

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
September 7, 1999**

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson (Joined the meeting during discussion of Tudor Hall Project)
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Mortimer L. Smedley, County Administrator
Mary M. Langley, Recording Secretary

CALL TO ORDER

The meeting was called to order at 10:05 a.m.

ADDITIONS/DELETIONS TO AGENDA

Commissioner Mattingly moved, seconded by Commissioner Raley, to accept the agenda as amended (defer Executive Session on Personnel). Motion carried.

APPROVAL OF CHECK REGISTER

Commissioner Raley requested information on payment of \$18,265 to Prince George's County Circuit Court; also, noting the \$107,343 payment for engineering services related to FDR Blvd., he requested a future update from Mr. Erichsen, Department of Public Works, on where the county stands relative to expenditures to date on the project.

Commissioner Raley moved, seconded by Commissioner Guazzo, to authorize Commissioner President Randall to sign the Check Register. Motion carried.

APPROVAL OF MINUTES

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, August 31, 1999, as presented. Motion carried.

COUNTY ADMINISTRATOR

Present: Mortimer L. Smedley, County Administrator

- **Draft Agendas for September 14, 1999 and September 21, 1999.**
(Commissioner Randall requested that a discussion of the process to use in reviewing the draft of the Unified Development Code be added to next week's agenda.)

1. Department of Public Works - Public Works Agreement Addendum

Also Present: George Erichsen, Director

Public Works Agreement Addendum for St. James Subdivision, Section 2, located in the 1st Election District, extending the completion date to August 1, 2000; backed by a Letter of Credit provided by Wachovia Bank in the amount of \$398,000.

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the Public Works Agreement Addendum for St. James Subdivision. Motion carried.

2. Office of Central Services – Transportation Policy

Also Present: George Jarboe, Transportation Supervisor

Mr. Jarboe provided an overview of the revised Transportation Policies and Procedures Manual, which replaces Policy Memorandum 89-1. He noted that the revised policy has been distributed to all departments for review and their comments are incorporated into the document. The county will now be performing in-house maintenance on county-owned vehicles to include the Sheriff's Department; however, the Sheriff's Department will be adhering to their own vehicle policy, which is more stringent than the county's. (Commissioner Mattingly requested copies of the Sheriff's policy for the Board.) Disciplinary measures for violation of the county's Transportation Policy are outlined in the Personnel Manual.

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve the Transportation Policies and Procedures Manual as presented. Motion carried.

3. Dept. of Planning and Zoning – Critical Areas Grant Agreement

Requesting approval of Critical Area Grant Contract for FY2000 which funds portions of the salaries for personnel involved in state-mandated implementation of the county's Critical Areas Program. The grant had been reviewed and approved in the county's FY2000 budget.

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the Critical Areas Grant Agreement. Motion carried.

4. Boards, Committees And Commissions – Letters of Appointment

Commissioner Mattingly moved, seconded by Commissioner Raley, to make the following appointments and to sign the letters of appointment as presented. Motion carried.

<u>Commission for the Disabled</u>	<u>Terms to Expire</u>
Arthur Shepherd, <i>Recreation & Parks Rep.</i>	12/31/2003
<u>Economic Development Commission</u>	
Capt. Paul E. Roberts	06/30/2002
Jane Sypher	06/30/2002
<u>Housing Authority Board</u>	
Francis X. Forrest, Sr., <i>Reappointment</i>	06/30/2004
<u>Plumbing Board</u>	
Ann Rose	No Term
<u>Recreation and Parks Board</u>	
John Haas, <i>Board of Education Rep.</i>	12/31/2002

COUNTY COMMISSIONERS' TIME

Proposed Rubble Bee Facility in Lexington Park

Commissioner Guazzo noted that although the Commissioners were unable to attend the public meeting on the proposed Rubble Bee facility on Copeland Drive below the Naval Base, the Commissioners have a video tape of the meeting and are reviewing it. The approval process provides for a Public Hearing before the Board of County Commissioners, so the public will have an opportunity to give their input on the proposal.

Financial Disclosure Statement Requirements for Boards and Committees

Commissioner Guazzo requested that the Commissioners review the need for various advisory boards to submit financial disclosure statements. It was noted that the county's requirement is more stringent than the state's and that the requirement has made it difficult to attract and retain volunteers to serve on these boards. Commissioner Randall requested that the County Attorney take a look at this requirement, and the Commissioners agreed to put it on a future agenda for consideration.

**DIRECTOR OF FINANCE
SUPPLEMENTAL APPROPRIATIONS**

Present: Desiree Ridgell, Accounting Officer

1. **Public Hearing – Recreation and Parks – State Waterway Improvement Grants (3)**

Also Present: Phillip D. Rollins, Director

Ms. Ridgell noted that the Public Hearings have been advertised in the August 25 and September 1, 1999 editions of The Enterprise. Mr. Rollins stated that the grants are 100% state funded.

- a) To consider a supplemental appropriation of \$5,000 in state Waterway Improvement grant funds for the purpose of providing county-wide maintenance and repairs to various public boat ramps.
- b) To consider a supplemental appropriation of \$50,000 in state Waterway Improvement grant funds to enable extension of the boat ramp into deeper water and dredge the area around the boat ramp at Piney Point Public Landing.
- c) To consider a supplemental appropriation of \$25,000 in state Waterway Improvement grant funds for the purpose of planning, designing, and constructing a catwalk adjacent to an existing public boat ramp at Abell's Wharf.

Commissioner Randall opened the public hearing for public comments. There being none, the hearing was closed. The record will remain open for 10 days to receive written comments.

Commissioner Mattingly noted that the county's small public landings were not identified on the state road maps and requested that Mr. Rollins contact the state and ask them to put up signage on the main arteries to identify their locations.

2. **Supplemental Appropriation Ordinance – Office on Aging**
(Follow up to public hearings held on August 24, 1999.)

Also Present: Eugene C. Carter, Director

Mr. Carter indicated that no written comments had been received during the 10-day public comment period following the public hearing.

- a) Ordinance No. 99-10 – \$5,999 state grant funds for Senior Care Program
- b) Ordinance No. 99-11 --\$1,100 federal grant funds for RSVP
- c) Ordinance No. 99-12--\$6,330 state grant funds for Vulnerable Elderly Program

Commissioner Mattingly moved, seconded by Commission Raley, to approve and sign Supplemental Appropriation Ordinance Numbers 99-10, 99-11, and 99-12 as presented. Motion carried.

COUNTY ATTORNEY

Present: Alfred A. Lacer, County Attorney

1. Tudor Hall Project Discussion

Also Present: Daniel Burris, Leonardtown Recreation, Inc.
Harry "Chip" Norris, Major of Town of Leonardtown
Delegate John F. Wood, Jr.

Mr. Lacer provided an update on the Tudor Hall project relative to negotiations pertaining to collateralization and repayment of a \$3 million proposed loan by the county to the town of Leonardtown, through Leonardtown Recreation, Inc. (LRI). Based upon the results of a favorable economic feasibility study undertaken by the Maryland Stadium Authority in July for the state, the state has agreed to provide about \$5.7 million to the project, of which \$1 million is to be a loan and the balance grants. The loan is repayable from project proceeds. The state would also receive 50% of project surplus as defined in the Ferris, Baker, Watts term sheet.

Details of the discussion pertained to parity and subordination issues and repayment terms related to the state, county and private investors. The Commissioners directed the County Attorney to negotiate with LRI to find a middle ground between LRI's request and county expectations. They reiterated their support of the project for economic development in the county. The Commissioners determined that a meeting with the state and town would be necessary to ensure the majority of project surpluses would remain in St. Mary's County.

LRI requested that the county move swiftly (5 to 6 days) due to the town's desire to go to the bond market to obtain private investor funding for the project if the county and LRI could not agree on terms..

2. Dukehart's Creek Special Taxing District Discussion

Also Present: George Erichsen, Dept. of Public Works
Delegate John F. Wood
Robert Kopel, Resident

Mr. Lacer and Mr. Erichsen provided a historical overview of the Dukehart's Creek project and of difficulties the county has experienced administratively in attempting to set up a taxing district to handle the dredging of this channel, which is rapidly deteriorating. A short-term dredging solution would cost \$15,000 and should hold up for approximately 2-5 years before silting filled the channel again. The state set aside funding in FY99 for this project (which is now in danger of being absorbed into the FY2000 budget) in the form of either a grant of \$7,500 to be matched by the county or a loan of \$15,000, half of which must be paid back. Mr. Lacer indicated that the county has already probably expended more than \$7,500 administratively dealing with this issue and that he is not comfortable with the taxing district documents developed to date to sign off on their legal sufficiency. He recommended that the Commissioners consider granting the \$7,500, noting the unique circumstances of this project to include a state grant which is in jeopardy. Mr. Kopel indicated that the community has been seeking a spoil site for the dredging, and is confident that one can be located.

The Commissioners indicated a desire to move forward with funding for this project due to its unique circumstances and determined that they not lose site of the taxing district issue.

Commissioner Guazzo moved, seconded by Commissioner Anderson, to provide a matching grant of \$7,500 and to advise the state of this decision so that the project can go forward. Motion carried.

Delegate Wood stated he would relay the Board's decision relative to providing a matching grant. The Commissioners determined that the taxing district issue remain on their agenda and that it be given high priority.

ADJOURNMENT

The meeting adjourned at 3:15 p.m. with the Commissioners departing for a reception for the Maryland Senate Budget and Taxation Committee at the Nook and Monks' restaurant in Leonardtown.

**Minutes Approved by the
Board of County Commissioners on 9/14/99**

Judith Spalding for
Mary M. Langley, Recording Secretary