

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
November 2, 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 10:05 a.m.

ADDITIONS/DELETIONS TO AGENDA

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

APPROVAL OF CHECK REGISTER

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

APPROVAL OF MINUTES

Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve the minutes of the Commissioners' meeting of Tuesday, October 26, 1999, as corrected. Motion carried.

**COMMENDATIONS
HURRICANE FLOYD WORKERS**

The Commissioners presented Commendations to various individuals and agencies that worked during the Hurricane Floyd storm.

COUNTY ADMINISTRATOR

Present: Mortimer L. Smedley, County Administrator

- **DRAFT AGENDAS** for November 9, 1999 and November 16, 1999

**1. SHERIFF'S OFFICE
GRANT AWARD DOCUMENTS – COPS II
(Community Oriented Policing Services)**

Also present: Lt. Charles Malone, Sheriff's Department

Universal Hiring Program – Supplement (\$150,000 federal funding) to previous COPS award for 2 additional full-time officers (total of 4 deputies). County funding: \$129,996 (over a three-year period for two deputies). Funding is budgeted in current fiscal year.

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the COPS Universal Hiring Supplemental Award document. Motion carried.

**2. SMC HOUSING AUTHORITY
EMERGENCY SHELTER GRANT AGREEMENT**

Also present: Dennis Nicholson, Director, Housing Authority

\$38,750 in federal funding (HUD) passed through the state (DHCD) to St. Mary's County on behalf of (3) subrecipients for transitional and emergency shelters: Three Oaks Homeless Shelter (\$22,965); Angel's Watch (\$10,585); Dept. of Social Services (\$5,200). No county match is required.

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

The Commissioners requested Mr. Nicholson to get additional information regarding Angels' Watch and requested him to get information on the homeless situation and on any public entity that will provide shelter and return to the Board at a later date regarding the homeless situation.

3. BUDGET AMENDMENTS

- a. Department Of Social Services**
#2000-13: \$650 (Undesignated Reserve) – Reimbursement of burial expenses

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign Budget Amendment No. 2000-13. Motion carried.

(The Commissioners requested Mr. Welkos to request DSS to include three to four burial expenses in the FY 2100 so that these budget amendments would not be required.)

- b. Department Of Public Works**
#2000-14: \$23,500 (Intra-Dept. Transfer)
Hermanville Road Project/ Phase I

Commissioner Raley moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign Budget Amendment No. 2000-14. Motion carried.

- c. SMC Public Schools**
#2000-15: \$439,000 (Intra-Dept. Transfer)
Leonardtown Middle, Roof Systemic Renovation Project
(Resolution is also required as funding involves bond issue.)

Also present: Pat Richardson, Superintendent of Schools
Brad Clements, Supervisor, Construction and Facilities

Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve and authorize signing of Budget Amendment No. 2000-15 and Resolution. Motion carried.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and sign Resolution No. 99-22 as presented. Motion carried.

- 4. SMC Public Schools**
FY2000 Categorical Transfer: \$26,210
(From Administration (vacant secretarial position) to Operation of Plant (two technology technician positions))

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and authorize signing of letter to the Board of Education approving the categorical transfer. Motion carried.

(Commissioner Randall reported that she had spoken with Yale Stenzler, Director of State School Construction at the MACo Executive Board meeting last week, and that he had expressed willingness to come to the County to discuss the State's Capital Improvement Program processes on November 23 the date of the joint meeting with the Board of Education. The Commissioners and Public School representatives gave concurrence.)

(Commissioner Anderson reported that he had attended a meeting on Maryland Business Education Roundtable and stated that it was important that the County is addressing the need for strengthening communications between businesses and education.)

**6. RESOLUTION NO. 99-23
RAILROAD RIGHT OF WAY EASEMENTS**

Also present: Al Lacer, County Attorney
George Erichsen, Director, DPW

Administrative Cost Resolution for Railroad Right-of-Way Easements
(Presentation of revised document as requested at 10/26/99 meeting)

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and authorize signing of Resolution No. 99-23. Motion carried.

7. COMMISSION FOR DISABLED

Letter of Appointment

Commissioner Anderson moved, seconded by Commissioner Raley, to appoint Gay Fowler to the Commission for Disabled for a term to expire December 31, 1999. Motion carried.

VILLAGE & TOWN CENTER MASTER PLANNING

Also present: Al Lacer, County Attorney
Jon Grimm, Director, DPZ

In response to a request from Commissioner Anderson, Mr. Lacer and Mr. Grimm appeared before the Board to discuss the possibility of an Interim Study Ordinance for the Callaway area in advance of the Unified Land Development Code (ULDC).

Areas of discussion included issues that drive the interim study (health, safety and welfare issues (transportation, water/sewer)); rezoning pressures in the community; that the 1998 Planning Commission recommendation that the Callaway area needed to be studied; the fact that some projects are already in process; Smart Growth issues and the protection of quality of life; and Commissioner Guazzo's recommendation that the Charlotte Hall and New Market areas should also be addressed (e.g., water/sewer and transportation corridor issues);

After lengthy discussion it was the consensus of the Commissioners to request staff to gather additional information and develop some options for consideration by the Board at a future meeting. (Commissioner Mattingly was not in agreement because the information regarding this interim study proposal was given to the Commissioners at the last minute.)

**PROCLAMATION
NATIONAL ADOPTION MONTH**

The Commissioners presented a Proclamation designating November as National Adoption Month

MILL RUN PLAZA

Present: Al Lacer, County Attorney
George Erichsen, Director, DPW

Mr. Lacer and Mr. Erichsen appeared before the Board to provide a briefing on the public hearing process for Mill Run Plaza and Commercial Park scheduled for Tuesday, November 9, 1999. The purpose of the hearing is to consider an amendment to the Solid Waste Plan for a proposed solid waste transfer station, material recovery facility maintenance facility, and fueling island north of Route 6, Charlotte Hall.

Areas of discussion included whether approval of the amendment would commit the Commissioners with regard to the PUD zoning application; that the project has to be located in an industrial zoned area; that the Commissioners' action would have to go to MDE for approval (MDE will have 90 days to approve, disapprove, or modify the Commissioners' action);

After discussion the Commissioners agreed to conduct the hearing from 6:30 – 8:30 p.m.; and from 8:30 – 9:00 p.m. open public forum in order to receive comments/questions on issues not related to the public hearing. If necessary, the public hearing will be continued to November 16 at 6:30 p.m.

SOUTHERN MARYLAND NAVY ALLIANCE

Present: Maurice "Butch" Long
Keith Fairfax
Adm. Brent Bennett

The referenced individuals appeared before the Board to provide an overview of the Southern Maryland Navy Alliance, its involvement in the BRAC (base realignment project) in the early 90's, its success in retaining NESEA in the County; and the strength of the Alliance because of its diversified membership.

The presentation included discussion of the expansion of the Naval Air Station (NAVAIR and Warminster); the potential for additional BRAC moves; an overview of the Joint Strike Fighter (JSF) Program and the importance of bringing this program to Patuxent River; that Pax River is the best technologically suited site for the JSF; encroachment issues; overview of unique technical capabilities and facilities at NAVAIR and Pax River (due anechoic chamber).

In conclusion the Commissioners expressed appreciation to the Alliance representatives and Commissioner Randall, on behalf of the Board, expressed the Commissioners' support of the primary industry's (the Navy) presence in the County.

PROPOSED NORTHERN COUNTY SENIOR CENTER

Present: Gene Carter, Director, Office on Aging
Jim Stirling, Director, Capital Projects
Phil Rollins, Director, Recreation and Parks
Dennis Nicholson, Director, Housing Authority

The referenced individuals appeared before the Board to present a proposal for a northern senior and community services center on 41.1 acres of county-owned property adjacent to the Charlotte Hall Veterans' Home. The concept is for a single campus grouping of services for seniors that includes a senior center, affordable senior housing,

daytime health and support programs for senior at risk of placement in long-term care facilities, in addition to other community services (which could include Sheriff's outpost, Head Start, etc). Mr. Nicholson displayed a drawing of the proposed center, which would have the activities on the first floor and housing units on the second and third floors.

Other features of the proposal included:

- ❖ That there is ample room for a future Recreation and Parks Recreational Center;
- ❖ The location is zoned RPD which permits the senior center and medical adult day center, but not multi-family dwellings, under either permitted or conditional use;
- ❖ The site has sewer service availability through the use of the reserve capacity of the treatment plant for Charlotte Hall Veterans' Home, contingent of approval by the Veterans' Home.

Areas of discussion included: grant funding source components; that the funding needs to all come in at the same time to see the project through, and if not it could jeopardize the rest of the project; the need for justification of the housing project; and whether the housing units should be on top of the activities center.

In conclusion the Commissioners requested more details; e.g., justification for the senior housing component; and the requirements in not only the northern end of the County (in addition to the senior center, and adult medical day care facility), but the entire county (senior housing assisted living and sheriff's outpost).

LEXINGTON HOMES PROPOSAL

Present: Louis Grasso, Developer
 John Picerne, Vice-President, Picerne Group
 Chris Bicho, Lexington Park Limited Partnership

The referenced individuals appeared before the Board to present a proposal for the revitalization of the 70-acre Lexington Manor development (known as the "flattops") in Lexington Park. The plan calls for the complete demolition of the current housing and the construction of 342 two, three and four bedroom duplex units using the current footprints and street layouts in addition to a 6,000 square foot community center.

Highlights of the presentation include:

- ❖ Complete redesign of the landscaping, but that the cherry trees will be preserved; walking paths will be included in the community; off-street parking; 5.5 units per acre; and large amount of lighting; full time manager and employees and maintenance supervisor;
- ❖ The project will be funded through \$25M tax-exempt housing program bonds administered by CDA along with tax credits and a \$6M investment by Picerne;
- ❖ There are 209 families on the Naval Air Station's waiting list, and this project would provide suitable housing for "moderate" income families;
- ❖ There are 175 out of the 342 units of Lexington Manor currently occupied; funds have been set aside for relocating assistance for these families (*Mr. Picerne will be submitting a full relocation plan.*)
- ❖ The project is required to start and be completed within 32 months;
- ❖ The developer is requesting a real estate tax abatement for 30 years; support from the Commissioners for the bond issue; that the group would not have to pay the economic impact fees, but would pay for standard fees (building permits, etc);

- ❖ That the project would contribute toward the revitalization of the Lexington Park area.

Areas of discussion by the Commissioners included:

Zoning issues - that the property is located within the AICUZ--whether the units are or are not non-conforming; whether the project can legally have 342 units under the AICUZ density requirements or be limited to 175 (the number currently occupied); whether the project would come under the existing zoning ordinance or the updated version; the Navy's requirements regarding AICUZ and encroachment issues;

The fact that the County is competing with Edwards Air Force Base in California for the new Joint Strike Fighter plane research project.

Concerns regarding displacement of current residents and the County's obligation to ensure these people have a place to live.

Letter from Maryland Department of Housing and Community Development regarding the loan application for the project requesting the Commissioners' support of the "low income" tax credit.

Changes to the project configuration in order to allow the project to go forward and also comply with AICUZ requirements.

If the County adopts the Zoning Ordinance currently being reviewed (and which eliminates residential use in the AICUZ), there will also be density issues with commercial properties.

Concerns that the current rental rate is \$249 and the average new rate will be \$725.

EXECUTIVE SESSION

Commissioner Mattingly moved, seconded by Commissioner Raley, to meet in Executive Session to discuss matters of Personnel, as provided for in Article 24, Section 4-210(a)1. Motion carried.

Personnel

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
George Forrest, Deputy County Administrator
Al Lacer, County Attorney
Phil Cooper, EMA
Judith A. Spalding, Recorder

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

Time Held: 5:55 p.m. – 6:27 p.m.

Action Taken: The Commissioners discussed a contract issue and agreed to take action in open session.

Follow Up to Executive Session

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve the employment contract for Phil Cooper as the Communications Manager as discussed in executive session. Motion carried.

**PUBLIC MEETING
YEAR 2000 LEGISLATIVE PACKAGE**

Present: Senator Roy Dyson
Delegate John F. Wood, Jr.

The Commissioners and legislators conducted a public meeting on the St. Mary's County's Year 2000 Legislative Package. The items in the package are:

1. **Public Facilities Bond**
To request authorization for the County Commissioners to borrow funds (Public Facilities Bonds) to finance future capital projects.
(\$ and projects to be determined at a later date).
2. **Nursing Center Board Appointment Process**
To change the appointment process for membership on the Nursing Center Board; specifically, that after the initial appointments, the Commissioners make the appointments instead of the Nursing Center Board.

Comments from the public included:

- ❖ Mike Thompson – Requested removal of the Forest Stewardship Plan Fees.
- ❖ Doug Ritchie – Requested that the County's Impact Fee structure be revisited to consider increasing the fee.
(Legislation not required because the County currently has legislative authority to impose the fee.)
- ❖ David Triantos – Inquired as to who has control regarding fishing limits in the Potomac River. *(The Potomac River Fisheries Commission has the authority.)*
- ❖ Mike Thompson – Requested that MetCom's authority be expanded in handling of water/sewer services to the public.

Delegate Wood reported that he will be working on the following issues during the upcoming legislative session:

- ❖ Requirements for Stopping for School Buses
- ❖ Automobile Ferry from Point Lookout to Crisfield.

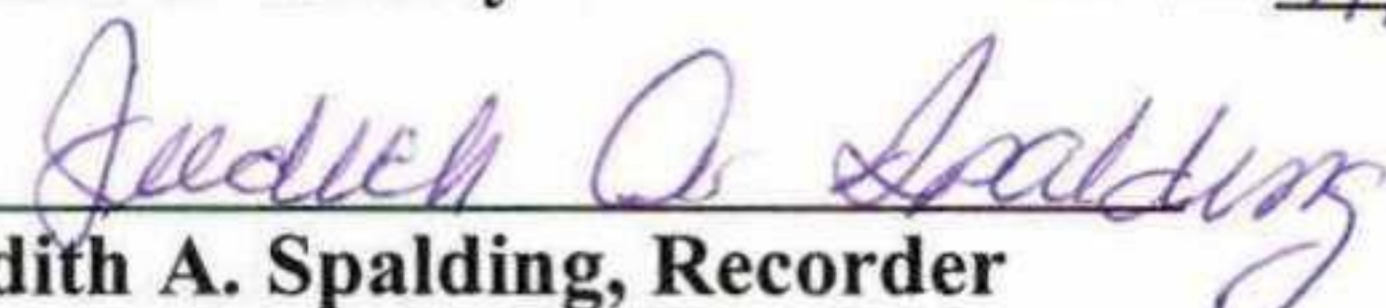
Delegate Wood advised the Board that he personally would not be taking forward any legislation that the Commissioners had not supported.

In conclusion the Commissioners agreed to schedule another public meeting in order to allow the public another opportunity to submit items. The meeting was scheduled for December 14 at 7 p.m.

ADJOURNMENT

The meeting adjourned at 7:50 p.m.

Minutes Approved by the
Board of County Commissioners on 11/09/99


Judith A. Spalding, Recorder