

**ST. MARYS COUNTY
BOARD OF COUNTY COMMISSIONERS MEETING
CHESEAPEAKE BUILDING
Tuesday, March 17, 2009**

Present: Commissioner President Francis Jack Russell
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
John Savich, County Administrator
Betty Jean Pasko, Sr. Administrative Coordinator (Recorder)

CALL TO ORDER

Commissioner President Russell called the meeting to order at 9:00 AM.

MOTION TO ADD EXECUTIVE SESSION AND BUDGET WORK SESSION TO AGENDA

Commissioner Raley moved, seconded by Commissioner Mattingly, to add an Executive Session to the agenda to further discuss personnel, specifically the Directors position at Land Use and Growth Management. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Mattingly, to also add a Budget Work Session to the agenda to further discuss the FY2010 budget. Motion carried 5-0.

APPROVAL OF CHECK REGISTER

Commissioner Dement moved, seconded by Commissioner Mattingly, to authorize the Commissioner President to sign the Check Register for checks dated March 17, 2009, as presented. Motion carried 4-0, 1 abstention (Commissioner Raley).

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners meeting of Tuesday, March 10, 2009, as submitted. Motion carried 5-0.

COMMISSION FOR PEOPLE WITH DISABILITIES AND THE DEPT. OF HUMAN SERVICES:

Present: Julie Randall, Chair, Commission for People with Disabilities
Susan Erichsen, Co-Chair, Commission for People with Disabilities

The BOCC presented a proclamation to Ms. Randall, Ms. Erichsen, and members of the Commission for People with Disabilities recognizing March 2009 as Disabilities Awareness Month.

A presentation was provided focusing on the need for employment opportunities for people with disabilities. Of the approximately 100,000 St. Marys County residents, over 11,000 (5+ years of age) have one or more disabilities.

NATIONAL WEATHER SERVICE AND DEPT. OF PUBLIC SAFETY: RECOGNITION OF ST. MARYS COUNTY AS A STORM READY COMMUNITY

Present: David Zylak, Director, Department of Public Safety
Christopher Strong, Warning Coordination Meteorologist, and
Jim Lee, Meteorologist-In-Charge, National Weather Service

The Department of Public Safety's application for St. Marys County to be recognized by the National Weather Service as a StormReady Community was approved by the Maryland StormReady Advisory Board. To be recognized as StormReady requires meeting communications, safety, and preparedness requirements necessary to help citizens receive weather warnings and respond to weather events.

There are 700 counties nationwide recognized as StormReady Communities; with St. Marys being the sixth in the State to achieve this notable accomplishment. The BOCC accepted a certificate from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA) acknowledging this accomplishment.

COUNTY ADMINISTRATOR

1. Draft Agendas for March 24 and 31, 2009
2. States Attorneys Office *and* Dept. of Human Services (*Kelsey Bush, Human Services; Tina Fratantuono, States Attorneys Office*)

Commissioner Dement moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the Budget Amendment establishing budget authority for \$700 donated to Project Graduation from SMECO. Motion carried 5-0.

3. **Dept. of Economic and Community Dev.** (*Bob Schaller, Director; J. Harry Norris, III, Mayor of Leonardtown; Rich Fuller, President, So. Md. Wine Growers Coop.; Donna Sasscer, Agriculture and Seafood Mgr.*)

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Lease Agreement between the Commissioners of Leonardtown and the Southern Maryland Wine Growers Cooperative in accordance with the Memorandum of Agreement signed June 10, 2008, between the Board of County Commissioners for St. Marys County and the Commissioners of Leonardtown. Motion carried 5-0.

4. **Dept. of Recreation and Parks** (*Phil Rollins, Director*)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Temporary Easement Agreement with the Gospel Light Baptist Church for parking and access to the Three Notch Trail. Motion carried 5-0.

5. **Dept. of Finance** (*Elaine Kramer, CFO*)

Request authorization to hold Public Hearing for supplemental appropriation; Dept. of Recreation and Parks, Wicomico Shores Golf Course Enterprise Fund

Commissioner Mattingly moved, seconded by Commissioner Dement, to authorize the Finance Department to proceed with a Public Hearing to be held on March 31, 2009, for the purpose of supplemental appropriation in the amount of \$99,561. Motion carried 4-1 (Commissioner Jarboe voted nay).

6. **Office of the County Administrator** (John Savich)

Commissioner Jarboe moved, seconded by Commissioner Dement, to appoint Kathleen V. Lacer as the St. Marys County Public Schools Representative on the Family Violence Coordinating Council. Motion carried 5-0.

SOLID WASTE ADVISORY COMMITTEE ANNUAL REPORT

Present: Charles Pitts, Chairperson
Xavier Prines, Vice-Chairperson
Richard Tarr, DPW&T Solid Waste Manager

The report highlighted Solid Waste Advisory Committee (SWAC) 2008 goals, activities, and accomplishments. The SWAC membership requirement was reduced from seven to five by the BOCC in July, 2008. This reduces the number required for a quorum from five to three, alleviating the need to cancel meetings due to not having a quorum.

The report placed emphasis on program expansion, education and the availability of recycling information; e.g., website information, booths at upcoming public events, and information provided on Channel 95 (single stream video).

The committee recommended updating the Countys website to include an explanation of the solid waste fee and a review of the committees purpose to ensure SWACs 2009 goals align with BOCC expectations.

DEPT. OF ECONOMIC & COMMUNITY DEVELOPMENT: UPDATE ON CELEBRATE 375 PROGRAM

Present: Bob Schaller, Director, DECD
Carolyn Laray, Tourism Manager, DECD
Debra Pence, Museum Director, Dept. of Recreation and Parks

Joined by several business members supporting Celebrate 375, the presenters highlighted the destination guide, website information and navigation, and upcoming events and celebration activities. Upcoming Maryland Days: March 25th, St. Clements Island, and March 29th, St. Marys City.

MOTION TO ENTER INTO EXECUTIVE SESSION

Commissioner Raley moved, seconded by Commissioner Mattingly, to enter into Executive Session for the purpose of discussing Personnel. Motion carried 5-0.

EXECUTIVE SESSION

Personnel

Present: Commissioner Francis Jack Russell, President
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
John Savich, County Administrator
Sue Sabo, Director, Dept. of Human Resources
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 11:05 am 11:37 am
Subject Discussed: To discuss applicants for the position of Director, Land Use and Growth Management

FY2010 BUDGET WORK SESSION

An FY2010 Budget Work Session was held, beginning at approximately 11:45 AM.

COMMISSIONERS TIME

The Commissioners highlighted upcoming events, events attended over the past week and personal interest items.

Commissioner Jarboe asked that a letter be drafted to the federal delegation for BOCC signature requesting federal funding for state planning to implement a state operated MARC trolley powered by Smart Grid technology along the railroad right-of-way in St. Mary's County.

Commissioner Raley expressed concerns regarding the communication of new specifications for perc tests.

JOINT MEETING OF THE BOARD OF COUNTY COMMISSIONERS AND THE COMMANDING OFFICER, NAVAL AIR STATION (NAS) PATUXENT RIVER: ENCROACHMENT MITIGATION AND PREVENTION

BOCC Present:

Commissioner President Jack Russell

Commissioner Tom Mattingly, Sr.

Commissioner Larry Jarboe

Commissioner Dan Raley

Commissioner Dement briefly attended, but left before the meeting commenced.

U.S. Navy & Others Present:

CAPT Andrew Macyko,	NAS Patuxent River Commanding Officer
Mr. Mike Quigley,	NAS Patuxent River Deputy Director
Connie Clausen,	NAS Patuxent River COs staff
LeRoy Mattingly,	NAS Patuxent River AICUZ Manager
Fred Pierson,	Navy AICUZ Center of Excellence
CAPT Matt Scassero,	NAWC-AD XO
Tom Evans,	MD DBED-OMFA
Jeff Rusher,	NAWC AD Director Unmanned Air Systems
Tom Briggs,	NAWC AD F-35 Integrated Test Force Mgr
CDR Paul Filardi,	PMA-268 Navy Unmanned Combat Air Systems (N-UCAS)
John Scheffer,	PMA-268 Navy UCAS Operations Officer
John Romer	NAS Patuxent River Public Affair Officer
Rick Owen	NAVFAC Washington
Paula Martino	SMAR
Richard Galiant	Atlantic Test Range Sustainability Office
Melanie Anderson	Atlantic Test Range Sustainability Office
Chris Jarboe	Atlantic Test Range Sustainability Office
Tim Tittinger	PMA-262 Navy BAMS

Mr. Ed Greer	NAVAIR Dep. Asst. Cdr. for T&E/NAWCAD Exec. Dir.
Todd Morgan	St. Marys Navy Alliance
Ed Sierra	Sierra Management
Guy Leonard	The County Times Newspaper
Wendy Schaller	Carver Elementary School
Joanne Malene	The Enterprise Newspaper
John B. Norris	NG&O Engineering
Mel Powell	St. Marys Higher Education Center
Debra Tervalva	College of Southern Maryland
Brad Gottried	College of Southern Maryland
Dr. Michael J. Martirano	St. Marys County Public Schools
Joe Anderson	CSC-SMHEC

Staff Present:

John Savich, County Administrator
 Bob Schaller, Director, DECD
 Phil Shire, Acting Director, LU&GM
 Jeff Jackman, Planner, LU&GM
 Hans Welch, Mgr., Business Development, DECD
 Karen Everett, Public Information Officer
 Robin Finnacom, Community Dev. Corp.
 Amy Carter, Video Technician, PIO
 Betty Jean Pasko, BOCC Recorder

The joint meeting commenced at 2:00 PM and was held at the Naval Air Station (NAS) Frank Knox Training Center.

Commissioner President Russell and NAS Patuxent River Commanding Officer Captain Andy Macyko provided opening comments.

Encroachment Update

Phil Shire, Acting Director, LU&GM

1. 2009 Update of Comprehensive Land Use Plan

Incorporates the Lexington Park Development District Plan
 Encroachment issue elements in both plans; AICUZ restrictions and safety goals, Open Space, Flat tops demolition and park plan conversion
 New restrictions for APZ-2 zone (no new residential development)
 Storage and warehouse use in APZ-2, OBP zone
 Interest with Naval Air Museum exhibit dealing with encroachment
 Mattapany Rural Legacy Area (1300 acres; 169 purchased by the BOCC in 2006, not in development district, cuts down residential density)
 Comprehensive Plan revision - Last summer, five community meetings held; approximately 25 30 citizens attended/meeting. Refining language and proof-reading.
 Should be ready to forward to the Planning Commission and the MD Dept. of Planning (60 day period) within six weeks. Planning Commission public hearing in June,

followed by BOCC public hearing during the July / August timeframe. October deadline to have plan done.

Challenges, not so much Navy base, more with environmental matters.

2. Zoning Ordinance Text Amendment on Wind Turbines

Small wind energy system text amendment (TA) adopted December 19, 2008.

One permit application received yesterday. Previous permit application went through Navy permit review and approval very well.

LeRoy Mattingly and Fred Pierson, U.S. Navy

3. Pax AICUZ Study Update. It was emphasized that the data and maps provided today are DRAFT and contain preliminary information not yet finalized.

Identifies areas most impacted by noise; comparison of 1979 and 2009 data

Identifies changes to 2009 AICUZ Noise Contour Maps (copy handed out to BOCC);

data considers aircraft (types/expansion), terrain and surface (land/water), day/night (night heaviest weighed) averages, time (duration), and number of occurrences

Map includes clear zones; APZ (accident potential zone) is where an accident is most likely; if one occurs, it would most likely be in the vicinity of a runway.

Over flight zones - future

Two APZs dropped; *South Hampton and Glen Forrest areas*. Phil Shire stated that the zoning maps still have the areas designated as APZ. It was clarified that the study is a draft document. John Savich stated that development documents can come and go, but once development occurs, its there.

Timing (approval) go through the chain of command, should be next month

Capt. Macyko stressed this is a growing/living document and contains data thats currently available.

No new data for Webster field.

4. RAICUZ (Range Air Installation Compatibility Use Zone)

range safety and noise

modeled training and test areas

AICUZ is the priority

toll free number for noise complaints is 1-866-819-9028; 40 calls received last year;

average 100/year.

Working with Eastern Shore and Northern Neck; John Savich said if noise mitigation is included in County code (based on noise contours), offered to communicate with other local governments (could use a joint meeting as a venue).

5. JLUS(Joint Land Use Study)
Master Plan what each base is doing; Lawson Point and Andrews Air Force Base are conducting one
Dept. of Defense funding
CNIC expects JLUS to be signed tomorrow
6. Webster Field (Kitts Point)

Related Matters

Chris Jarboe, U. S. Navy

1. Eastern Shore of Maryland Outreach (parcels)
Tour of base (from Hooper Island); returning this summer
Part of Joint Land Use Study
Nature conservatory to protect land; awaiting funding
2. Wind Turbines
Working with range (RAICUZ)
Talking to other counties in MD and northern VA regarding impact
Special maps (to be developed) to ensure not over restricting
Most concern with lower eastern shore counties
3. Northern Neck of Virginia Outreach (potential partners)

Bob Schaller, Director, DECD

4. New UB Study, Economic Impact of Military Facilities: DBED
State economic impact study (2000/2001)
2002 Economic Impact Study done in Southern MD; including Patuxent River and Solomons Island.
Later, in 2004, included Aberdeen Proving Grounds; data used to get their bond rating up
Two phase effort; encompassing personnel, procurement, and gate traffic
Navy Alliance offered to help

Robin Finnacom

5. MD 246 Streetscape Project Update
Ready to take place (working for eight years)
Reconstruct 1.4 miles of Great Mills Rd (resurfacing, sidewalks, lighting, storm water mgmt., water and sewer).
Request for bids issued; target awarding contract in May timeframe
18 month project (construction)

Will involve lane closing (to the Navy Base); will ensure direct communications with the Base.

Storm water sewer line work in the Patuxent Park neighborhood should start around April 2nd; 10 month duration.

Open Discussion

Meeting with residents regarding St. Marys Shopping Square, asked to look at manning the Base Gate (*Commissioner Raley*). Commissioner Raley also stated that with improving the infrastructure, hope is to have private enterprises come in and workforce housing.

Patuxent River NAS Gate improvements *Capt. Macyko*

Webster field first will be closed for three months to rebuild the guardhouse and install security barriers (\$1m)

Gate 1 to renovate guardhouse and install security barriers (\$1.2m); work will be done in the evenings (1800 to 0500) and weekends

Gate 2 will be manned 24 hours for several months.

Next meeting *John Savich*

Will be in six months

Agenda to include update on current items, budget, AICUZ study and JLUS updates

Major Program Update

Jeff Rusher, U.S. Navy

1. Unmanned Air Systems (UAS)

Test aircraft 2012; operational 2015

Four air vehicles; fully operational in 2019

Building new test facility (have broken ground); will keep three vehicles here at any one time

Do not yet have noise data

MOTION TO ADJOURN

Commissioner Jarboe moved, seconded by Commissioner Raley, to adjourn the BOCC meeting of March 17, 2009. Motion carried 4-0.

Minutes Approved by the Board of County Commissioners on _____

Betty Jean Pasko, Sr. Admin. Coordinator (Recorder)