

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
March 28, 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
Judith A. Spalding, Recorder

(Commissioner Joseph F. Anderson was not present at the beginning of the meeting because he was attending a Charles County Commissioners' meeting to give a briefing on workforce development.)

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 presented. 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.

Kate Mauck took (the following portion of the minutes.)

**THE SINGER GROUP
CLASSIFICATION STUDY REPORT**

Present: Paula Singer, President, The Singer Group
Joan Walko, Principal, "
Melvin McClintock, Director, Human Resources

The Singer Group presented a Classification Study Report to the Board of County Commissioners that they had been commissioned to perform in January of this year. The Group was asked to look at the total compensation package of the St. Mary's County Government to include the County, the Library system and the Sheriff's Office. Dr. Singer gave a comprehensive overview of the work the Singer Group has performed, detailing the methodology utilized and the following seven major phases:

- Communications
- Job Evaluation: Internal Equity
- Market Survey: External Equity
- Total Compensation & Benefits Review
- Person-by-Person Review of Office Specialists, Administrative Coordinators, and Fiscal Specialists
- Findings: Analysis and Synthesis of Data
- Recommendations and Fiscal Implications

Each of the seven phases was explained in detail. In order to properly evaluate properly each position, approximately 400 questionnaires were disseminated, 57 employee interviews were conducted, and several focus groups were held. Custom surveys were performed on benchmark jobs as well as standard jobs held in the County. Surveys were sent to other public organizations and local businesses as well.

Dr. Singer provided a detailed summary of the Singer Group's findings. Overall, the St. Mary's County Government's salaries were below the reported ranges of the custom survey respondents. The average salaries compared more favorably, although there were some extremes. The Sheriff's Department (sworn law enforcement positions) and Library salaries were below market median; correctional officers' salaries are above market median. In addition, the Singer Group found that there are too many pay grades in the County and recommended a change from 21 pay grades down to 11.

Benefits for all County employees (including Sheriff's Department and Library employees) were found to be very competitive and in the case of health benefits coverage, ranks among the richest of all participants in choice of plans, covered benefits, co-pays and cost. It was determined that ongoing education of the workforce about their benefits would be beneficial. A defined contribution plan was discussed. The Singer Group does not recommend lowering any salaries; however, maintaining salaries until the pay scale eventually catches up would be recommended. Looking at the mix of total employee compensation, including salaries and benefits would be more effective.

The Singer Group drafted a compensation philosophy and a pay plan and structure chart was presented as follows:

- Custom-designed pay plan and structure: County and Library
- Wider percent spread from minimum to maximum of range
- Wider percent spread between range midpoints (10-20%)
- Ranges set to reflect market
- Midpoint of range reflects the market median of pay
- Jobs slotted into ranges based on combination of internal equity and market for County and Library positions
- Sheriff's office positions assigned to ranges based on market

Also recommended were design considerations and employee and fiscal impact. In particular, 60 County employees are below the minimum market salary and 18 are above the maximum. In the Sheriff's Office, 21 in Law Enforcement are below the minimum, eight in Corrections are above the maximum and six in Civilian are below the minimum. In the Library system, 11 full-time employees are below the minimum and eight part-time employees are below the minimum. The fiscal impact and implementation costs of their recommendations come to a total of \$172,591. This amount would bring employees to the minimum salary that their jobs are paid in other areas.

The Singer Group recommended a proposed implementation plan, stating that the program could be implemented starting July 1st or phased in by January 1, 2001, adjusting salaries to the minimum pay range. If the fiscal impact is too great, providing half of the total adjustment at first could be followed by implementation of the remaining half by January 1, 2001. They recommend moving forward with annual increases, and holding salary increases for those who are at or over the maximum range. Discussion took place about certain hot-spot jobs being targeted, which may change over time, and classifying these jobs outside the normal pay scale. An appeals process should be established, and updates should be continually communicated to employees.

(Judith Spalding resumed taking minutes of the following portion.)

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, March 21, 2000, as presented. Motion carried.

COUNTY COMMISSIONERS' TIME

Upcoming Public Meetings

Commissioner Raley announced two upcoming meetings:

Thursday, March 30, 2000, 7 p.m., regarding the Airport Master Plan, to be held at the new Airport terminal.

Tuesday, April 4, 6:30 p.m., regarding the Lexington Park Revitalization Plan, to be held at the Lexington Park Elementary School.

Maryland Day Activities

Commissioner Anderson indicated that several Commissioners attended Maryland Day Activities at Historic St. Mary's City and St. Clements Museum.

Fire Marshal Plans Review

Commissioner Mattingly advised of concerns in the State Fire Marshal's Office and Zoning regarding lack of a fire marshal to review plans, and he suggested that a letter be drafted to the Governor expressing concern that the State has not been able to fill the Fire Marshal position for Southern Maryland. The letter should indicate that the State should be responsive to the needs of our fast growing community. Commissioner Mattingly cited First Colony as a project that has not been able to get adequate review by a qualified person. Commissioner Anderson suggested also taking this concern to the Tri-County Council for a letter from the Council.

Legislative Issues

Commissioner Randall expressed appreciation to Agricultural Seafood Specialist Donna Sasscer for legislation she drafted regarding agricultural land preservation tax credit. The bill passed the House 132-0 and will now go to the Senate.

Commissioner Randall advised that the extension of the sunset on the transfer tax passed the House and will be going to the Senate.

State Park Funding

Commissioner Randall reported that she has met with DNR officials regarding the need for State funding for operations at Greenwell State Park and other state parks in the County. She stated they were responsive and have been working to get this moving. She suggested that a letter be drafted to the Governor and the legislative delegation indicating the County's support for more operational funding for state parks.

COMMENDATIONS/PROCLAMATIONS

The Commissioners presented the following Commendations and Proclamations:

- Commendation to Edward Evans, who was named Deputy of the Year
- Commendation to Michael Licausi, who was named Correctional Officer of the Year
- Commendation to Mary Lu Bucci, who was named Citizen of the Year

- Proclamation designating the week of April 3 – 9, 2000 as *Public Health Week*

- Proclamation designating the week of April 3 – 7, 2000 as *National Workzone Safety Awareness Week*
- Proclamation designating April as the *Month of the Young Child*.

(Kate Mauck took the following portion of the minutes.)

APPROVAL OF DRAFT FY2001 RECOMMENDED BUDGET

Present: Jeannett Cudmore, Acting Director of Finance
Marty Jones, Budget and Fiscal Analyst, Department of Finance

The Finance Department presented the Board of County Commissioners with the draft of the FY2001 Recommended Budget. Also included was a handout with changes that had been requested from the Board of County Commissioners at last week's work session on the budget. The changes brought the FY2001 General Fund Operating Budget recommendation amount to \$114,635,587, which was a 5.3% increase over FY 2000. The Capital Improvements Budget recommended amount for FY2001 was \$36,177,144.

Areas of discussion included:

- Commissioner Mattingly requested that total debt service be broken down by various agencies.
- Commissioner Randall asked that full time, part time, and seasonal positions be broken down, in terms of FTE's, to show which of the 35 new positions are full time (2080 hours).
- Commissioners requested that there be a separate page or paragraph added explaining the Rainy Day Fund instead of simply calling it undesignated funds. Commissioners requested that the 5% that must be set aside for funding requirements (5% of last year's budget) should be placed on the separate page or paragraph to show that it is neither revenue nor an expense.
(Mr. Lacer stated that it would be available for the public hearing, and will be listed as a footnote or an appendix to indicate the nature of the reserve.)
- Ms. Cudmore stated that a completed, bound and page-numbered version of the FY2001 Budget would be provided next week to the Commissioners.
- Commissioner Guazzo stated that fees will need to be revisited, and operating funds for the next four or five years should be projected, especially in light of the fact that federal and state funding will be decreasing in future years.

Commissioner Anderson moved that the Draft Fiscal Year 2001 Recommended Budget be approved and be taken to public hearing. Commissioner Guazzo seconded the motion. Commissioner Randall asked, and the other members agreed, to change the budget message to citizens, reflecting that the budget does not address all the needs of the citizens, but with the revenues on hand at the present time, the Board of County Commissioners did the best job that they could. All members voted in favor of adopting the Draft 2001 Recommended Budget.

COUNTY AMERICANS WITH DISABILITIES ACT ACCESS PROGRESS REPORT

Mr. Lacer introduced the topic, stating that individuals representing five different County agencies would be presenting information outlining the efforts made in recent years to comply with the Americans with Disabilities Act in terms of access.

Department Of Planning and Zoning

Present: Jon Grimm, Director, Department of Planning and Zoning

Mr. Grimm outlined the history of the Maryland Accessibility Code, which was first adopted in 1985. The Department of Planning and Zoning and soon to be Permit Services is and will continue to be responsible for administering the MAC in St. Mary's County in terms of any new construction, addition, alterations or change of use in public

buildings and multi-family housing. In 1995, the law was updated to incorporate the Americans with Disabilities Act Accessibility Guidelines. Mr. Grimm outlined many of the requirements that fall under this Act, and explained how the DPZ administers the Maryland Accessibility Code in the permitting and field inspection stages. Accessibility is not limited to only actual physical access, but must also include any visual and auditory needs.

In 1994, Mr. Grimm, along with a representative of the Governor's office, walked a portion of Great Mills Road to evaluate deficiencies that would impair handicapped individuals. As a result of that walk, several requirements for corrective action were targeted and implemented. Recently, another walk was taken by Harry Knight and District Engineer Paul Armstrong of the SHA. Numerous deficiencies appeared, including obstructions and improper ramp design, and quick corrective action will be taken to clear up these deficiencies.

Mr. Grimm pointed out that during the month of April there would be an opportunity to recognize International Building Safety Week. At that time, discussion about the scheduling of a public hearing for the adoption of an updated building code would be in order.

Department Of Recreation and Parks

Present: Phil Rollins, Director, Department of Recreation and Parks

Mr. Rollins provided highlights of park improvements made in the last year. In particular Fifth District Park in Charlotte Hall, Dorsey Park in Hollywood, and Cecil Park in Valley Lee were selected for improvements this year. He outlined improvements made as well as plans that target necessary modifications on the three parks as well as additional improvements at other playgrounds, ball fields, etc.

Mr. Rollins provided information on recreation facility improvements and changes to the Wicomico Shores Golf Course. In addition, a Park ADA Transition Plan was developed with considerable volunteer assistance from the Department's Inclusion Committee. A copy of the draft ADA Plan was presented for consideration by the Board of County Commissioners. The Plan establishes park ADA requirements and serves as the basis for a revised project in the Department's Capital Program. The Plan has already resulted in perhaps a \$400,000 savings over the next five years.

Commissioner Randall directed that the Draft Parks ADA Transition Plan be placed under County Administrator Time on a future agenda, once the Board of County Commissioners has had time to review the Plan. The Department of Recreation and Parks was commended by the Commissioners for providing exactly what was necessary – an advance, long-range plan that will help in putting a budget together. Recreation and Parks was asked to attend the MACO Conference on ADA, hoping this Department would be a model and showcase at that meeting.

Office of Central Services

Present: C. Lynn Brady, Building Services Supervisor

Ms. Brady outlined projects that have been on track, with the exception of Hollywood Elementary School. The planned completion date for the ADA projects is June 3rd. Accomplishments of this Department were listed in the outline provided, and a final report on each building improvement will be submitted within 120 days to the Board of County Commissioners. Minimum requirements set in 1993 for all facilities have been completed. Ms. Brady addressed the issue of automatic door needs and the need in the future for additional funding for these. This Department has worked well with the Commission on the Disabled, which has provided excellent suggestions, many of which have already been implemented.

Department Of Human Resources

Present: Melvin McClintock, Director, Department of Human Resources

Mr. McClintock stated that he has met with various service agencies in the County to discuss the untapped workforce – the disabled in the community. Partnerships with various agencies have been established to try to encourage youth and the disabled to seek employment and training opportunities within County Government. This Department is looking at modifying some of the current County positions to accommodate the disabled. Mr. McClintock discussed the topic of coaching – helping employees to adapt to the job - and the student internship program. He believes change in the community will occur as the County gains credibility in the disabled community, and that change will begin with students through education.

Department Of Public Works

Present: George Erichsen, Director, Department of Public Works

Mr. Erichsen provided historical information concerning ADA improvements through the assessment of roadways and continual self-evaluation. He discussed wheelchair ramps, curbs, sloping of curbs, obstructions, etc. Mr. Erichsen outlined Phases I through IV that has brought and will continue to bring the Department of Public Works up to certification of compliance in all areas of ADA accessibility. A detailed listing of improvements was provided for the Board of County Commissioners.

Mr. Lacer stated that a broad-based initiative across County Government has occurred in the community with priority being placed on implementation and budgeting. He suggested that this topic be reviewed from time to time by the Board of County Commissioners.

The Board of County Commissioners asked questions of the Department Heads and stated their concerns. Of particular importance is the need to implement ADA requirements in advance of project completion, so future projects do not have to be retrofitted later, which would cost a lot more in the long run. Also addressed was the subject of adequate inspection on new projects.

(Judith Spalding resumed taking minutes of the following portion.)

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas for April 4, 2000 and April 11, 2000
2. **Budget Amendment No. 2000-32 (\$2,661,524)**
911 Communications
(Realignment of budgeted funds from Reserve Account to pay the MCI contract Annual payment)

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign Budget Amendment No. 2000-32 as presented. Motion carried.

3. **Department of Public Works Items**
 - a) Resolution No. 200-04 – Waiver of landfill fees for trash and debris associated with the Christmas in April Project to be held on April 29, 2000.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and sign Resolution No. 2000-04 waiving the landfill fees associated with the Christmas in April project. Motion carried.

- b) Easement Agreement from the Cornerstone Presbyterian Church Trustees to allow for the repair and maintenance of Town Creek Drive, 8th Election District.
- c) Public Works Agreement for the Hunting Quarter Subdivision, Section 2-D, Phase 2, 2nd Election District, with a completion date of November 1, 2001. The letter of credit has been provided by the Maryland Bank & Trust Company in the amount of \$155,200.
- d) Public Works Agreement for the Westbury PUD Subdivision, Section 2, Phase 2, 8th Election District with a completion date of March 1, 2001. The bond has been provided by the Frontier Insurance Company in the amount of \$518,400.

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the referenced DPW documents. Motion carried.

4. Grant Documents

a. Child Support Cooperative Reimbursement Grants (3)

- Sheriff's Department – Total Cost - \$201,929
- State's Attorney's Office – Total Cost - \$325,063
- Circuit Court – Total Cost - \$19,062

Commissioner Raley moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the Child Support Cooperative Reimbursement Grants. Motion carried.

**b. St. Mary's Public Schools
Reading Excellence Act Grant Award (\$173,905)**

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign letter to BOE approving inclusion of grant award in the FY 2000 budget. Motion carried.

**5. Mosquito Control Aerial Spraying Approval Form
(follow up to 3/21/00 discussion)**

Commissioner Mattingly moved, seconded by Commissioner Raley to approve and authorize Commissioner Randall to sign the Agreement as amended on March 21. Motion carried four to one with Commissioner Guazzo voting against.

**6. St. Mary's Public Schools
Administrative Office Building**

Mr. Lacer advised that the Board of Education would be considering the lease for the building on Moakley Street at its meeting on March 29. He recommended that because of the time sensitive nature of this matter, that the Commissioners authorize Commissioner Randall to execute the documents once they are approved by the BOE.

Commissioner Guazzo moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to sign the "lease with option to purchase" documents at the appropriate time. Motion carried.

7. Budget Projections and Requirements

Mr. Lacer recommended that the Commissioners engage the Wainwright Company to provide information regarding revenue projections and requirements for expenditures and revenues for the next five years in conjunction with FY 2001 budget deliberations.

After discussion Commissioner Guazzo moved, seconded by Commissioner Anderson, to accept the County Administrator's recommendation to request this additional information. Motion carried.

**8. McIntosh Subdivision
Request to Planning Commission**

Also present: Jon Grimm, Director, DPZ
Frank Taylor, Chair, Planning Commission
Patrick Murphy, Assistant County Attorney

As a follow up to the Commissioners' directive of March 21 to request the Planning Commission to give reconsideration to its decision to approve the referenced project, the reference individuals appeared before the Board to explain the Planning Commission's actions on March 27.

Staff and Planning Commission Chairman Taylor described the events that occurred at the March 27 meeting stating that the Planning Commission denied to accept any additional testimony (e.g., Maryland Department of Environment and the County Health Department). Therefore, the County Attorney presented a letter for the Commissioners' signatures addressed to the Board of Appeals filing a Notice of Appeal of the Planning Commission's February 28, 2000 decision regarding phasing plan approval and Section 1, Phase 1 of McIntosh Subdivision; the letter further serves as notice of appeal of the Planning Commission's March 27 refusal to reconsider the February 28 decision.

Areas of discussion included:

- Conduct of four of the seven members of the Commission at the 3/27/00 meeting, which appeared to be argumentative, and their refusal to let the issue progress, unwillingness to reconsider and to discuss the subject.
- Concerns that the Planning Commission did not allow the presentation of additional information.
- Whether to ask for resignations of certain members of the Planning Commission.
- The Commissioners concerns for the health, safety and welfare of the community and that the Planning Commission did not take this into consideration in making its decision.
- Whether to go forward with the Notice of Appeal letter to the Board of Appeals.
- Legal representation for Planning Commission and Board of Appeals if the County Attorney represents the Commissioners.

After discussion Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve signing and forwarding the Notice of Appeal to the Board of Appeals regarding the Planning Commission's decisions of February 28 and March 27 relative to the McIntosh Subdivision (FSUB #99-0093). Motion carried.

UNIFIED LAND DEVELOPMENT CODE

Present: Jon Grimm, Director, DPZ
Frank Taylor, Chair, Planning Commission

Mr. Grimm and Mr. Taylor reviewed with the Commissioners the progress of the ULDC as well as the projected schedule for the conclusion of the Planning Commission's review. The schedule included two joint public hearings—May 30 on the text and June 5 on the maps.

After discussion the Commissioners suggested that if the schedule as presented could not be met, to keep the Commissioners informed.

ECONOMIC IMPACT FEE

Present: Jon Grimm, Director, DPZ
Jeannett Cudmore, Acting Director of Finance

As a follow up to previous discussions the Commissioners and staff discussed what the amount of the fee should be taken to public hearing.

Areas of discussion included:

- Scheduling of the public hearing on the EIF (late April, early May).
- The need to get feedback from the public prior to making final decision on the FY 2001 budget.
- In addition to the amount, other considerations include the method of payment (totally up front; half at recordation, half at building permit issuance.
- Impact increasing the fee would have on businesses.
- Whether to take just the impact fee to public hearing or the whole revenue plan.
- The decrease in the number of building permits being issued.
- The amount of the fee to take to hearing--\$4,000, \$4500, \$5,000, or \$6300 (\$5,000 was the amount included the FY 2001 Recommended Budget).
- The fact that the County will be reaching its debt affordability and the EIF would help provide funding for capital projects.
- The issue of the transfer tax in conjunction with impact fees.

After lengthy discussion Commissioner Raley moved, seconded by Commissioner Randall to direct staff to prepare an Ordinance with regard to the revision of the Economic Impact Fee in the amount of \$4500 to be collected totally at the time of recordation and that the first two lots off the parent tract, if transferred to immediate family (daughter or son), that those lots not be charged; further, the \$4500 should be broken down as follows: \$3375 for schools; \$450 for roads; \$337 for parks; and \$338 for solid waste. Motion carried.

Areas of discussion on the motion included the impact of having the total fee paid up front; the amount of the fee; and whether signing of the Recommended Budget committed the Commissioners to the \$5,000 proposed fee.

CALLAWAY ADVISORY COMMITTEE

Commissioner Raley moved, seconded by Commissioner Mattingly, to appoint Leonard Kohl to the Callaway Citizens Advisory Committee. Motion carried.

EXECUTIVE SESSION

Commissioner Mattingly 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)11-210(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
Judith A. Spalding, Recorder

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

Time Held: 6:05 p.m. – 7 p.m.

Action Taken: The Commissioners discussed several personnel issues .

ADJOURNMENT

The meeting adjourned at *7 P.M.*

**Minutes Approved by the
Board of County Commissioners on *4/11/00***

Judith A. Spalding
Judith A. Spalding, Recorder