

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Governmental Center  
Tuesday, January 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  
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.

**APPROVAL OF CHECK REGISTER**

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

**APPROVAL OF MINUTES**

**Commissioner Raley moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners' meeting of Tuesday, January 7, 2003, as submitted. Motion carried.**

**PROCLAMATION: CERVICAL HEALTH MONTH/HEALTH DEPARTMENT**

**Present:** Dr. Icenhower, Health Officer  
Mary Novotny, Department of Health  
Karen Yates, Coordinator  
Mary Hansley, Outreach  
Tammy Guido, SM Hospital

The Board of County Commissioners designated the month of January 2003 as National Cervical Health Month and joined the SMC Health Department in encouraging women to become fully aware of their health risks and to have regular PAP tests. The Women's Welfare Program offers low income women aged 40 to 64, or those who have insufficient insurance, an opportunity to obtain breast exams, mammography and PAP tests.

**COUNTY ADMINISTRATOR**

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

1. Draft Agendas: January 21 and 28, 2003
2. Grant Agreements/MOU
  - a. Department of Recreation and Parks (*Phil Rollins, Director*)
    - (i) To approve and authorize Comm. President McKay to sign the DNR Waterway Improvement Fund Application/Project Agreement and related Budget Amendment for Derelict Boat Removal (\$25,000)

**Commissioner Jarboe moved, seconded by Commissioner Raley, to authorize Commissioner McKay to sign the DNR Waterway Improvement Fund App/Project Agreement and budget amendment for derelict boat removal. Motion carried.**

- (ii) To approve and authorize Comm. President McKay to sign DNR Waterway Improvement Fund Application/Project Agreement and related Budget Amendment for Bushwood Wharf (\$5,000)

**Commissioner Dement moved, seconded by Commissioner Jarboe, to authorize Commissioner McKay to sign the DNR WIFA/Project Agreement and budget amendment for Bushwood Wharf. Motion carried.**

3. Department of Public Works (*George Erichsen, Director*)

- a. Public Works Agreement Addendum (Aberdeen Subdivision)

**Commissioner Jarboe moved, seconded by Commissioner Raley, to authorize Commissioner McKay to sign the PWA Addendum for Aberdeen. Motion carried.**

- b. Public Works Agreement Addendum (Hanover at Breton Bay)

**Commissioner Raley moved, seconded by Commissioner Dement, to authorize Commissioner McKay to sign the Public Works Agreement Addendum for Hanover at Breton Bay. Motion carried.**

- c. Deeds and Resolutions (Harper's Court, Harper's Corner Subdivision)

**Commissioner Jarboe moved, seconded by Commissioner Raley, to sign the deed acceptance for Harper's Court. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Mattingly to sign the Resolution accepting Harper's Court into the County's highway maintenance system. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Dement to sign the Resolution authorizing the establishment and posting of 25 mph speed limit on Harper's Court. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Mattingly to sign the Resolution authorizing the erection of a stop sign on Harper's Court at the intersection with Harper's Corner Road. Motion carried.**

- d. Resolutions (Bryan Road, Emerald Hills Estates)

**Commissioner Mattingly moved, seconded by Commissioner Dement to sign the Resolution accepting Bryan road in Emerald Hills Estates Subdivision into County's highway maintenance system. Motion carried.**

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to sign the Resolution authorizing the erection of a stop sign on Bryan Road. Motion carried.**

**Commissioner Mattingly moved, seconded by Commissioner Raley, to sign the Resolution authorizing the establishment and posting of a 25 mph speed limit on Bryan Road. Motion carried.**

4. Department of Planning and Zoning (*Jon Grimm, Director, John Norris*)

To give staff direction on how to proceed with public hearing on Critical Area Program Amendments to implement 7/22/02 Critical Area Commission for Chesapeake and Coastal Bay letter of approval.

*No action was taken at this time. The Commissioners directed the Director of Planning and Zoning to: (1) provide the Commissioners with copies of the video tapes relative to the Critical Area Zoning Ordinance Amendments; schedule a meeting between the Board and the CAC to discuss the CAC's conditions of approval that the previous Board took*

*exception to; and determine whether or not the Board can take action on individual CAC amendments.*

5. Boards and Committees  
Appointment Letters

**Deferred to a later date.**

6. Budget Amendments (*Elaine Kramer, Director of Finance;*  
*Directors: G. Erichsen, R. Rohrbaugh, P. Rollins, and B. Kelly*)

To review budget amendments 2003-50 to 2003-78.

**Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize Commissioner McKay to sign budget amendments 2003-50 to 2003-78, with the exception of 2003-73 (Ridge Transfer). Motion carried.**

**RECREATION AND PARKS DEPARTMENT:  
OVERVIEW OF STATE'S PROGRAM OPEN SPACE  
AND THREE NOTCH TRAIL PROJECT RECOMMENDATION**

Present: Phil Rollins, Director Rec & Parks  
John Savich, Director, DECD  
Donna Sasscer, Ag & Seafood Coordinator

Program Open Space

Mr. Rollins provided the Board with an overview of the State's Program Open Space (POS) funding program and the Partners for Open Space coalition that is advocating for the protection and restoration of POS funding. A draft resolution urging the state legislature to protect the program's funding was presented for the Commissioners' consideration.

**Commissioners Mattingly moved, seconded by Commissioner Raley to adopt the Resolution in support of protecting Program Open Space funding. Motion failed 2-3. It was recommended that the resolution be revised.**

Three Notch Trail Project: Recommendation

Present: Phil Rollins, Director Rec & Parks  
Coleman Hillman, Board Member  
Laschelle Miller, Trails Committee

Mr. Rollins noted that the Recreation and Parks Board, Recreational Trails Committee, and staff presented a draft Three Notch Trail report to the Board of County Commissioners on December 10, 2002, for consideration. The report recommended that Section 6, from John V. Baggett Park at Laurel Grove to Route 5 and section 1 and 2, from Pegg Road in Lexington Park to Wildewood, were the best alternatives for beginning the trail development on the former railroad right-of-way. At the December 10<sup>th</sup> meeting, the Commissioners requested that additional information be obtained from residents, particularly contiguous property owners, in those sections proposed for initial development.

Commissioner Jarboe proposed beginning the trail with a section from Rt. 236 north to Rt. 6 to Old Rt. 5 and outlined the benefits of this location. Commissioner Mattingly stated that the trail should begin in Lexington Park, which would be the best investment for the money and would get the most use.

**Commissioner Jarboe moved, seconded by Commissioner Raley, to begin the trail in the section from Rte 236 north to Rte 6 to Old Rte 5 (in section 8 of the proposal), by graveling and grading this portion of the trail and building a parking lot between the library and the trail. Commissioner Mattingly voted against this motion. Motion carried 4-1.**

**DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT UPDATE**

Present: John Savich, Director DECD  
Dennis Nicholson, Executive Director, Housing Authority  
Karen Everett, Program Manager  
Donna Sasscer, Ag & Seafood Coordinator  
Carolyn Laray, Tourism Manager  
Cindy Phillips, Housing Authority  
Tonja Fraser-Jenkins, Program Manager  
Mr. Scarafia, Chamber of Commerce

Mr. Savich gave an overview of the DECD including the following data:

- Job growth in SMC was ranked 2<sup>nd</sup> in the state from 1995-2000
- Median household income increased by over 45% in the 1990s; second largest increase among Maryland counties
- 67% of all jobs are defense-related
- 77% of Gross County Product is defense-related
- Average PAX salary is \$54,000
- Overall average salary is \$38,000
- DECD is made up of Business Development, Tourism, Ag Development, and Housing

Overall, St. Mary's County is a diverse, resilient, and healthy community. Commissioner McKay stated that a strong agricultural plan is necessary and should include a SMC product brand, (i.e., wineries, packing houses, etc.). It is imperative to pull companies into SMC and retain them, but not to the detriment of companies already here.

**COMMUNITY BANK OF TRI COUNTY/FEDERAL HOME LOAN BANK OF ATLANTA: ECONOMIC DEVELOPMENT AND GROWTH ENHANCEMENT PROGRAM FOR JARBOE CENTER**

Present: Mike Middleton, President, Community Bank of Tri County, and Board member of the Federal Home Bank of Atlanta  
Dennis Nicholson, Executive Director, Housing Authority  
Tonja Fraser-Jenkins, Housing Authority  
Ernie Williams, Loan Officer, Community Bank of Tri County  
Kathy Askey, Askey & Askey Associates, CPA  
Housing Authority Commissioners: Patricia Ball, Jan Barnes, Joan Gelrud, and Jane Loughran  
Linda Adams, Head Start Center  
Mary Blackwell-Thompson  
Dennis Logan, Walden Sierra

Mr. Middleton announced the loan award of \$920,000 from Federal Home Loan Bank of Atlanta Economic Development and Growth Enhancement (EDGE) Program for the J. Patrick Jarboe Family Education and Head Start Center in Lexington Park.

**ETHICS COMMISSION PRESENTATION**

Present: Martha Neal, PhD, Chair  
John Roberts, Vice Chair  
David Deaderick, Member  
Zora Siemasko, Member  
Shirley Baldwin, Executive Secretary

Mr. Deaderick presented an informational power point presentation on the role of the Ethics Commission, the purpose of the Ethics Ordinance and the Financial Disclosure Statement process for members of Boards, Committees and Commissions. Dr. Neal asked the Board for their assistance in obtaining the required forms when not received in a timely manner. Commissioner President McKay suggested that Commissioners could assist by making phone calls to encourage submission of the required forms. There are two vacant positions on the Ethics Commission (including one alternate position) and the Vice Chair's term expires in June 2003.

## 2003 LEGISLATIVE PROPOSALS: DEFERRED ITEMS

Present: Robert Lewis, Co-President, Potomac River Association

Mr. Lewis provided information on possible health issues related to Class B sludge and asked the Board to support a legislative proposal requiring the recordation and labeling of sludge applications to protect citizens.

**Commissioners Mattingly and Raley held no position on the proposal. Commissioners McKay, Dement, and Jarboe did not support the proposal.**

## COUNTY COMMISSIONERS' TIME

### Commissioner Jarboe

- The County charges high penalties to those who are delinquent on their taxes. *Request Mr. Lacer investigate these rates and share that information with the Board.*

### Commissioner Raley

- Attended the Hollywood Volunteer Fire Department's installation of officers with Commissioner and Mrs. Dement. Congratulations to the Auxiliary for their generous donation.
- Congratulations to the 7<sup>th</sup> District Rescue Squad and their new officers.
- Although unable to attend the Salt & Pepper Dinner, I wish them well.
- The tobacco buy-out in SMC had 38% of the poundage (6,790,000 lbs) that was taken out of production – almost equal to Charles and Calvert counties combined.

### Commissioner Dement

- Attended the ribbon cutting ceremony in Leonardtown
- Attended the Farm Bureau Legislative dinner at Breton Bay.
- Attended the 7<sup>th</sup> District Rescue Squad reception.

### Commissioner Mattingly

- On January 13, the Cusic family on Pin Cushion Road lost their house and possessions in a fire. Please call the American Red Cross if you can make a donation to the Cusics.
- Members of the Board need to let Eleanor Abell know if they will be attending the MACo summer conference.

### Commissioner McKay

- The County's Comprehensive Master Plan required under the Bridge to Excellence Act is due to the Board of County Commissioners in August and to the Maryland State Department of Education in October. The Maryland State Board of Education will hold a regional meeting May 29, 2003, to explain components of the requirements. Please plan to attend.

## EXECUTIVE SESSION

**Commissioner Dement moved, seconded by Commissioner Jarboe, to meet in Executive Session to discuss personnel and board/committees/commission matters, as provided for in Article 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, Sr.  
Commissioner Daniel H. Raley  
Alfred A. Lacer, County Administrator  
Donna Gebicke, Recorder

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

**Time Held:** 2:49 p.m.-6:12 p.m.

**Action Taken:** The Board discussed board and committees and personnel issues and gave direction to staff.

**The meeting reconvened at 6:36 p.m. Commissioner Jarboe moved, seconded by Commissioner Dement, to authorize staff to proceed on the personnel actions as directed in Executive Session. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to appoint the following individuals as listed below. Motion carried.**

AIDS Task Force

Joseph Althoff, Judy Combs, William B. Icenhower, Diana McKinney, Mary H. Novotny, Andrew C. Roper, M. Jacqueline St. Clair, and Patricia Wince

Community Health Advisory Committee

Susanne Ashton, Richard Bjurberg, Marcel Brooks (reappointment), Cynthia A. Brown, Delores C. Datcher, Joseph H. Dobson, Jr., Joan Gelrud, Donald E. Lewis, Clancy Lyall, Kiren Mehta, Annette Naru, Jennie Page, Thomas E. Price, Betty Quinn, Ella May Russell (ex-officio), William E. Scarafia (ex-officio), Patricia Wince, and David D. Zylak

Emergency Services Committee

Robert L. Mattingly – LVFD Rep

Mental Health and Addictions Advisory Council

Cynthia A. Brown, Charlene G. Cummings, Charles W. Decker III, Kimberly R. Donis, Francis D. Fenwick, Jr., Jeanette Kaufmann, Gary Lynch, Gerard McGloin, Cynthia A. Phillips, Daniel Schaidt, Mary Beth Voorhees, Kenneth Wm. Walker, Alexis Zoss, and David D. Zylak

**PUBLIC FORUM**

Clare Whitbeck, 40502 Port Place, Leonardtown expressed her concern over affordable housing. The minutes of the BOCC meeting of November 19, 2002 were read aloud. It addressed the agreement between the BOCC and Club Properties over the flattops. She asked the Board to not let this issue slide. Commissioner McKay assured Ms. Whitbeck that the Board is not holding up the agreement and will continue working on a resolution.

Christie McDonald, 45577 Knockeyon Lane, Great Mills thanked the Commissioners for holding open forums. She continues to have problems with her townhome built by Guy Curley, Liberty Homes. Mr. Curley ignored several county codes and has failed to make appropriate repairs as needed. Because of Curley's neglect, she is experiencing floods and molding that will cost \$8,200 to repair (not including carpet and padding). Permits, codes, grading plans are not enforced against Guy Curley. Why? Ms. McDonald votes no confidence in Guy Curley and the county agencies responsible for enforcing codes. Please consider those 750 new base employees who should not have to deal with poor developers and poor county agencies.

Liz Davis, 45535 Shannon St., Great Mills resides in Hickory Hills North, also built by Liberty Homes. The entire side of her basement caved in because the builder backfilled the basement before it was set. It was inadequately patched, the basement has flooded, and the yard has been dug up five times. Although lists of violations were given to Guy Curley, only one was corrected. Ms. Davis requested the Board's assistance. Commissioner McKay stated his concern about the permitting process and the Board will follow up on these issues.

Minnie Russell asked when the tower at Dameron will be fully operational. Commissioner Raley responded the tower is functioning as part of the emergency communications system. It will be a private matter as to when the private owners reach agreement with Verizon, et al. What about the charter boat business? Commissioner McKay stated the Board has requested that the Critical Area Commission meet with the Board to discuss charter boat service in SMC soon.

Barbara Thompson thanked the Board for holding public forums. There are new regimes in the CAC, MDE, and DNR which could be a positive move on the Governors part. Please reflect on developing a strategic plan for SMC.

**ADJOURNMENT**

The meeting adjourned at 7:15 p.m.

Minutes Approved by the  
Board of County Commissioners on 1/21/03

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

