

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Governmental Center  
February 15, 2000**

**Present:** Commissioner President Julie B. Randall  
Commissioner Joseph F. Anderson  
Commissioner Shelby P. Guazzo  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
Alfred A. Lacer, 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 delete and reschedule MetComm Bond Issue Discussion at 1:45 p.m.). 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.**

*(Questions on the bills included late fees for fuel; billing for pagers.)*

*(Kate Mauck took the minutes of the following portions.)*

**AIRPORT MASTER PLAN UPDATE**

**Present:** Jim Haley, Director, Central Services  
Jim Stirling, Director, Capital Projects  
Charles Lamb, Delta Airport Consultant

The above listed individuals appeared before the Board of County Commissioners to present an update on the 2000 Airport Master Plan and to request endorsement to move forward with the 2000 Master Plan Update. Mr. Stirling presented aerial photographs and detailed information about the surrounding area and pointed out that the FAA had directed that an update should include planning for the next 20 to 30 years. It must be completed prior to October of this year, which is the end of the Federal fiscal year.

Major airport projects covered in the CIP that are underway or planned were presented and discussed, which included:

- Commuter air service project;
- Design issue – separation of runway and taxi-way - there is currently a 200 foot separation and 240 feet is required;
- Relocation of Airport Drive due to extension of taxi-way;
- Runway extension – looking at total length of runway going from 4150 to 5300 feet;
- Southwest ramp development – additional tie-down and hanger area.

Two alternative plans for future development of the airport were presented, with detailed diagrams of each option being discussed. Future development of the airport must go westward due to several constraints on the east side of the airport. Land acquisition will be necessary. Plans A and B are outlined below:

**Plan A (Existing Runway Alignment)**

- Already planned for in last year's CIP – some additional projects required;
- Consistent with current runway alignment and planning to date – maintains current runway alignment;
- Still has taxi-way relocation;
- Still need to relocate Airport Road;
- Extension of runway out to 5300 feet;
- Essential to install localizer system – navigational aid – safety as well as reliability issue; will enhance commuter air as well as general aviation. Cost of this system ranges from \$400,000 to \$500,000;
- Approach lighting system. Cost would be approximately \$500,000 to \$600,000.

Plan A limitations and possible Federal and/or State funding or reimbursement issues were discussed. The primary limitation is Plan A allows for only smaller commuter aircraft – 18 to 19 passenger seating.

**Plan B (12 Degree Runway Rotation)**

- Would need wider runway, more separation between taxi-way and runway and more land;
- Would support larger commuter aircraft – 45 to 50 passenger craft;
- Full service air facility – unrestrained – using precision instrument approach – this would allow for one-half mile visibility versus one- mile visibility for approaches;
- Major projects would be eligible for funding under ACIP (90% federal; 5% state; 5% county)
- Extension of runway out to 5300 feet.

A subcommittee of the Tri-County Council had agreed to support the airport plans for St. Mary's County in June of 1998. *Commissioner Anderson requested that current discussions be held with both Charles and Calvert counties on this topic to ensure their continued support. Commissioner Guazzo requested copies of the June 1998 report of the Tri-County Council be submitted to the Board of County Commissioners.*

There was discussion about committing \$3.9M worth of improvements to the airport. Also discussed were the FAA and MAA backing of an airport project in the County.

Commissioner Guazzo requested that detailed information be presented covering the economic impact going in and out of the Hagerstown airport. Commissioner Randall requested that an economic development impact analysis of Plan's A and B be compiled so that an informed decision could be made on this matter. A cost/benefit analysis is necessary and should include any real costs to the County. In addition, a third option of a dual-use airport with the Naval Air Station or paralleling should be considered as an alternative. Commissioners requested supporting data covering historical as well as forecasting data from other airports be presented as well. The Commissioners requested Mr. Haley and Mr. Stirling to work through the County Administrator on the Master Plan update.

Mr. Lamb assured the Board of County Commissioners that they should be able to quickly provide some of these details after checking with the State to see what is currently in their data banks.

**SUSTAINABLE COMMUNITY DEVELOPMENT PROJECT  
DELIVERABLES UPDATE**

Present: Al Lacer, County Administrator  
Roger Stone, Director & President, Sustainable Development Institute  
Bill Reed  
Jon Grimm, Director, Planning and Zoning

An overview was made covering a 60-page report dated February 7, 2000. This organization initially came before the Board of County Commissioners last November 24<sup>th</sup> and was authorized to do preliminary work. An interim presentation was made on December 21<sup>st</sup>. Currently, all short-term tasks by the Institute are now complete, and these were each addressed.

Thirty-two Foundations have been approached with a request for funding. Below is a short summary of where the Institute stands on these:

- Applications have been submitted requesting grant funding; specific dollar amounts were requested of five of these;
- Four of the Foundations have said they have no interest;
- The Abell Foundation should be making a decision by the end of the month – the amount requested from them is \$56,000;
- The Turner Foundation will make a presentation to its Board in April – the amount of that grant request is \$300,000;
- The Goldman and Kendall Foundations grant request amounts are \$50,000 each and \$25,000 was requested from the Tides Foundation.

Mr. Reed provided a summary of research in this area – the impact of human activity on the environment. To date approximately \$30,000 of the consultant's funds has been spent. The goal for this study is to connect value of citizens and leaders with hard core data from the scientific community to create data/information in order to create policy. Bureau of Commerce statistics are the simplest data to use. Data should then be used in conjunction with established values to create modeling or scenario planning to find out possible impacts of sustainable development. Leaders in government would then be able to make informed decisions.

Partnership issues were discussed as well as possible fund matching by the County. The Board of County Commissioners was asked to show a sign of support that could be presented to various foundations. Commissioner Randall asked the members of the Sustainable Development Institute to work closely with the County Administrator and the Director of Planning and Zoning so that they might, in turn, interpret to the Board of County Commissioners in terms that are more familiar to them. She would also like staff to make recommendations on the information from the Institute, as they will be the ones that have to implement results of the analysis on a day-to-day basis.

Mr. Lacer stated that there would be a need to evaluate the necessary fiscal requirements so that this matter can be tied into the current budgeting process. A lot of work will need to be done on the staff level to structure this to be properly presented to the Board of County Commissioners. Information from the packet presented, in combination with working with the Institute and County staff, would then lead to presenting the Board of County Commissioners with thoughts from the staff level sometime during the budget cycle. Federal and State funding may also possibly be available, and this should be explored.

Work has been done and is continuing to be done in the attempt to reduce the amount of funding required. Modeling and simulation is already in place to perform appropriate studies.

Mr. Grimm requested permission to draft a short letter for signature that would indicate a general expression of interest. A broad letter that itemizes various funding already going toward these types of efforts could be generated. That money could be leveraged immediately. The Commissioners directed the Institute to work with Mr. Grimm and Mr. Lacer in the development of the letters and staff interpretation. Commissioners authorized staff to respond to the invoice presented and one upcoming.

Another update will be scheduled before the Commissioners at a future date.

## **PUBLIC HEARING PORTION OF WHITE'S NECK CREEK ROAD CLOSURE**

Present: Al Lacer, County Administrator  
Phil Rollins, Director, Recreation and Parks  
Bill Ball, Park Maintenance Supervisor

The Board of County Commissioners conducted a public hearing to receive comments on a proposal to consider the closure and disposition of a part of White's Neck Creek Road; disposition of the County pier; and assignment of riparian rights at the site.

Mr. Rollins read the Notice of Public Hearing and stated that the notice had been properly advertised in the newspaper, posted on the property, and all adjacent property owners had been appropriately notified. He displayed an area map, showing the exact location in question, and also a more specific boundary plat. The land in question is a .144 acre roadbed, which includes a pier that has been closed off to the public for some time. Mr. Rollins provided historical information about the property, and gave an account concerning the disrepair of the property.

Citizens often utilize a private pier and boat ramp adjacent to the property; neither of which belong to the County. The area owned by the County will not be adequate to provide parking spaces. There are two other public landings across the creek, which are in a similar situation with regard to parking space. Mr. Rollins stated that, should Commissioners decide to sell the property, he recommends a condition of sale be attached, providing a public turnaround for school buses, etc. Mr. Bailey, the owner of adjacent property, has expressed interest in acquiring the roadbed, pier and riparian rights. The closest well-used public landing appears to be at Bushwood.

Commissioner Randall opened the hearing for public comment:

**Eddie Bailey** - Mr. Bailey owns the Capt. Sam's Crab House property. He stated that he has no intentions of closing the road, has never stopped watermen from using the area, and has no intention of stopping anyone in the future.

**Leon Johnson** - no comment.

**Mike Bellis** - Requested that the County turn the property into a park. He suggested acquiring adjacent private property and complete work on it when funding becomes available.

**Tucker Brown** - Mr. Brown represented neighbors, recreational and Maryland Watermen's Association. He believes in keeping access open to waterways and stated that part-time crabbers need a place to put boats in. Mr. Brown stated that the Waterways Improvement Fund has money set aside for improving such facilities. He said that Bushwood Wharf does not have the shelter and harbor this area does and encouraged land purchase, but stated that he was sure Mr. Bailey would support whatever decision is made.

**Albert Cline** - Mr. Cline expressed concern about the public possibly losing one more place of access to the water in this County. Water access seems to continue to diminish.

**Sid Badeau** - Stated that the area is wetland, which is subject to flooding at least once per year. The land is low, except where people have dumped dirt over the years at the end of the road. He suggested a small park be made out of the area with some parking and improvements on the pier. He wants children to have access.

**Betty Wittenauer** - Ms. Wittenauer expressed concern about how the County actually acquired the road. Mr. Rollins stated that there was a deed dating back to 1943. Ms. Wittenauer advised that this land belonged to her grandmother and questioned the validity of the deed. The Board of County Commissioners directed that this matter be looked into by the County and cleared up. Mr. Rollins stated that a County surveyor would look into the matter.

Commissioner Guazzo expressed concerns about serving the entire County. There is no land on the Patuxent River, which she stated was a top priority. She indicated that the land in question might be better used as a commercial property to better serve the public.

The Public Hearing was closed. The record will remain open for written comment for a 10-day period and will come before the Board of County Commissioners on March 7, 2000.

## **COUNTY ATTORNEY**

Present: Al Lacer, County Administrator (former County Attorney)  
Patrick Murphy, Acting County Attorney

### **1) Chancellor's Run Road Deed To State Highway Authority**

Mr. Lacer appeared before the Board of County Commissioners on this issue because he had been working on this issue when he was the County Attorney. This is a simple matter of a conveyance deed from the County to the State that should have been completed after 1985. At that time, the County turned Chancellor's Run Road over to the State; however, the County never followed through with the appropriate paperwork. Mr. Lacer recommended executing the deed, reserving the railroad right-of-way stretch, and presenting it to the State of Maryland. It is a 2.99-mile stretch of road, with variable widths.

**Commissioner Mattingly made the motion that Commissioner Randall be authorized to execute the deed. Mr. Raley seconded the motion. All members voted in favor, except for Commissioner Guazzo, who was not present at the time of the vote.**

2) **Communications Tower At Tri-County Animal Shelter**

Mr. Murphy gave historical information about the project and stated that he was asking for direction and guidance from the Board of County Commissioners on this matter. A private citizen deeded the land in the 1960's. An outdated tower is currently on the property, and there is a proposed percentage split on any net proceeds from rental of any portion of a new tower to third parties of 25% to Calvert County and 37 ½% to St. Mary's County. It is proposed that these amounts be remitted on an annual basis to the Tri-County Animal Shelter Donation Account in addition to the additional payment for operations.

Commissioner Randall asked for Mr. Murphy to provide information clarifying the use of the funds used outside the budget. Mr. Murphy stated that he would look into this and find out what Charles County will do with their percentage. Commissioner Mattingly requested that Calvert County be asked what revenue it is getting for its tower.

Development of the Tower Ordinance for St. Mary's County is in progress. A meeting will be held this Friday on the Draft Ordinance with the County Attorney, Mr. Stirling and Planning and Zoning. The Ordinance will hopefully be presented to the Board of County Commissioners within the next couple of weeks.

**APPROVAL OF MINUTES**

Approval of the minutes of the meetings of February 1, 2000 and February 8, 2000 were deferred until corrections were made.

**COUNTY ADMINISTRATOR**

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas for February 22 and March 7, 2000
2. **Budget Amendments**
  - a. No. 2000-24 – Public Works (\$1,750)  
(for in-house temporary services as requested by DHR)

**Commissioner Mattingly moved, seconded by Commissioner Guazzo, to approve and authorize Commissioner Randall to sign Budget Amendment No. 2000-24**

- b. No. 2000-25 – Office of Capital Projects (\$725,000)  
(space for adult day care (old HES ) and to acquire land for future airport use)

*(Budget Amendment was deferred until a later meeting.)*

- c. No. 2000-26 – Public Works (\$102,900)  
(For rental contractor and overtime costs for snow removal)

**Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign Budget Amendment No. 2000-26. Motion carried.**

3. **Department of Public Works**

- a) Easement Agreements from Rochelle Millison for construction of sidewalk and storm drain culverts along property on MD Route 5, 8<sup>th</sup> Election District.
- b) Public Works Agreement Addendum for the Greenbrier Subdivision, Section 4, 8th Election District, extending the completion date to February 1, 2001. The letter of credit provided by the Maryland Bank & Trust Company in the amount of \$444,000 remains as originally posted.
- c) Public Works Agreement Addendum for the Westbury PUD Subdivision, 8th Election District, extending the completion date to February 1, 2001. The bond provided by the Frontier Insurance Company in the amount of \$85,000 remains as originally posted.

- d) Public Works Agreement Addendum for the Aberdeen Subdivision, Section 2, 2nd Election District, extending the completion date to January 1, 2001. The letter of credit provided by the Cedar Point Federal Credit Union is being reduced from \$175,400 to \$141,900.
- e) Public Works Agreement Addendum for the St. George's Hundred Subdivision, Section 1, 8th Election District, extending the completion date to February 1, 2001. The letter of credit provided by the Suburban Bank of Maryland in the amount of \$20,000 remains as originally posted.
- f) Public Works Agreement the Horse Range Farm Subdivision, 5th Election District, with a completion date of December 1, 2000. The letter of credit in the amount of \$60,000 has been provided by The First National Bank of St. Mary's.

**Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the Public Works documents as presented. Motion carried.**

**4. St. Mary's Public Schools**

Also present: Rhodessa Millham, Public Schools

(Request to include \$18,670 State grant for administration and scoring of CTBS/5 Survey Plus testing instrument into the FY2000 Budget)

**Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the letter to Bd/Ed approving inclusion of the grant in the FY 2000 budget. Motion carried.**

**5. Office of Community Services**

**Grant Agreement – HotSpot Community Initiative, Phase II, Year 1**

(State Funding - \$73,825 (community mobilization; community policing; coordination; addition recovery)

Also present: Cynthia Brown, Director, Office of Community Services

**Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the Grant Agreement as presented. Motion carried.**

**6. Development Review Forum  
Letters of Reappointment**

**Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and sign the letter reappointing F. Elliot Burch, Jr., to the Development Review Forum. Motion carried.**

**7. Resolution – Solid Waste Plan (Mill Run Plaza)**

*(Deferred until minutes of February 1, 2000 are approved.)*

**8. News Release**

**Availability of Commissioners' Meeting Tapes at All Three Libraries**

*(The Commissioners read the News Release and agreed for it to be distributed.)*

**COUNTY COMMISSIONERS' TIME**

**Legislative Proposals**

Commissioner Mattingly referenced several legislative items and requested that letters of support be drafted for next week's Consent Agenda. The bills include House Bill 104 – School Bus Safety; House Bill 759 (Maryland Home Builders Act); and SB 106 (Grants for Transportation services for public school students)

Commissioner Anderson noted that Donna Sasscer, Agricultural Seafood Specialist, submitted a memorandum expressing concerns about House Bill 186 regarding funding for agricultural preservation programs. Ms. Sasscer has concerns about the wording in the bill regarding funding and its impact on the County. (Mr. Lacer will be meeting with Ms. Sasscer this week.)

#### **Persimmon Hills**

Commissioner Anderson inquired whether Maryland Department of Environment has responded to the County's letter expressing concerns about wetlands crossing.

#### **Year 2000 Census**

Commissioner Mattingly stated that the County is behind in the census process, and that it should be promoted. County Administrator Lacer advised that he will be meeting with staff on this issue this week.

#### **Expression of Appreciation to Department of Public Works**

Commissioner Randall referred to correspondence received commending DPW staff for snow and ice removal during the recent snow and ice storms, and suggested that the Commissioners recognize the staff for their efforts above and beyond the call of duty. It was suggested that the Commissioners could go to DPW in the a.m., before road workers go to their work sites. Staff was requested to contact Mr. Erichsen to find out what he would recommend as the best way to do this.

#### **Septic System Legislation**

Commissioner Guazzo reported that she attended the Patuxent River Commission meeting during which the Septic System legislation was discussed. Should the bill pass, it will require new construction in areas served by septic tanks to have a biological nutrient removal system at an additional cost of \$5,000 to \$6,000. This will also be required for repairs, relocation or change of use. She stated that it was a good concept however, she was concerned about the impact on citizens.

### **LEXINGTON PARK LIBRARY DESIGN PRESENTATION**

Present: Jim Stirling, Director, Office of Capital Projects  
 Mary Wood, Director, St. Mary's Libraries  
 Janice Hummel, Librarian, Lexington Park Library  
 Joan Marsh, Library Board of Trustees  
 Mary Ann Chasen, "  
 Barbara Conrath "  
 Fred Powledge, "  
 Robin Finnacom, Director, Lexington Park Revitalization Plan

Mr. Stirling appeared before the Board to present the plans for the design of the new Lexington Park Library. Highlights of the presentation included:

- Survey and site engineer has completed proposed subdivision plat (which provides for a 4.27 acre parcel for the library site and 1.19 acre adjoining parcel for a road right-of-way). After TEC and any needed revisions, the plat will be submitted to Mr. Grabrelcik for signature, then to DPZ for final approval.
- Site design is underway; architects met with design team with the focus on access, parking drive-through book drop, pedestrian friendly access; stormwater management (site engineering is investigating possibility of a regional SWM near the intersection of S. Shangri-La Drive and Essex Drive, which will require discussion with two property owners); and building orientation (an east/west orientation was preferred).
- Concept of a coffee bar.
- Provision of space for the Literacy Council.
- Issue of one-story versus two-story options for design of the building, and the architect's and design team's recommendation was for a one-story structure (because of added cost, loss of usable space, and inefficiencies).

In concluding his presentation, Mr. Stirling requested the Board's endorsement of the recommendation for a one-story building in order to have the architect proceed with development of the schematic floor plans and elevations.

Areas of discussion included the issue of having a positive presence in Lexington Park; the additional cost and loss of usable space if it was to be a two-story building; and use of current library building for meeting room, etc.

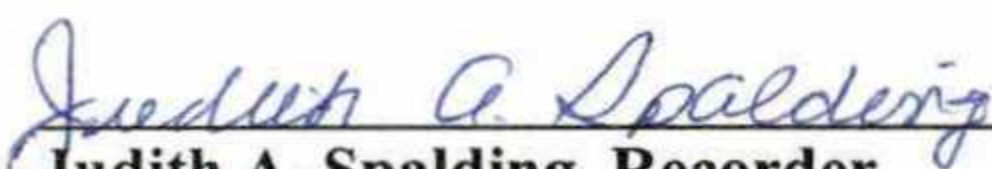
**After discussion Commissioner Guazzo moved, seconded by Commissioner Mattingly, to accept the architect's and design team's recommendation to proceed with the design of a one-story building. Motion carried.**

In conclusion the Commissioners requested Mr. Stirling to work with Ms. Finnacom, to look at public facilities aspect of Lexington Park and to consider uses for the existing library.

#### **ADJOURNMENT**

The meeting adjourned at 5:15 p.m.

**Minutes Approved by the  
Board of County Commissioners on 2/22/00**

  
**Judith A. Spalding, Recorder**