

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
December 7, 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
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 Guazzo moved, seconded by Commissioner Raley, to accept the agenda as amended (to add an executive session on boards and committees, if time allows). Motion carried.

EXECUTIVE SESSION

Commissioner Guazzo moved, seconded by Commissioner Mattingly, 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
Melvin McClintock, Director, Human Resources (left at 10:50 a.m.)
Marjorie Marsh, Manager, Information Technology “
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 10:15 a.m. - 12:35 p.m.
Continued: 1:00 p.m. - 2:05 p.m.

Action Taken: The Commissioners discussed several personnel issues and gave direction to staff.

**SEVENTH DISTRICT VOLUNTEER RESCUE SQUAD
BAY DISTRICT VOLUNTEER FIRE DEPARTMENT
REVOLVING LOAN REQUESTS**

Present: Al Lacer, County Attorney
Steve Welkos, Director of Finance
Keith Fairfax, Chair, Emergency Services Committee
Kate Mauck, Recorder

Mr. Lacer, Mr. Welkos and Mr. Fairfax appeared before the Commissioners to present a request for low-interest loans to be taken from the Fire and Rescue Revolving Loan Fund from the following three different institutions, for the reasons stated:

- Seventh District Volunteer Rescue Squad – request for a \$183,700 loan to assist in the acquisition of a replacement ambulance and in the renovation/addition to the squad building and parking lot;
- Bay District Volunteer Fire Department – request for a \$570,000 loan towards the purchase of a new ladder tower truck
- Lexington Park Volunteer Rescue Squad – request for a \$60,000 loan for a new ambulance.

Mr. Lacer presented information stating that the Revolving Loan Fund Account currently has \$1.5 million, with approval authorization of up to \$2 million available. One million dollars was added to the fund this year from the bond sale for the purposes of enhancing Fire and Rescue equipment and facilities. A loan was made in the amount of \$500,000 earlier this year to the Lexington Park Rescue Squad for a California substation which is currently under construction.

Mr. Welkos gave an in-depth explanation of the Revolving Loan Fund account. The law allows the County to loan up to 75% of the purchase price of equipment and up to 90% of the costs of land acquisition and construction costs. The three current loan applications, along with the loan to the Lexington Park substation come to a total of \$1,313,700. Should the applications be approved, room would still remain in the account for future requests. The term of these loans has been established at a ½% interest rate. All three loans would have seven-year terms. Mr. Welkos indicated all entities should have the capability to repay the debt; however, some needed documentation is still pending.

Mr. Fairfax indicated that if the loan is not approved, the Fire and Rescue Squads are prepared to go elsewhere to obtain commercial loans; however, the loan rate will be much higher, perhaps as much as 6% interest, depending upon the market at the time.

Commissioners had questions concerning the costs to the County, the payback schedule, and the upcoming request for a loan from the Mechanicsville Station. Mr. Fairfax indicated that the time constraint was not currently super-critical. The Commissioners asked that the following documentation be completed and presented to them prior to their final decision on this matter:

From the Seventh District Volunteer Fire Department:

- ❖ Articles of Incorporation
- ❖ External audit conducted by a certified public account

From Bay District Volunteer Fire Department:

- ❖ Signed application

After all pending documentation has been submitted and reviewed, the Commissioners will make a determination on this matter as quickly as possible. In addition, comments were made concerning the 12,000 square foot rule to meet BOCA requirements on sprinkler systems. This BOCA standard is the same in other counties as well. Mr. Mattingly requested that Mr. Fairfax submit written information to the Commissioners having to do with size of properties and the restrictions placed on substations.

NAVAL AIR TEST AND EVALUATION MUSEUM

Present: Keith Fairfax, Chairman, T&E Museum
Gary Hodge, Project Director
Martin Fairclough, Director, DECD
Henry Bohner, T& E Museum
Ed Cole, "
Michael Humphries, Director, St. Clements Museum
Andy Scott, DOT
Robin Finnacom, TCC
Tim Smith, NAS
David Jenkins, Director, TCC
Jim Sterling, Director, CIP
Kate Mauck/Judith Spalding, Recorders

Members of the Patuxent River National Air Museum Project Development Committee appeared before the Board to discuss the proposal for a new T&E museum, which must be relocated because of the widening of Route 235. The presentation included a four-color display of a possible rendering of their project. The many virtues of this enormous project were clearly stated, and the mission statement was read to the Commissioners. The State of Maryland had committed \$50,000 in funding, with St. Mary's County matching that amount, which was used in the planning process. The project is now at the point where securing capital project funding is necessary to go forward, and this is expected to become a national fundraising effort. Phase I of the project is estimated to cost \$11M (Funding Sources and estimated contributions: \$6M from State--\$2M for land and \$4M for capital program to build the facility; \$3M from private sector and fundraising efforts; and \$2M from the County (combination in-kind and cash over a two-to-three year period)). Mr. Hodge noted that a commitment is needed from the County in order to provide leverage for other partners' resources. Mr. Hodge pointed out that if the other funding sources did not come through, the County could withdraw its commitment. Because the General Assembly session begins January 12, the T&E Museum Committee would like to have the County's commitment as soon as possible, so that the Governor can include the State's contribution in its budget.

Mr. Fairclough gave an economic impact analysis, stating that there is a monetary impact of between \$3 and \$4 million dollars, a possibility of 45 to 50 new jobs, and payroll of approximately \$1 million annually. Mr. Fairclough stated that these preliminary numbers are quite conservative and understated, and that he would expect a more significant positive economic impact on St. Mary's County due to this project.

Commissioners expressed their gratitude to the citizens of the community for the tremendous time and effort put into the museum project. The implications of the project were discussed, and it was pointed out that the museum might also assist in the revitalization of Lexington Park.

After discussion Commissioner Raley moved, seconded by Commissioner Anderson, that the Commissioners formally endorse the Patuxent River Naval Test and Evaluation Museum project and make a commitment to stand behind this endorsement in the amount of \$2M in value (including in-kind) over the next two to three years.

Commissioners Mattingly and Guazzo indicated they would abstain on the motion because they needed more detailed information.

After further discussion the Commissioners agreed to table the motion and requested that prior to making a decision, that they receive more specific and detailed information about the project (including, plans, scope of project, how it fits in with the County's museum system) feedback from the Director of Finance.

EXECUTIVE SESSION

Commissioner Anderson moved, seconded by Commissioner Raley, to meet in Executive Session to discuss matters of Property Acquisition, as provided for in Article 24, Section 4-210(a)11. 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 L. Smedley, County Administrator
George Forrest, Deputy County Administrator
Al Lacer, County Attorney
Jim Stirling, Director, CIP
Gary Hodge, Project Director T&E Museum
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)11

Time Held: 4:02 p.m. – 4:45 p.m.

Action Taken: The Commissioners discussed a property acquisition matter related to the T&E Museum and gave direction to staff.

APPROVAL OF CHECK REGISTER

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

(During discussion of the bills, Commissioner Raley questioned the final payment for a video.)

APPROVAL OF MINUTES

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve the minutes of the Commissioners' meeting of Tuesday, November 23, 1999, as corrected. Motion carried.

PROCLAMATION

NATIONAL DRUNK AND DRUGGED DRIVING PREVENTION AWARENESS MONTH

The Commissioners presented a Proclamation designating the month of December as *National Drunk and Drugged Driving Prevention Awareness Month*.

SOUTHERN MARYLAND ELECTRIC COOPERATIVE TRANSITION TO CUSTOMER CHOICE

Present: Mark MacDougall, Vice-President, Regulatory Affairs, SMECO
Al Gough, Vice-President, Legal Services “
Mike Beavers, Asst. District Manager, St. Mary's County “

Mr. MacDougall provided an overview of Maryland's movement toward customer choice as well as SMECO's specific plan for transitioning to customer choice (SMECO customers will be able to purchase electricity from alternative retail power marketers). The restructuring of the electric industry is as a result of Maryland Legislation - Electric Customer Choice and Competition Act of 1999.

The presentation included:

- ❖ SMECO's schedule for commencement of Customer Choice (January 1, 2001 for retail access, two years ahead of the required time;
- ❖ SMECO has renegotiated its power supply contract with Pepco and entered into a new contract with Pepco Services, resulting in \$80M savings to customers;
- ❖ The restructuring will result in rate reductions for all customers;
- ❖ SMECO's stranded costs are considerably lower than other jurisdictions because of negotiations with Pepco and entering into the new contract with Pepco Services;
- ❖ Rebundling of rates -Costs will be broken down by categories in customer's billing (instead of one or two items on bills, there will be a list of fees);
- ❖ There will be a customer education program regarding available choices and when those choices will be available.

A copy of the Report is on file in the Commissioners' Office.

COUNTY ADMINISTRATOR

Present: Mortimer L. Smedley, County Administrator

- ❖ **Draft Agendas** for December 14, 1999 and December 21, 1999

1. **BUDGET AMENDMENTS**

- a) **No. 2000-17**
Orphans Court (\$1,200)
(to cover cost of a recorder necessary for Court hearings)

Also present: Norma Dawson, Register of Wills

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign Budget Amendment No. 2000-17. Motion carried four to one with Commissioner Raley voting against stating he believed the request should be done during the normal budget process.

- b) **No. 2000-18**
Human Resources
(to fund Real Property Manager II position to be located in the County Attorney's Office)

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign Budget Amendment No. 2000-18. Motion carried.

- c) **No. 2000-19**
Public Works
(to assist Human Resources with advertising costs for engineering vacancies within the Public Works Department)

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign Budget Amendment No. 2000-19. Motion carried.

2. **SUSTAINABLE COMMUNITY DEVELOPMENT**
Personal Services Contract For Consultant Services

(to be deferred until next week after County Attorney prepares contract)

3. **YEAR 2000 CENSUS**
Participation Registration – New Construction Program
Registration Form – Special Places (dorms, jails, etc.)

Also present: Mary Hayden, Planner, DPZ

Commissioner Mattingly moved, seconded by Commissioner Guazzo, to approve and authorize Commissioner Randall to sign the Registration Form. Motion carried.

4. **ORDINANCE NO. 99-19**
SUPPLEMENTAL APPROPRIATION
Office on Aging (Colton Endowment Funds) \$800,000
(follow up to 11/23/99 Public Hearing)

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and sign the Ordinance as presented. Motion carried.

5. **OFFICE OF CAPITAL PROJECTS**
W. M. DAVIS, INC. PLAQUES
(to receive copies of plaques awarded to W. M. Davis, Inc. to be permanently displayed at temporary courthouse)

Also present: Jim Stirling, Director, Office of Capital Projects
William Davis, W. M. Davis Corporation

Mr. Stirling advised that when the Temporary Courthouse was constructed, a plaque, awarded to W. M. Davis by Association of Builders and Contractors, was put on the wall. A duplicate copy was made so that Mr. Davis could have one for his office and the County could also have one for the Temporary Courthouse. Therefore, Mr. Davis, on behalf of his company, presented the plaque to the Commissioners.

COUNTY COMMISSIONERS' TIME

MACO/Tri-County Council Appointments

Commissioner Guazzo referred to the Commissioners' policy of rotating serving on various boards; e.g., MACO and Tri-County Council and inquired as to the status of the appointments to Tri-County Council.

Sheriff's Department

Commissioner Guazzo inquired as to the status of the Sheriff's Department's request for reconsideration of the salary review. Mr. McClintock, Director, DHR, advised that the classification study was amended to include the Sheriff's Department.

Video Taping of Commissioners' Meetings

Commissioner Guazzo referred to a letter from the Director of the Library in response to the Commissioners concerns regarding copying of tapes of meetings. Ms. Wood has offered to have the tapes available at the library and the library has facilities for copying. Commissioner Guazzo suggested a policy be developed on this.

December 7 – Anniversary of Events

Commissioner Raley pointed out that December 7 is Pearl Harbor Day and that it is also the anniversary of the *El Toro* accident.

He stated it was also the first anniversary of this Board taking office and stated that he felt the past year has been very rewarding and that he has four new friends.

Commissioner Randall stated that it has been a challenging year, but that her life has been fuller and enriched by knowing the other four Commissioners.

“Adoption” of Family for Christmas

Commissioner Randall advised that the Office of Community Services and the Department of Social Services are doing the annual “Adoption of a Family for Christmas” Program. There are 500 families that needed to be “adopted.” The Commissioners agreed as a group to adopt a family, and Commissioner Randall appealed to the community to adopt a family as well.

Legislative Package Meeting

Commissioner Randall advised that Senator Dyson contacted her about the location of the December 14 Legislative Package Meeting, that he would prefer to have it at the Carter Building because Room 14 may not be large enough. The Commissioners agreed to move the meeting to the Carter State Office Building meeting room.

EXECUTIVE SESSION

Commissioner Anderson moved, seconded by Commissioner Guazzo, 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
Judith A. Spalding, Recorder

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

Time Held: 6:42 p.m. - 8:10 p.m.

Action Taken: The Commissioners discussed several personnel issues and gave direction to staff.

Follow Up to Executive Session

Commissioner Guazzo moved, seconded by Commissioner Anderson that the Board of County Commissioners modify the Planning Director’s job responsibilities through the reorganization of the Department of Planning and Zoning by making a separate permits and inspections department and direct staff to develop a transition plan by March 1, 2000 with full implementation by July 1, 2000. Motion carried four to one with Commissioner Raley voting against.

Commissioner Guazzo moved, seconded by Commissioner Anders, that the Board approve a one-year contract for Jon Grimm as Director, Department of Planning and Zoning Motion carried four to one with Commissioner Raley voting against.

ADJOURNMENT

The meeting adjourned at 8:25 p.m.

**Minutes Approved by the
Board of County Commissioners on 12/14/99**

Judith A. Spalding
Judith A. Spalding, Recorder