

ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
January 28, 2000
(Rescheduled from January 25 because of snow storm)

Present: Commissioner President Julie B. Randall *(entered meeting at 9:20 a.m.)*
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
George Forrest, Deputy County Administrator
Judith A. Spalding, Recorder

CALL TO ORDER

The meeting was called to order at 9:05 a.m.

ADDITIONS/DELETIONS TO AGENDA

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

APPROVAL OF CHECK REGISTER

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

DRAFT HISTORIC PRESERVATION TAX CREDIT ORDINANCE

Present: Al Lacer, County Attorney
Mary Hayden, Planner, DPZ
Dr. Roy Guyther, Chair, Historic District Commission
DPZ Staff and Historic District Commission Members

The referenced individuals appeared before the Commissioners to present a proposal for a Historic Preservation Real Property Tax Credit up to 5% for properties documented expenses for the construction of an architecturally compatible new structure within an historic district and a tax credit of 10% for documented expenses for restoration and preservation of a structure located with an historic district. Mr. Lacer indicated that it was his and the Historic District Commission's recommendation to go forward with a public hearing.

Discussion ensued regarding the impact of the tax credit on taxes within Leonardtown and Leonardtown's ability to participate in the program. Mr. Lacer will follow up on this and report back to the Commissioners.

After discussion Commissioner Guazzo moved, seconded by Commissioner Anderson to direct staff to proceed with scheduling a public hearing on the referenced proposed historic district preservation tax credit ordinance. Motion carried.

EXECUTIVE SESSIONS

Commissioner Anderson moved, seconded by Commissioner Raley, to meet in Executive Session to discuss matters of Property Acquisition, Litigation, and Personnel, as provided for in Article 24, Section 4-210(a)11, 8, and 1, respectively. Motion carried.

(Commissioner Julie Randall entered meeting - 9:20 a.m.)

Litigation

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
George Forrest, Deputy County Administrator
Al Lacer, County Attorney
Jon Grimm, Director, DPZ
George Erichsen, Director, DPW
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)8

Time Held: 9:32 a.m. – 10:05 a.m.

Action Taken: The Commissioners were briefed on a matter of litigation and gave direction to staff.

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
George Forrest, Deputy County Administrator
Al Lacer, County Attorney
Jim Stirling, Director, Office of Capital Projects
Joan Lolcama, Property Manager
Dr. Patricia Richardson, Superintendent of Schools
Brad Clements, Supervisor, Maintenance and Facilities, Bd/Ed
Elaine Kramer, Supervisor, Budget and Fiscal Services
Karen Abrams, Attorney, Bd/Ed
Judith A. Spalding, Recorder

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

Time Held: 10:10 a.m. – 11:05 a.m.

Action Taken: The Commissioners reviewed a matter of property acquisition and gave direction to staff.

Personnel

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

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

Time Held: 11:05 a.m. – 11:55 a.m.

Action Taken: The Commissioners discussed matters of personnel and agreed to take action in open session.

Follow Up to Executive Sessions

Personnel Issues

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to direct staff to proceed as discussed in executive session on personnel issues. Motion carried.

Property Acquisition

Commissioner Raley moved, seconded by Commissioner Mattingly, to direct staff to proceed as discussed in executive session regarding property acquisition. Motion carried.

Personnel

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve the contract for the County Administrator as reviewed and discussed in Executive Session. Motion carried.

Commissioner Randall announced that as a result of this motion, the Board of County Commissioners has named Alfred A. Lacer as the new County Administrator, effective Monday, January 31, 2000. In addition Commissioner Randall thanked Mr. George Forrest, Deputy County Administrator, for a job well done while serving in the capacity of Acting County Administrator for the last several weeks.

Mr. Lacer gave a brief presentation on his background and stated that he was looking forward to working with the Commissioners and county staff in his new capacity as County Administrator.

At this time the Commissioners conducted a brief Press Conference on the appointment of Mr. Lacer. Questions from the media were received regarding his contract and his experiences and background that gave him credentials to serve in this capacity.

COUNTY ADMINISTRATOR

Present: George Forrest, Deputy County Administrator

- February 8, 2000
 - FY 2001 Budget Review Calendar
1. **Department of Public Works/County Attorney
Road Improvement Special Taxing Districts Levy Ordinances**

Also present: Al Lacer, County Attorney

- Ordinance No. 00-01 - Mallard Creek
- Ordinance No. 00-02 - Rosebank Village
- Ordinance No. 00-03 - Clover Dale Acres

As a follow up to the January 4, 2000 public hearing, the County Administrator presented the referenced Road Special Taxing District Ordinances.

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

2. **Department of Planning and Zoning
Continuation of Historic Preservation Grant Program, Phase 7**

Also Present: Jon Grimm, Director
Mary Hayden, Planner, DPZ
Kirk Ranzetta, Historic Sites Surveyor

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the grant application for Phase 7 of the Historic Preservation Grant Program. Motion carried four to one with Commissioner Raley voting against stating that he would prefer that the position funded through this grant go through the County's budget process and questioned whether the County could afford to fund its share of the grant in the amount of \$20,000.

3. **Boards and Committees**
Letter of Appointment

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and sign letters of appointment as follows. Motion carried.

<u>Commission for the Disabled</u>	<u>Terms To Expire</u>
Edward J. Gildersleeve	12/31/2003
Margaret Ann Stewart	12/31/2003
<u>Development Review Forum</u>	
Al Stewart – Reappointment	12/31/2002
<u>Economic Development Commission</u>	
Marie K. Abell	6/30/2002
Charlie Hayden - Reappointment	6/30/2002
Vinod K. Shah - “	6/30/2002
Martin A. Wenick	6/30/2002
<u>Emergency Services Committee</u>	
Dean P. Gass	12/31/2002
<u>Metropolitan Commission</u>	
Bryan M. Barthelme - Reappointment	12/31/2002
Bill Derby - Reappointment	12/31/2002
Valentino Johnson – Reappointment	12/31/2002
<u>Teen Center Advisory Board</u>	
Laraine Glidden	12/31/2003
John G. Wharton, Jr. – Reappointment	12/31/2003
Mary Whetstine – Reappointment	12/31/2003
<u>Zoning Board of Appeals</u>	
Susan P. McNeill – Regular Member	12/31/2003
James H. Thompson – Reappointment	12/31/2003

**Appointments To Citizen Review Panel For Child Welfare
For St. Mary’s County And Child Fatality Review Team
For St. Mary’s County**

Child Fatality Review Team for St. Mary’s County, Maryland
Dr. Robert Konkol

Citizen Review Panel for Child Welfare for St. Mary’s County, Maryland
Nancy Luginbill
Kathleen Lyons
Kathy O’Brien
Detective Sergeant Parlett
Daniel B. Schaidt
Dr. I.V. Shah
Joseph A. Stanalonis
Sheriff Richard D. Voorhaar
Alexis Zoss

**4. Sustainable Community Development
(Contract with Roger Stone and Bill Reed)**

Also present: Al Lacer, County Attorney

As a follow up to previous discussions Mr. Lacer advised the Commissioners that Mr. Reed and Mr. Stone, consultants for the Sustainable Community Development Project, begun their task and have submitted applications for grant funds. They will be coming before the Board on February 15 to present recommendations regarding sustainable community development initiatives in the County.

Commissioner Anderson pointed out that there is still no contract with the consultants and the Commissioners need to come to an agreement regarding the terms.

After discussion the Commissioners directed the County Attorney to go forward with the contract for the consultants.

5. Correspondence – Revolving Loan Fund

- a. To Chair, Emergency Services Council, approving the \$183,700 loan application for 7th District Volunteer Rescue Squad
- b. To Chair, Emergency Services Council, approving the \$60,000 loan application for the Lexington Park Volunteer Rescue Squad

After discussion Commissioner Anderson moved, seconded by Commissioner Raley, to approve and sign the letters to the Chair of the Emergency Services Council, as presented. Motion carried.

**6. Bay District Volunteer Fire Department
Security Agreement**

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

7. Banneker/Loveville Sewer Line (Status Report)

(The Commissioners agreed to defer this discussion until another time.)

AMENDMENT TO AGENDA

Commissioner Raley moved, seconded by Commissioner Mattingly, to amend the agenda for today to include an additional executive session on property acquisition and personnel. Motion carried.

APPROVAL OF MINUTES

January 17, 2000

Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve the minutes of the Special Meeting of January 17 as presented. Motion carried.

January 18, 2000

Because of a missing page the Commissioners agreed to defer approval until next week.

November 9, 1999 – Mill Run Plaza Public Hearing

Commissioner Anderson moved, seconded by Commissioner Guazzo to approve the minutes as corrected. Motion carried.

COUNTY COMMISSIONERS' TIME

Financial Disclosure Requirements

Commissioner Mattingly referred to the Commissioners' inquiry to the Ethics Commission regarding the requirement for additional boards to file a financial disclosure statement. The Commissioners requested that the Ethics Commission come before the Board to discuss this issue.

Septic Systems/Centralized Water Systems/Sewerage Capacity

Commissioner Guazzo noted that 100 home sites was the "magic" number to allow septic systems, and above that amount a centralized water system is required. She pointed out that some projects are done in phases, which avoids the requirement for a central water system. The Commissioners agreed to request the Metropolitan Commission to come before the Board to discuss centralized water systems.

In addition, Commissioner Guazzo suggested that a policy regarding reserving sewerage capacity for development districts be discussed with the Metropolitan Commission and the Planning Office.

Route 5 Improvements

Commissioner Anderson advised that Delegate John Bohanan has reported that improvements to Route 5 in Scotland is moving forward in the State.

Impact Fees

Commissioner Raley requested that the Commissioners add to a near future agenda the issue of impact fees.

Wells and Water Supply

Commissioner Raley referred to requests that the Commissioners consider the possibility of appointing a water policy task force and advised that the Commission on Environment has volunteered to undertake that task. The Commissioners directed staff to develop scope of work and responsibilities (similar to the Impact Fee Task Force) and submit it to the Board for consideration.

Personal Property Tax – Semi Annual Payments

Commissioner Raley advised that the Commissioners have received a number of communications regarding the personal property tax and the fee imposed if paid on a semi-annual basis. He pointed out that it should be publicized that this is not a fee imposed by the County, but by the State, and the County has no control over it. Commissioner Guazzo noted that this was an unfunded mandate by the State (requiring extra bills, and personnel).

Planning Commission Appointment

Commissioner Raley indicated that it was important to have a good Planning Commission, and in light of the fact there is a vacancy, he would like to offer up an appointment.

Therefore, Commissioner Raley moved, seconded by Commissioner Mattingly, to appoint James Raley to the Planning Commission. Motion carried four to one with Commissioner Guazzo voting against, stating it was not against the candidate, but that she believed that the Commissioners should follow their normal process for appointments for the Planning Commission (review of applications, interviews).

Videos at Libraries

Commissioner Randall referred to a request from a citizen regarding the availability of videos in the libraries requested that copies of the meeting videos be placed in all three libraries, not just Leonardtown.

Joe Cross, Video Technician, advised that a new dubbing system would cost about \$700. Commissioner Randall requested that staff look to see if there is \$700 in the PIO budget to take care of this.

Metropolitan Commission Building

Commissioner Guazzo noted that the Metropolitan Commission building at the Industrial Park sustained considerable damage during the recent snowstorm. Although the building did not have to be evacuated, the offices had to be rearranged, and people coming in to pay bills will be directed to another area.

Planning Commission

Commissioner Randall reported that at the Farm Bureau Legislative Dinner there was discussion about having a representative of the farming community on the Planning Commission. She stated that she supported the idea and hoped that between now and the time there is a vacancy, that the Farm Bureau would submit a nomination.

EXECUTIVE SESSIONS

Commissioner Mattingly moved, seconded by Commissioner Raley, to meet in Executive Session to discuss matters of Property Acquisition and Personnel, as provided for in Article 24, Section 4-210(a)1 and 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
 George Forrest, Deputy County Administrator
 Al Lacer, County Attorney
 Jim Stirling, Director, Office of Capital Projects
 Phil Rollins, Director, R&P
 Joan Lolcama, Property Manager
 Judith A. Spalding, Recorder

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

Time Held: 2:20 p.m. – 3:00 p.m.

Action Taken: The Commissioners reviewed a matter of property acquisition and gave direction to staff.

Personnel

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

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

Time Held: 3:02 p.m. – 3:30 a.m.

Action Taken: The Commissioners discussed matters of personnel and agreed to take action in open session.

Follow Up to Executive Session
Personnel

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the Employment Contracts for Jim Stirling, Director, Office of Capital Projects, and for Gene Carter, Director, Office on Aging. Motion carried.

ADJOURNMENT

The meeting adjourned at 3:45 p.m.

Minutes Approved by the
Board of County Commissioners on 2/8/00

Judith A. Spalding
Judith A. Spalding, Recorder