

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
April 25, 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

(Commissioner Randall was not present at the beginning of the meeting.)

CALL TO ORDER

The meeting was called to order at 10:05 a.m.

ADDITIONS/DELETIONS TO AGENDA

Commissioner Guazzo moved, seconded by Commissioner Anderson, to accept the agenda as amended (to add a Proclamation for National Auctioneers' Week and an executive session on property acquisition). Motion carried.

APPROVAL OF CHECK REGISTER

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

**BALTIMORE GAS AND ELECTRIC
CALVERT CLIFFS UPDATE**

Present: Charles Cruse, Vice-President, Nuclear Energy, Calvert Cliffs
John C. Smith, Government Affairs Office

The referenced individuals appeared before the Commissioners to provide an update on the Calvert Cliffs Plant. Highlights of the report included:

- ❖ BG&E was rated in the top ten in power plants across the nation;
- ❖ Received top rating from the Nuclear Power organization;
- ❖ Ended the year with the best generation of power at Calvert Cliffs;
- ❖ There were no Y2K problems;
- ❖ Received license renewal (20-year extension) from NRC for Units 1 and 2 at Calvert Cliffs (it took BG&E ten years to work to get prepared for the renewal);
- ❖ Unit 2 is operating at 100%; Unit 1 is going through refueling outage and should be in operation later today;
- ❖ Explanation of change in oversight process and rating system for nuclear power plants (which is now on the NRC's website);
- ❖ Calvert Cliffs will no longer be a part of BG&E, but will be part of Consolidated Energy Group;

- ❖ As of July 1, because of deregulation legislation, customers of BG&E will be able to choose their own energy provider.

Areas of discussion included: preparation and time line for next license renewal and follow up documentation for Calvex exercise.

At the conclusion of the presentation Mr. Cruse and Mr. Smith presented a check in the amount of \$5,000 to representatives of St. Mary's College for the College's Summer Concert series.

(Commissioner Randall entered the meeting at 10:30 a.m.)

OFFICE ON AGING "LUNCH WITH YOUR COMMISSIONERS" PROGRAM

The Commissioners left at 10:35 to attend the Office on Aging's "Lunch with your Commissioners" Program at the Chancellor's Run Activity Center.

PROCLAMATIONS

The Commissioners issued the following Proclamations:

- ❖ Fair Housing Month
- ❖ National community Economic Development Day
- ❖ National Auctioneers' Month

LONG RANGE REVENUE AND EXPENSE PROJECTIONS

Present: Sam Ketterman, Davenport and Company LLC
Ed Donahue, The O'Brien & Gere Companies

Mr. Ketterman and Mr. Donahue appeared before the Board to present Long Range Revenue and Expense Projections for St. Mary's County. The presentation included:

- ❖ General Fund Actuals for FY 98 and 99 and Projections for FY 2000 through FY 2005;
- ❖ That use of past year's surplus will not be an option after FY 2002 because of depleted funds;
- ❖ In order to close the gap, the Commissioners need to consider increasing revenues and/or cutting expenses;
- ❖ Raising Revenues options included raising property tax rate in a range from .10\$ to .25\$ in conjunction with increasing impact fees from the current \$2,000 to \$8,000;
- ❖ Cutting Costs options included adjustment of solid waste fee to make the program self supporting; consolidation/elimination of duplicate functions with the Board of Education (budget/accounting/finance; human resources; maintenance/facilities support; procurement; information systems; and construction; reduction of capital budget);
- ❖ Assumptions included 2 ½% inflation and 2% growth factor;
- ❖ Review of three scenarios relative to the Capital Program, which is currently recommended at \$97,926,858:
 - Maximum Debt Issuance within 5% -debt/assessed value legal limitation (\$86,085,965)
 - Debt Issuance excluding solid waste capital projects from FY 2002-2006 (\$86,386,058)

- Maximum Debt Issuance within 5% - debt/assessed legal limitations and excluding solid waste capital projects from FY 2002-2006. (\$85,826,958)
- ❖ That the Commissioners should make raising revenue/cutting expenses at one time;
- ❖ That the County's reserve has been 5% and in order to get a good bond rating, and for stability purposes, the recommendation was that it be at 8% - 10%.
- ❖ That had tax rate not been reduced, there may still have been a problem with the undesignated fund balance, but not to this degree.

Mr. Ketterman advised the Commissioners that he would be submitting a five-year model that the County can continually update.

In conclusion Mr. Lacer indicated that the Commissioners will review this information during the finalization of the FY 2001 budget.

**DEPARTMENT OF RECREATION AND PARKS
LAUREL GROVE EXPANSION PROJECT
AND RELATED BUDGET AMENDMENT**

Present: Phil Rollins, Director

As a follow up to previous discussions Mr. Rollins appeared before the Board to present additional information relative to cost estimates, funding sources and a phasing plan for the Laurel Grove Expansion project. A revised preliminary estimate sets the cost at \$608,412 (\$200,000 less than the original estimate).

Mr. Rollins stated that \$686,554 (\$422,382 Program Open Space and \$264,172 Park Impact Fees) has been allocated for expansion and improvements to the Fifth District Park, and since that project not going forward, these funds can be reallocated to the Laurel Grove project or the Northern County Park project. Options for funding are: (1) fund the entire project with funds allocated for the Fifth District Park; (2) use a portion of the Fifth District funds and FY 2001 funds allocated for Laurel Grove; or (3) phase the project and do essential requirements now and defer other amenities until later. The first phase, at an estimated cost of \$400,000, would consist of clearing and excavation for the construction of three baseball fields; building a new playground and tennis courts; building an access road and additional parking; and putting in accessible walkways. The second phase, at an estimated cost of \$200,000, would consist of construction of a second restroom facility to serve the new ball fields and tennis courts; construction of a new basketball court; paving the roadway and parking areas; putting in two picnic pavilions; and constructing a trail system.

In response to inquiries from the Commissioners, Mr. Rollins advised that the project would be under construction by next summer.

During discussion Commissioner Anderson in supporting a phased-in approach to the project, stated that he would like the master planning construction schedule for Cecil Park and Elms Beach to be accelerated to begin in FY 2001 utilizing some of the funds saved through phasing. He pointed out that Cecil Park (Second District), and Elms Beach is a waterfront park that is greatly underutilized. In addition Cardinal Gibbons Park should have funding included in upcoming Capital Budgets.

After discussion Commissioner Anderson moved, seconded by Commissioner Guazzo, to authorize Recreation and Parks staff to proceed with the Laurel Grove expansion project in phases, and that the Commissioners authorize that Phase I begin immediately. Motion carried four to one with Commissioner Randall voting against, stating she is not against the expansion project, but would have preferred to have the trails (which is important to the disabled community and is the first passive recreational activity as recommended in the Comprehensive Recreation Plan) constructed under Phase I.

After discussion regarding the amount of the budget amendment, Commissioner Guazzo moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to sign the budget amendment transferring \$400,000 from the Fifth District Park project to the Laurel Grove project. Motion carried.

In conclusion the Commissioners agreed, that during the FY 2001 budget deliberations, to remove the Fifth District Park from the Capital Budget and distribute those funds during the deliberations.

APPROVAL OF MINUTES

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve the minutes of the Commissioners' meeting of Tuesday, April 18, 2000, as presented. Motion carried.

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas for May 2 and May 9, 2000
2. **Signature Authority, Procurement**

Commissioner Guazzo moved, seconded by Commissioner Raley, to adopt the recommendations for signature authority on procurement actions as contained in the County Administrator's memorandum of April 25. Motion carried.

3. **Department of Public Works**
Also present: George Erichsen, Director, DPW

- a) Resolution for Property Disposition – Old Hewitt Road, 8th Election District in accordance with the Commissioners' public hearing held on October 26, 1999.

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and sign Resolution No. 00-15 for the Disposition of a portion of Old Hewitt Road. Motion carried.

- b) Public Works Agreement Addendum for Persimmon Hills Subdivision, Phase 1 (Abbey Court) extending the completion date to March 1, 2001. The bond posted by the United Pacific Insurance Company in the amount of \$33,800 remains as posted.
- c) Public Works Agreement Addendum for Hunting Quarter Subdivision, Section 2, extending the completion date to April 1, 2001. The letter of credit posted by the Maryland Bank & Trust Company in the amount of \$156,300 remains as posted.
- d) Public Works Agreement Addendum for Greenbrier Subdivision, Section 2, extending the completion date to April 1, 2001. The letter of credit posted by The First National Bank of St. Mary's in the amount of \$152,000 remains as posted.
- e) Public Works Agreement Addendum for the Mayfaire Apartment Community Subdivision extending the completion date to September 1, 2000. The bond posted by the Fidelity & Deposit Company of Maryland is being reduced from \$57,000 to \$10,000.

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

4. **Grant Documents**

- a. **Office of Community Services**
Alcohol and Drug Abuse Prevention Program
(State Funding: \$89,564)

Also present: Cynthia Brown, Director, OCS

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the grant application. Motion carried.

- b. **Department of Recreation and Parks**
Teen Center Summer Program (Twilight Camp at Chancellors Run Park)
Grant Agreement
(State Funding - \$46,801.90)

Also present: Phil Rollins, Director, R&P

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign Grant Agreement. Motion carried.

- c. **Walden/Sierra, Inc.**
Victims of Crime Assistance – Grant Application
(Federal Funding - \$73,264; State Funding \$24,421)

Also present: Gary Lynch, DSS
Patrick Murphy, Acting County Attorney

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

During discussion the Commissioners raised questions as to why the Women's Center was not included as an agency Walden would be working with nor as a referral agency. The Commissioners suggested that Ms. O'Brien, Director, Walden/Sierra, and Mr. Lynch meet with the Commissioners to discuss this issue.

- d. **Sheriff's Office**
COPS Universal Hiring Program – Grant Agreement
(Federal Funding – over three years: \$150,000; Local: \$156,150 over three years)

Also present: Capt. "Rusty" Malone, Sheriff's Department
Tracey Lauterborn, Budget Analyst

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

5. **Zoning Ordinance No. Z200-02
Amendment – Communication Towers**

Also present: Jon Grimm, Director, DPZ
Patrick Murphy, Acting County Attorney

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

6. **Assistant County Attorney**

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the Employment Contract for John B. Norris, III, in the position of Assistant County Attorney. Motion carried.

COUNTY COMMISSIONERS' TIME

Tour of BG&E Calvert Cliffs

Commissioner Guazzo stated that she had asked about a year ago to have the Public Information Office schedule a tour of Calvert Cliffs. She indicated that she was still interested and requested that arrangements be made for her and any other Commissioner would like to go.

Ribbon Cutting – Church of Christ

Commissioner Raley stated that he had the pleasure of attending the ribbon cutting for the new Church of Christ located on St. Andrews Church Road.

Commissioners' Message

Reflecting on last week's public hearing on the Public Schools budget, Commissioner Raley spoke to each of the other four Commissioners, pointing out their successful campaigns in running for County Commissioner; however, he noted that the Commissioners are not now getting their messages out and need to do a better job of letting the public know they are pro education. He stated he was disappointed in the "theatrical production" of the elected school board and school staff, but was encouraged by many of the speakers.

Commissioner Anderson stated that even though the Commissioners get "beat up on" he was in favor of education and in favor of public safety; noted that the Bd/Ed had not submitted its priorities; and he was not satisfied with the Bd/Ed's response regarding quarterly meetings. He pointed out that the County provides 42% of the Bd/Ed's budget and other funding in its Capital Budget.

Commissioner Guazzo pointed out that it would have helped if the Bd/Ed had submitted its budget on time.

Commissioner Mattingly referred to a system used in Charles County relative to public school funding wherein percentages are determined ahead of time so that the school system would have an estimate of what was going to be allocated. He further referred to the presentation by Mr. Ketterman earlier in the meeting regarding consolidation of programs with the County and Board of Education, which would bring about efficiencies. He pointed out that certain areas could be consolidated on a tri-county basis.

Commissioner Randall stated that she was also personally disappointed in the production at last week's public hearing. She pointed out her past involvement with the Board of Education, the fact that the Commissioners allocated a \$3.1M increase for public schools in FY 2000 budget (and which is now a part of the school's base budget). Commissioner Randall stated it was important to work as a team. She further referred to the bus driver issue stating that a study had been done when she was on the Bd/Ed to look at efficiencies. The study recommended consolidation and there has been no follow up to that. Commissioner Randall closed her statement by stating that she is in support of the Governor's Teachers' Funding Challenge funding; however, there has been no request by the Bd/Ed to request the \$1M funding to meet the challenge.

Senator Dyson's Oil Spill Meeting

Commissioner Mattingly reported that he attended Senator Dyson's oil spill public meeting in Calvert County, and that he was disappointed in the information going out to the public. In two weeks the project should be downgraded from the emergency disaster stage, and the next phase will be clean up of the marshes and affected areas. He stated that the ban on shellfishing, fishing and crabbing has been lifted.

Revenue/Expense Projections Presentation

Commissioner Anderson suggested that the presentation by Mr. Ketterman earlier in the day should be made available to all departments for viewing or to have Mr. Ketterman return to present this information to the department heads and the Sheriff.

EXECUTIVE SESSION

Because of time restrictions (public hearing on the budget this evening) the Commissioners postponed the executive sessions on personnel and property acquisition until a later meeting.

7:00 p.m.

PUBLIC HEARINGS**FISCAL YEAR 2001 RECOMMENDED BUDGET
(Held at Great Mills High School Auditorium)**

Present: Commissioner President Julie B. Randall
 Commissioner Joseph F. Anderson
 Commissioner Shelby P. Guazzo
 Commissioner Thomas A. Mattingly, Sr.
 Commissioner Daniel H. Raley
 Al Lacer, County Administrator
 L. Jeannett Cudmore, Acting Director of Finance
 Kate Mauck, Recorder

Mr. Lacer moderated the Public Hearing, introducing the Board of County Commissioners, Finance Director, Sheriff, and members present from the Board of Education.

Also Present: Richard Voorhaar, Sheriff
 Dr. Patricia M. Richardson, Superintendent of Schools
 John K. Parlett, Jr., Chairman, Board of Education
 Stephen Kracinovich, Vice Chairman, Board of Education
 Joanie Farrar, Member, Board of Education
 Michael L. Hewitt, Member, Board of Education
 Mary M. Washington, Member, Board of Education

Constant Yield Tax Rate

The Board of County Commissioners conducted a public hearing on the Constant Yield Property Tax Rate as required by the State if the County intends to exceed the Constant Yield Rate. (\$2.03 is the constant yield tax rate; \$2.08 is the proposed FY 2001 tax rate, which would generate approximately \$992,878 in additional property tax revenues than the \$2.03 constant yield rate).

Ms. Cudmore provided a short presentation on the constant yield tax rate, noting that the appropriate notice for the public hearing was advertised. Mr. Lacer then opened the hearing for comments from the audience.

Ed Burgin – Opposed to a tax increase – would like to see the tax rate reduced, especially after the age of 65.

Gladys Siegal – Opposed to a tax increase – wants decreased budget spending – cut the size and cost of local government.

Cheryl Swartz – Opposed to increasing taxes to meet budget requests.

Mary Bailey – In support of constant yield tax rate, and in support of Sheriff's budget request. Against tax increases to support the budget.

Terry Miller – Wants taxes to remain low.

Emily Jackson – Supports raising revenue to meet school budget, even if it means raising taxes.

Fiscal Year 2001 Budget (All Spending Units Except Board of Education)

The Board of County Commissioners conducted a public hearing on the Fiscal Year 2001 Recommended Budget. Ms. Cudmore gave a brief presentation on the FY2001 proposed budget.

The hearing was opened for comments from the audience.

The following individuals spoke in support of full funding of the Sheriff's Department requested budget from the County: Rocky Chandler, Bill Raddar, Jim Conlon, Greg Laxton, Mickey Bailey, Gerald Johnson, E. Canfield, John Horne, Lyle Long, David Zylak, Schools Superintendent Patricia Richardson, Lorraine Fulton, Emily Jackson, Ann Allio, Cindy Adams, Margaret Miller, Gwen Bankins (fully fund Teen Center as well), Mary Bailey, Wayne Pettit, Al Potts, Phyllis Wick, Min Leong, Jennifer McLean.

The following individuals spoke in support of full funding of the Sheriff's Department and full funding for the Board of Education as well: Sheriff Richard Voorhaar, Emily Jackson, Joyce Malone, Don Belk, Tony Pitt, Valentino Johnson (to include Teen Center and Homeless Shelter as well), Marcia Harris, Terry Miller, Steven Cooper, Deborah Curtis.

Ms. Andrea Shoemaker spoke in support of full funding of the Sheriff's Department requested budget from the County and also expressed the opinion that she was willing to see taxes raised if necessary.

The following individuals spoke in support of full funding for the Three Oaks Center: Sean O'Hara, Patricia Ball, Edwin Dukes.

The following individuals spoke in support of full funding of the ARC of Southern Maryland: Eileen Hislop, Jeanne Kracinovich, Stephen Kracinovich (and fully fund Sheriff's Department), Stephen Mattingly, Connie Thompson, Harriet Yaffe.

Ms. Sandra Wheeler spoke in support of full funding for the Office on Aging.

Mr. Mark Miller spoke in support of fully funding the budget for the St. Mary's County Advanced Life Support Team, which falls under the Emergency Management Agency.

Admiral Gus Eggert spoke in support of full funding for the Navy Museum.

Mr. Charles Herbert spoke in support of full funding for the St. Joseph Recreation Center.

Ms. Becky Stevens spoke in support of full funding for the Southern Maryland Child Resource Center.

The following individuals spoke in support of full funding for the Library: Regina Greely (also to fully fund Schools and Sheriff's Department), Joan Marsh, Mary Ann Chasen, Barbara Conrath.

Mr. Gary Rue stated that other states must be looked at and counties should not be pitted against one another.

Ms. Marilyn Crosby spoke in support of fully funding the Board of Education's requested budget, and suggested the restoration of taxes that were reduced in the 1995 budget (by .09 cents).

Mr. Ed Burgin - Stated that marginal programs should be cut in order to fully fund necessary agencies. Taxes should be held constant, and a complete professional analysis is needed to determine what agencies are necessary or expendable.

Mr. Hamer Campbell spoke regarding his concerns about the potential increase in impact fees.

Ms. Clare Whitbeck commended the Board of County Commissioners on the research completed by the County on determining impact fees. Ms. Whitbeck expressed her support for imposing a full impact fee.

Mr. David Triantos expressed support for impact fees, stating that these fees should be utilized to fully fund the Sheriff's Department and the Board of Education.

ADJOURNMENT

The meeting adjourned at 10:50 p.m.

Minutes Approved by the

Board of County Commissioners on 5/2/00

Judith A. Spalding
Judith A. Spalding, Recorder