

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
March 30, 1999**

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Mortimer L. Smedley, County Administrator
Judith A. Spalding, Recorder

CALL TO ORDER

The meeting was called to order at 10:00 a.m.

ADDITIONS/DELETIONS TO AGENDA

Commissioner Guazzo moved, seconded by Commissioner Anderson, to accept the agenda as amended (to add executive sessions for Personnel and Property Acquisition). Motion carried.

APPROVAL OF CHECK REGISTER

Commissioner Anderson moved, seconded by Commissioner Guazzo, to authorize Commissioner Randall to sign the check register, as presented. Motion carried.

APPROVAL OF MINUTES

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve the minutes of the Commissioners' meeting of Tuesday, March 23, 1999 as presented. Motion carried.

COUNTY ADMINISTRATOR

Present: Mortimer L. Smedley, County Administrator

- Draft Agendas for April 6, 1999 and April 13, 1999
- 1. **Budget Amendment No. 99-31 – Emergency Management Agency**
(to fund project consultant for E911 - \$15,000)

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and to authorize Commissioner Randall to sign Budget Amendment No. 99-31.

- 2. **Grant Documents**
 - a. **Office on Aging – Notification of Grant Award**
(Title III Federal Grants - \$162,183)

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and to authorize Commissioner Randall to sign the NGA as presented. Motion carried.

- b. **Department of Juvenile Justice**

Also Present: Dan Schaidt, Director, Juvenile Justice

Intergovernmental Agreement
(Community Juvenile Intervention Worker to work with HotSpots of the
County Total Federal Funds: - \$35,000)

Commissioner Anderson moved, seconded by Commissioner Raley, to approve and to authorize Commissioner Randall to sign the Agreement as presented. Motion carried.

- c. **Marcey Halfway House** – Annual Grant Application
Fiscal Year 2000 Budget Request
ADA - \$163,985; County - \$45,631; Other Revenues - \$40,000

Also Present: Larry Harvey, Director, Marcey House

Commissioner Mattingly moved, seconded by Commissioner Raley to approve and to authorize Commissioner Randall to sign the Marcey House Grant Application as presented. Motion carried.

- 3. **Letter to Fire Marshal** (requested by Development Review Forum)
(Requesting increase in staff for sprinkler plan reviews and field inspections)

The Commissioners requested amendments to the letter and agreed to sign the letter as revised.

- 4. **Education Maintenance of Effort Calculation**
(Nonrecurring Cost Exclusions)
Letter to Maryland Department of Education requesting nonrecurring cost exclusions

Commissioner Guazzo moved, seconded by Commissioner to approve and to sign letter to the Maryland Department of Education. Motion carried.

- 5. Mulberry South Taxing District – Road Deed for Helen Lane and Phillip Lane

Commissioner Guazzo moved, seconded by Commissioner Raley to approve and to authorize Commissioner Randall to sign the Road Deeds as presented. Motion carried.

- 6. **Office of Capital Projects**
Airport Capital Improvement Program – Grant Acceptance
Obstruction Removal

Also Present: Jim Stirling, Director

Federal Grant Share - \$180,000
State Share 10,000
County Share 10,000

Mr. Stirling explained that the Grant Acceptance, which requires approval and Commissioner Randall's signature, is a follow up to the grant application previously approved by the Board. He requested authorization for Commissioner Randall to sign the Grant Acceptance.

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the Grant Acceptance as presented. Motion carried.

- 7. **Department of Public Works – Special Announcement**

Phone Book Recycling Contest

Individual Achievement Award (K-12) - Ryan J. Albertsen of Great Mills
Group Achievement Award – Hollywood Elementary School Recycling Club
Institutional Achievement Award – Patuxent River Naval Air Station,
Environmental Support Group

8. **Resolution**
Comprehensive Land Use Plan

The Commissioners requested time to review the Resolution and agreed to take action on the document next week.

EXECUTIVE SESSIONS

Commissioner Anderson moved, seconded by Commissioner Raley, to meet in Executive Session to discuss matters of Personnel (Vacant Positions) and Property Acquisition, as provided for in Article 24, Section 4-210(a)1, and Article 24, Section 4-210(a)11, respectively. Motion carried.

Personnel (Vacant Positions)

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Mortimer Smedley, County Administrator
Al Lacer, Attorney

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

Time Held: 11:05 a.m. – 12:03 p.m.

Action Taken: The Commissioners discussed employment contracts and agreed to take action in open session.

Follow Up to Executive Session

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve a letter to be signed confirming last week's announcement regarding the current County Attorney's contract. Motion carried.

Commissioner Mattingly moved, seconded by Commissioner Guazzo, to approve the contract terms as discussed in Executive Session. Motion carried.

Announcement

As a follow up to the referenced motions, Commissioner Randall advised that the Board of County Commissioners is pleased to announce that Mr. Al Lacer will be joining the staff as county attorney for St. Mary's County. Mr. Lacer is expected to come on board May 10, 1999, and in the interim, the County has contract attorneys to handle any legal work.

COUNTY COMMISSIONERS' TIME

Unified Development Code

Commissioner Anderson relayed information he received from Director of Planning and Zoning Jon Grimm pertaining to the process for the development of the Unified Development Code (Zoning Ordinance Update), now that the Land Use Plan has been adopted. The current Zoning Ordinance will remain in effect until the new Ordinance is approved; any subdivision project receiving preliminary approval is "grandfathered" for two years to receive final approval, even if the current Ordinance is replaced. Subdivisions with final approval are vested for one year from any regulatory changes to record the plat. Once a plat is recorded, under current law, it is a buildable lot; site plan final approval is vested for one year to receive a building permit.

Regarding the schedule, Mr. Grimm has indicated that based on the fact that the Commissioners had taken three months to review and feel comfortable with

action the Board had taken on the CLUP, it sets back the schedule for the Unified Code from Labor Day now to around Thanksgiving. The Planning Commission will have several workshops; by mid August, the draft will be available for public review.

Commissioner Guazzo noted that the Commissioners will be working with staff and the Planning Commission during the process to ensure that the Board will be familiar with the document.

Funeral Services for Deputy Keith Fretwell

Commissioner Mattingly stated that he participated in the funeral services for Keith Fretwell, and he wanted to compliment the Sheriff's Office and community groups for putting together the arrangements.

Parking Situation at Ballfields near NAS

Commissioner Raley referred to the comments received by telephone at the public forum regarding the parking of cars along Route 235 for access to the ballfields. He stated that he visited the site and that he counted 21 cars parked along the side of the road, and indicated that he would be contacting Director of Recreation and Parks Phil Rollins to look into improving the situation.

County Attorney Position

Commissioner Raley, in response to the announcement regarding the County Attorney position, stated that the Board is aware of the issues that need to be dealt with and is handling them in a professional manner, and that progress is being made.

MTA Commuter Bus Services

Commissioner Anderson referred to the public meetings regarding proposed changes to the commuter bus services from Charlotte Hall to the Washington area (reduction from 17 to 14). There will be another public meeting on March 31 and encouraged people to attend the meeting to voice their concerns.

Regional Community College Legislative Proposal

Commissioner Randall advised that she attended a meeting with the Southern Maryland Delegation regarding the proposed tri-county regional community college. A lot of progress was made, and that she was optimistic that there will be a tri-county regional college.

FISCAL YEAR 2000 BUDGET WORK SESSION

Present: Steve Welkos, Director of Finance

At this time the Commissioners continued their work session on the Fiscal Year 2000 Budget (Operating and Capital).

At the conclusion of the review, Commissioner Guazzo moved, seconded by Commissioner Mattingly, to adopt and sign the Fiscal Year 2000 Recommended Operating and Capital Budget, as amended. Motion carried.

EXECUTIVE SESSIONS

Commissioner Mattingly moved, seconded by Commissioner Anderson, to meet in Executive Session to discuss a matters of Property Acquisition), as provided for in Article 24, Section 4-210(a)11, respectively. Motion carried.

Property Acquisition

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Mortimer Smedley, County Administrator

Authority: Article 24, Section 4-210(a)11
Time Held: 6:10 p.m. – 7:04 p.m.

Action Taken: The Commissioners discussed property acquisition issues.

ADJOURNMENT

The meeting adjourned at 8:05 p.m.

Minutes Approved by the
Board of County Commissioners on 4/6/99
Judith A. Spalding
Judith A. Spalding, Recorder