranford 12/31/05
Ronald Delahay, Sr. 12/31/05
Julian Izydore 12/31/05

Commissioner Jarboe moved, seconded by Commissioner Dement to approve appointments. Commissioner Raley voted no. Motion carried 4-1.

Planning Commission

John Taylor – Reappointment 12/31/07
Stephen T. Reeves 12/31/07
Joseph A. St. Clair 12/31/07

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve appointments. Motion carried.

Social Services Board

Erika Patregnani 6/30/05

Commissioner Jarboe moved, seconded by Commissioner Raley, to approve appointment. Motion carried.

Solid Waste Advisory Committee

Clare Whitbeck – Reappointment

12/31/06

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve appointment. Motion carried.

Tri County Youth Services Bureau

Christopher Bologna – Reappointment

12/31/04

Tyrone Harris – Reappointment

12/31/04

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve appointments. Motion carried.

2003 LEGISLATIVE PACKAGE (POSITIONS ON EACH ITEM)

1. Department of Planning and Zoning – Critical Area Commission
All Commissioners support this item.
2. Alcohol Beverage Board – Board of License Commissioners
All Commissioners support this item.
3. Department of Economic & Community Development – Nutrient Removal Credits
Commissioners McKay, Raley, Mattingly, and Dement support this item. Commissioner Jarboe abstained.
4. Department of Economic & Community Development – Biologic Nutrient Control
Commissioners McKay, Raley, Mattingly, and Dement support this item. Commissioner Jarboe abstained.
5. Department of Economic & Community Development – Shellfish Cultivation Rights
Commissioners McKay, Raley, Mattingly, and Dement supported this item. Commissioner Jarboe abstained.
6. Finance Office – Public Facilities Bonds
All Commissioners supported this item.
7. Finance Office – Records Maintenance and Access for Selected Taxes
All Commissioners supported this item.
8. Finance Office - Simplified Energy Tax Calculation
All Commissioners supported this item.
9. Finance Office - Fire Tax Rate – Revision to Reflect Use of 100% Assessed Value
All Commissioners supported this item.
10. Finance Office - Dept Cap – Revision to Reflect Use of 100% Assessed Value
All Commissioners supported this item.
11. Office of the County Attorney – Code of Public Laws
All Commissioners supported this item.
12. Office of the County Attorney – Citizen’s Nursing Board
Deferred until January 7, 2003, for further discussion.
13. Potomac River Association – Proper Labeling and Recordation of Certain Ag Lands
Deferred until January 7, 2003, for further discussion.
14. Sheriff’s Department
Deferred for future discussion.

The County Administrator will forward a matrix to the Legislative Delegation reflecting the votes taken by the Board with respect to each of the items considered as part of the proposed 2003 legislative package.

COUNTY COMMISSIONERS' TIME

Commissioner Dement

- Happy birthday to Commissioner McKay.
- Attended a beautiful tree lighting ceremony at the Nursing Home and other Christmas parties.
- Attended the swearing-in ceremony/dinner at the Ridge VFD.
- Attended the Freedom Tree Lighting ceremony in Lexington Park. Thanks to Robin Finnacom for a job very well done.
- Enjoyed the bus tour of schools hosted by the Board of Education on December 16, along with all the Commissioners.

Commissioner Mattingly

- Due to family issues, was unable to attend these fine events. Thank you all for your cards, flowers, and phone calls.

Commissioner Jarboe

- Received a constituent call about the old Carver Elementary School. A work crew has been working on the building and there is concern because of its historic significance. *Mr. Lacer will investigate this issue and advise on this activity.*

Commissioner Raley

- Robin Finnacom, Millison Enterprises, and other sponsors need to be congratulated on an excellent Freedom Tree Lighting ceremony held on December 15, 2002.
- Happy that Commissioner Mattingly's wife is doing better and we're glad everything turned out well.
- It's time for Fire & Rescue Squads installation of officers and it's important that we all try to attend.

Commissioner McKay

- The Lexington Park Vol. Fire Department and the Sheriff's office contributed to the success of the Freedom Tree Lighting ceremony. We thank you all.
- Attended a function at Greenwell State Park where a \$2.7M plan was presented for restoration of the Patuxent River oil spill. There will be wetlands restoration, shoreline enhancement on Washington Creek, a Diamond Back turtle habitat, extension of the boat ramp at Forest Landing, and an ADA small craft access ramp at Greenwell.
- Thanks to the Board of Education for sponsoring the tour of our schools.
- *Staff was directed to draft a letter to Senator Roy P. Dyson, with copies to the other delegates and Secretary Porcari, regarding Route 235 construction. Citizens are concerned about the excessive time this project has taken.*
- Merry Christmas and Happy New Year.

PLANNING AND ZONING DEPARTMENT: ZONING ORDINANCE AMENDMENTS UPDATE

Present: Jon Grimm, Director DPZ

The Planning Commission will conduct a public hearing jointly with the BOCC on January 13, 2003, 6:30 p.m., Room 14 of the Governmental Center to consider amendments to Chapter 52, Nonconforming Uses, Structures, and Signs and Chapter 65, Signs, relating to amortization and temporary Real Estate signs, respectively.

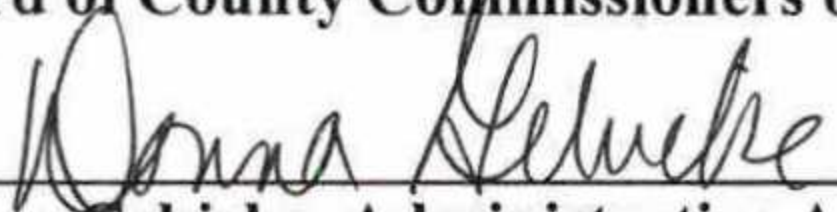
A public hearing will be held by the BOCC on January 14, 6:30 p.m., Room 14 of the Governmental Center for the purpose of receiving public testimony on proposed amendments to the May 13, 2002, SMC Comprehensive Zoning Ordinance (02-01), as amended and the SMC Subdivision Ordinance (02-02) as amended. Public comment regarding the amendment to the following chapters of the aforementioned ordinances will be considered: Chapters 21, 26, 27, 32, 50, 52, 60, 61, 63 and 70 of the SMC Comprehensive Zoning Ordinance, and Chapter 30 of the SMC County Subdivision Ordinance.

DEPART FOR PATUXENT RIVER NAVAL AIR BASE BRIEFING AND TOUR

ADJOURNMENT

The meeting adjourned at 4:10 p.m.

Minutes Approved by the
Board of County Commissioners on 1/7/03



Donna Gebicke, Administrative Assistant
to the Board of County Commissioners