

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
October 12, 1999**

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

CALL TO ORDER

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

ADDITIONS/DELETIONS TO AGENDA

Commissioner Anderson moved, seconded by Commissioner Raley, to accept the agenda as presented. Motion carried.

APPROVAL OF CHECK REGISTER

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

APPROVAL OF MINUTES

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve the minutes of the Commissioners' meeting of Tuesday, October 5, 1999, as amended. Motion carried.

**PROCLAMATION
NATIONAL BREAST CANCER AWARENESS MONTH**

The Commissioners presented a Proclamation designating October as National Breast Cancer Awareness Month.

COUNTY ADMINISTRATOR

Present: Mortimer L. Smedley, County Administrator

- Draft Agendas for October 19, 1999 and October 26, 1999

During discussion of the draft agenda for the October 26 meeting, the Commissioners discussed whether the public hearing scheduled for the Homestead Tax Credit was needed. If there is no change from the current 5% tax credit, a hearing is not required.

After discussion the Commissioners agreed to keep the Homestead Tax Credit at the current 5%.

1. Department of Public Works

Also present: George Erichsen, Director, DPW

- a. Public Works Agreement for Continued Maintenance and Repair for Victoria's Grant Subdivision, Section 1, located in the Eighth (8th) Election District. A letter of Credit has been provided by the Maryland Bank & Trust Company in the amount of \$34,000.
- b. Public Works Agreement Addendum for Hickory Hills North Subdivision located in the Eighth (8th) Election District extending the completion date to October 1, 2000. The Bond provided by the United Pacific Insurance Company is being reduced from \$458,000 to \$105,000.
- c. Public Works Agreement Addendum for Wilderness Cluster Subdivision located in the Third (3rd) Election District extending the completion date to October 1, 2000. The Letter of Credit was provided by the Key Bank & Trust Company in the amount of \$37,000.
- d. Public Works Agreement Addendum for John Wayne Estates Subdivision located in the Fourth (4th) Election District extending the completion date to October 1, 2000. The Letter of Credit provided by The First National Bank of St. Mary's in the amount of \$93,000 is being reduced to \$36,000.
- e. Public Works Agreement Addendum for Greens Rest Farm Subdivision located in the Eighth (8th) Election District extending the completion date to October 1, 2000. The Letter of Credit provided by The First National Bank of St. Mary's in the amount of \$154,000 is being reduced to \$51,000.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign Public Works Documents as presented. Motion carried.

2. Grant Document-Office of Central Services
ADA Grant Agreement-Mass Transit Administration

Also present: Jim Haley, Manager, Office of Central Services

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

3. Boards and Committees
Letters of Appointment

Recreation and Parks Board
Coleman Hillman

Term To Expire
12/31/2000

Commissioner Raley moved, seconded by Commissioner Guazzo to approve and sign the letter of appointment. Motion carried.

4. Information Release
Proclaiming October 30, 1999 as the Official *Trick or Treat Night*

The Commissioners agreed to distribute the Information Release as presented.

5. Aerial Spraying for Adult Mosquitoes

Also present: Dr. Ebenezer Israel, Health Officer
Donna Sasscer, Agricultural Seafood Specialist

The County Administrator presented a request for approval of aerial spraying for mosquito control, which is approved by the Board, must be coordinated with FAA and the Navy. Requests for the spraying have been received from St. George Island and Piney Point communities in that truck spraying has been ineffective in reducing the large mosquito population resulting from the flooding caused by Hurricane Floyd.

Areas of discussion included whether it was warranted because we would be having frost within the next few weeks; whether by the time approvals were received, it would not be needed; need for information on about the spraying product; that it was a

quality of life issue; how evaluations as to the need for spraying are done; and that more than 24 hours notice should be given to the communities.

After discussion Commissioner Mattingly moved, seconded by Commissioner Raley, to send a letter to the Maryland Department of Agriculture approving the aerial spraying contingent upon the recommendation of the County's Health Officer regarding product information and upon evaluation of the situation, and that more than 24 hours notice is given. Motion carried four to one with Commissioner Guazzo voting against stating she saw no need for aerial spraying because frost would be coming soon, that it has not been proven to be effective, and that the Health Officer said that there were no health reasons and no emergency reasons for advocating the spraying.

**OFFICE ON AGING
FIFTH DISTRICT SENIOR CENTER**

Present: Gene Carter, Director, Office on Aging
Representatives of the Fifth District Homemakers' Club

Mr. Carter appeared before the Board to request favorable consideration for the establishment of a temporary Fifth District Senior Center at the Mt. Zion United Methodist Church. He advised that Rev. Ayres has offered use of the church, in cooperation with the Fifth District Homemakers' Club, on a temporary basis for two to three years. Mr. Carter pointed out that a Fifth District Senior Center has been in the Capital Budget since the mid 90's, but because of other priorities, it has been deferred. The Office on Aging has been exploring various locations for a building which resulted in failed attempts to find a site, and the Fifth District Homemakers' Club spoke with Rev. Ayres about using the church for this purpose. To proceed with the plans would require approximately \$20,000 in operating funds for a program specialist two days a week and supplies and materials.

If approved by the Commissioners, a "Grand Opening" celebration is scheduled for October 18, 1999.

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve the allocation of funds from the Contingency Fund to cover the costs of proceeding with the project. Motion carried.

A budget amendment will be submitted to implement this action.

**ST. MARY'S PUBLIC SCHOOLS/BOARD OF EDUCATION
STATE CAPITAL IMPROVEMENT PROGRAM - FY 2001 - 2006**

Present: Dr. Patricia Richardson, Superintendent
Brad Clements, Building Facilities
Steve Welkos, Director of Finance

As a follow up to last week's discussion representatives of public schools and the Board of Education appeared before the Board to address the school's State Capital Improvement Program for Fiscal Year 2001 - 2006, and to request the Board to sign off on the letter of transmittal to the State.

Areas of discussion included:

- ❖ The need for the three main projects for Fiscal Year 2001 (Tech Center, Carver Replacement, and Margaret Brent);
- ❖ Reluctance of the Commissioners to sign a letter giving preliminary "approval" of a document knowing that the County cannot afford all of the projects;

- ❖ Implications if the Commissioners did not sign the letter to IAC (if it would give a wrong signal to the State); and that the State looks for local government approval when providing funding;
- ❖ That the Commissioners agree that the projects are critical, but had concerns regarding debt affordability and that the needs do not match the available resources of the county;
- ❖ Concerns regarding increased percentages of funding by the County in comparison to the State's share for each of the projects;
- ❖ That increases in student enrollment and programs and the need to meet the state's requirements and technology initiatives drive the CIP;
- ❖ The question of whether the State will provide full funding for all the CIP projects;
- ❖ Concerns regarding teacher shortage which needs to be addressed;
- ❖ That raising taxes to accommodate these projects should be a last resort;
- ❖ That perhaps the Carver project could be submitted as a legislative action instead of the standard CIP;

After discussion the Commissioners requested staff to work with public school staff to redraft the letter in accordance with the Commissioners' concerns.

Later in the meeting Mr. Welkos and Mr. Clements returned to the Board with a revised letter to the Interagency Committee regarding the CIP.

Additional areas of discussion included:

That if the IAC does not approve all the projects, that the County not pursue the appeal process;

That the change in the state's funding formula, which allows inclusion of some of the alternates actually increased the County's share;

That the time lines imposed by the State for submission of CIP projects is not in alignment with the County's budget schedule;

That the State relieve the County of the impact of forward funding;

That the wording of the letter not jeopardize any of the projects.

After lengthy discussion Commissioner Anderson moved, seconded by Commissioner Randall, to forward the letter as written, but with the strengthening of the statement regarding the impact of forward funding on the County. Motion failed two to three with Commissioners Guazzo, Mattingly and Raley voting against.

After further revisions, Commissioner Mattingly moved, seconded by Commissioner Guazzo to sign and forward the letter as revised. Motion carried.

MD DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Present: Raymond Skinner, Secretary, MDHCD
Marge Wolf, Deputy Secretary
Other Representatives of MDHCD
Dennis Nicholson, St. Mary's Housing Authority
Susan Wilkinson, Deputy Director, DECD

Representatives of the Maryland Department of Housing and Community Development appeared before the Board to provide a briefing on MDHCD's programs prior to taking a tour of housing projects in St. Mary's County.

Secretary Skinner reported that:

That MDHCD encourages healthy communities throughout the State by acting as a community development bank (providing dollars for community projects, e.g., homeownership, infrastructure development, revitalization, and historic projects).

Three principles are targeting, leverage of dollars, and partnering.

Three major program areas are housing financing, historic and cultural programs, and community revitalization and development.

In closing Secretary Skinner advised that the Governor has announced that the County's CDBG grant application for construction of a head start and family support center has been approved by the State in the amount of \$700,000.

At this time the Commissioners, county staff, MDHCD, and others departed for lunch at the Tavern on the Village and a tour of county housing projects.

HUD COMMUNITY OUTREACH PARTNERSHIP GRANT

Present: Martin Fairclough, Director, DECD
Susan Wilkinson, Deputy Director
Dennis Nicholson, Director, Housing Authority
Charlene Newkirk, Program Manager, Patuxent Woods
Dr. Andy Kozak, St. Mary's College

The referenced individuals appeared before the Board to advise that the Department of Economic and Community Development and St. Mary's College are pursuing investigating projects for the HUD Community Outreach Partnership Grant. The grant, a three-year project, is for the research and addressing three urban projects, including housing, revitalization, economic development, job training, health care, education, etc. through the establishment of Community Outreach Partnership Centers. Deadline for the project is June 2000. Ms. Wilkinson pointed out that the focus will be the Lexington Park Revitalization Area, and the County can apply for up to \$400,000 with a local match which can be in-kind.

In closing Ms. Wilkinson advised that no action was needed today, but they would return at a later date to get approval to proceed.

"MARYLAND YOU ARE BEAUTIFUL" PROGRAM

Present: Cynthia Brown, Director, Office of Community Services
Floraine Applefeld, Coordinator, "Maryland You Are Beautiful"
Nominees and Friends and Family members

Commissioner Randall welcomed all in attendance and expressed appreciation to all the many volunteers who give their time and energy to our community. Recognition and Commendations were given to the following individuals: Father Raymond Moore, Richard Adams, Gwen Bankins, Agnes Birch, Walter Baumgardner, Ronald Ciecka, Janet Cook, James Forrest, Father Thomas A. Gude, Mary Herbert, John Kopp, Clancy Lyle, Marianne Nystrom, John Parlett, Jr., Audrey Ridgell. The volunteer selected as St. Mary's representative for "Maryland You Are Beautiful" Program in Annapolis, was Marianne Nystrom.

COUNTY ATTORNEY

Present: Al Lacer, County Attorney

Update on Colton Estate Grant
Subrecipient Grant

Mr. Lacer provided a status report on the Colton Estate Grant and advised that a final draft of the Subrecipient Agreement between the Commissioners and the Maryland Office on Aging. The purpose of the Agreement is for the administration of the \$800,000 grant from the Colton Estate.

After discussion Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve the Subrecipient Agreement between the County and the State of Maryland for the Colton Trust Fund. Motion carried.

Banneker/Loveville School Sewer Line

Also present: Steve King, Director, MetComm

Mr. Lacer presented an overview of the current status of the Banneker Sewer Line, and Mr. King presented the Commissioners with funding alternatives for the Banneker/Loveville Elementary School Sewerage Project. Mr. King advised that since the Villages of Leonardtown received preliminary approval for connecting to the sewer from the Planning Commission in 1997, MDE has verbally allowed the Village to be an exception to their no-access policy. The Board of Education estimates that the cost for construction of an on-site wastewater pumping station, collection system, and lines will cost approximately \$539,000. This system would be capable of serving the school as well as other existing properties with failed or failing septic systems. MetComm estimates a force main to serve the school and several other failed systems at less than \$300,000 cost to the County.

Areas of discussion included:

Responsibility for costs of the project (County – 100% if the school project goes first; or cost shared with the Villages if that project goes forward first); alternatively, a cost sharing agreement could be reached.

Financing and construction options including building the sewer project as part of a public project.

Whether the commercial area in Leonardtown Center should be included.

That Dr. Stenzler of the Interagency for School Construction was clear in his understanding in his latest correspondence that there will be no access to that line except for the school and other properties with failed or failing systems. This could change if state agencies alter their previously stated position.

In conclusion direction was given as follows:

That MetComm would send a letter to MDE requesting verification that it will consent for Villages of Leonardtown to connect and that it is that agency's authority to make that decision and stating that the parties to the Denied Access Agreement are the County and MetComm; (The Commissioners agreed that nothing should be done about options until a written response is received from MDE in order to not jeopardize the sewer line project for the school.)

To draft a letter to the IAC to go with the CIP indicating that the line is funded and can be constructed in 2000 for Banneker/ Loveville with understanding that the Commissioners and MetComm have agreed to provide for a denied access to other properties as required by the IAC.

COUNTY COMMISSIONERS' TIME

Workforce Investment Board

Commissioner Anderson reported that the nomination process for the Board has been completed and he requested the Commissioners concurrence to forward the list to the Governor's Workforce Investment Board as to the Boards of Commissioners for Calvert and Charles Counties. The Commissioners gave their concurrence.

Departmental Reports

Commissioner Mattingly expressed appreciation to county staff for providing monthly departmental reports.

Firemen's Convention Harry Lundeberg School

Commissioner Mattingly stated he attended the Convention at Harry Lundeberg School this past weekend and that there was a good turnout.

Farm Life Festival

Commissioner Anderson advised that he attended the Second Annual Farm Life Festival in Charlotte Hall and expressed appreciation to the Parlett family for hosting the event.

PUBLIC FORUM

Aquifer Presentation

Present: Steve King, Director, MetComm
Tom Russell, Deputy Director, "

Mr. King and Mr. Russell gave a presentation on aquifers in St. Mary's County based on a report by the Maryland Geological Survey. The presentation included a review of Southern Maryland's geology, St. Mary's County's Aquifers, and Effects of Aquifer Use. (This report was presented to the Board of County Commissioners at a previous meeting.)

After the presentation the Forum was opened for questions and comments from the audience.

Alison Taylor – Expressed concerns regarding preservation of our water supply and submitted a number of recommendations to the Commissioners including a three-month moratorium, establishment of a water policy task force, and establishment of land development guidelines for aquifers. Presented petitions calling for a strategic plan and water study.

Jay Hanks – Indicated that there have been a number of studies done on aquifers and instead of more studies, passage of regulations and development of solutions that change the path from disaster to sustainable development.

Daphne McGuire – Expressed concerns about development and its impact on water resources and the quality of life; pointed out that Charlotte Hall has been experiencing a lot of commercial and residential development but no Sheriff's station, which, she stated, was very much needed.

Clare Whitbeck – Referenced the Board of Education's CIP and stated that if the Commissioners cannot fund the schools how could the Commissioners make

commitments for housing projects which will produce children for those schools. Invited the Commissioners to attend a program on growth management sponsored by the League of Women Voters and the Chesapeake Bay Foundation on October 28 at the Metropolitan Commission office.

Ed Dowgiallo – Expressed concerns about limited water supplies and indicated support for taking measures to conserve water (major users be required to have meters; building moratorium on constructed that would be connected to aquifers in question; that a study be done on projected rates of all aquifers; well height water monitor instituted by the County).

Bob Lewis – Referred to the water situation and pointed out that as of today the world's population is now 6 billion.

Linda Murdock – Stated she signed Ms. Taylor's petition and stated she was impressed that the Commissioners are interested in addressing this issue.

Peter Conrad – Indicated that he did another survey without the moratorium issue and received a 60% response from those who would not sign Ms. Taylor's petition who were in support the idea of a study group to look into ways of reducing use of aquifer water and stated he would like to preserve the aquifer in perpetuity

Jean Campbell – expressed concerns regarding the future of the aquifers and supported the recommendation for the establishment of a water policy task force.

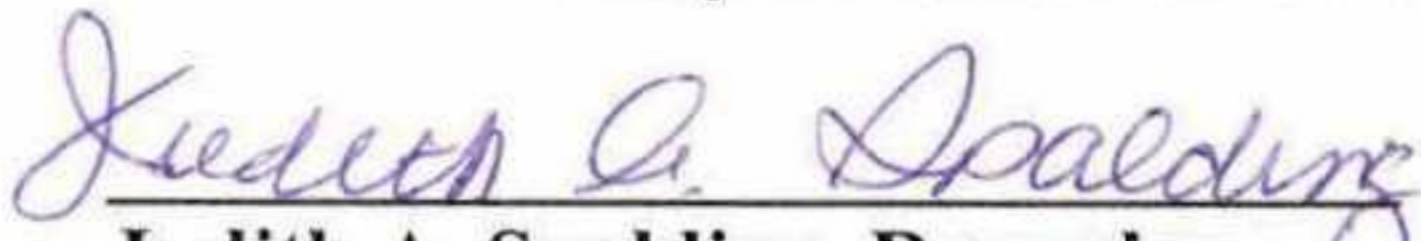
Minnie Russell – (1) Inquired as to why the Commissioners did not sign the Alzheimer's' Caregivers Day Out Program; (The Commissioners had requested the County Attorney's review prior to signing, and that it was subsequently approved and signed.) (2) Inquired as to the status of the Route 5 project toward Point Lookout. (Point Lookout Road from Great Mills to Point Lookout was brought to the attention of the Secretary of DOT during his visit on September 28, which was followed up by a subsequent letter.)

Merv Hampton – Stated that Route 5 to Point Lookout should be a top priority.

ADJOURNMENT

The meeting adjourned at 8:35 p.m.

Minutes Approved by the
Board of County Commissioners on 10/19/99


Judith A. Spalding, Recorder