

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
May 30, 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

CALL TO ORDER

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

ADDITIONS/DELETIONS TO AGENDA

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

APPROVAL OF CHECK REGISTER

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

**ST. MARY'S COUNTY HEALTH DEPARTMENT
(Commissioners Sitting as Board of Health as required by law)**

Present: Dr. Ebenezer Israel, Health Officer
Nancy Luginbill, Director of Community Health Services
Kathleen Wolfe, Contractor for Health Department on Disabilities Project

Commissioner Mattingly moved, seconded by Commissioner Anderson, to recess as the Board of County Commissioners and to convene as the Board of Health. Motion carried.

Dr. Israel came before the Board of Health in order to inform them of matters handled by the Health Department and to seek their consensus on certain matters. The following items were discussed:

- The uniform usage of 4-inch piping for wells, in order to allow well pumps to be lowered;
- Public notification issues during the oil spill;
- Expressions of thanks for support given by the Board of Health and Mr. Forrest that led to the receipt of State funding;
- Implementation of a pilot dental program in the County for children and pregnant women on Health Choice;
- An in-depth update on smoking and cancer prevention programs; and

Ms. Wolfe provided an interim report on services provided to persons with disabilities:

The Health Department, after outlining problems and critical areas involved in assisting family members of persons with disabilities, requested that at a minimum, a half-time staff person be placed in the area of coordinating services for these individuals. The Board of Health suggested to Mr. Lacer that this should be included in the Singer Group Study Recommendation. Ms. Randall offered help from the Board in the attempt to secure more funding at the State level to go toward the issue of more equitable pay for

caregivers. It was further suggested that the Commission on Disabilities be required to give more regular updates to the Board of County Commissioners on issues that concern services provided to individuals with disabilities in the community.

Commissioner Guazzo moved, seconded by Commissioner Anderson, to adjourn as the Board of Health and to reconvene as the Board of County Commissioners. Motion carried.

PUBLIC HEARINGS – SUPPLEMENTAL APPROPRIATIONS

1) Marcey House

(\$14,870 – State Grant Funds for replacement of equipment and supplies and to expand services)

Present: Jeannett Cudmore, Acting Director of Finance
Larry Harvey, Director, Marcey House

The public hearing on the Supplemental Appropriation for Marcey House was properly advertised on May 17, 2000 and May 24, 2000. After discussion, Commissioner President Randall opened the floor for public comment. No individuals were present to speak on this topic; therefore, the floor was closed for public comment. Commissioner President Randall stated that the record would be held open for written public comment for a period of ten days, after which time, the item would be placed on the Board of County Commissioner's agenda for a final decision on the matter.

2) Office of Community Services

(\$13,700 State Grant Funds for the Prevention Program, the Hooked on Fishing Program and the Prevention Conference Assistant)

Present: Jeannett Cudmore, Acting Director of Finance
Cynthia Brown, Director, OCS

The public hearing on the Supplemental Appropriation for the Office of Community Services was properly advertised on May 17, 2000 and May 24, 2000. After discussion, Commissioner President Randall opened the floor for public comment. No individuals were present to speak on this topic; therefore, the floor was closed for public comment. Commissioner President Randall stated that the record would be held open for written public comment for a period of ten days, after which time, the item would be placed on the Board of County Commissioner's agenda for a final decision on the matter.

APPROVAL OF MINUTES

May 16, 2000

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, May 16, 2000, as corrected. Motion carried.

May 23, 2000

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve the minutes of the Commissioners' meeting of Tuesday, May 23, 2000, as corrected. Motion carried.

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas for June 6 and June 13, 2000
2. **Budget Amendments**
 - a) **No. 2000-46 - Office on Aging - \$11,462**
(to fund overtime for work at old Hollywood School (Ripple Center))

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the Budget Amendment No. 200-46. Motion carried.

- b) **No. 2000-47 - Office on Aging - \$4,524**
(to provide funds for materials for a privacy fence around the old Hollywood School)

(The Commissioners deferred a decision on Budget Amendment No. 2000-47 until the County Administrator could get additional information.)

- c) **No. 2000-48 - Public Works - \$24,000**
(to provide funds for contract services to complete FY 2000 in Recycling Support with Waste Management)

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the Budget Amendment No. 200-48. Motion carried.

3. **Department of Public Works**

Bond Claim Letter in the amount of \$90,888 to the Reliance Surety Company for work not completed as per the Public Works Agreement for Rustic Hills Subdivision, Section 4, 5th Election District.

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the Claim Letter. Motion carried.

4. **Employment Contracts**

- Director of Human Resources
- Assistant to the County Administrator
- Director, Office of Community Services
- Director, Economic and Community Development

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

5. **Census Program Update**

Present: Mary Hayden, DPZ
George Forrest, Deputy County Administrator

The referenced individuals appeared before the Board to present a status report on the County's responses to the Census 2000. Mr. Forrest presented a handout from the U.S. Census Bureau showing initial responses nationally (65%) and locally (63%).

Ms. Hayden explained that the Census workers are now in the enumeration phase of the census, making contact (visits and telephone calls) with individuals who have not responded to the forms. She stated that if anyone has not received a form or been contacted he/she should contact the Waldorf Office.

The Commissioners requested that this information be put on Channel 12.

In closing Commissioner Randall requested current specific data for St. Mary's County's response to the Census, stating that it was important for all individuals to be counted in order to receive State and Federal funding.

6. **Discussion of Scheduling of Public Hearing for Mill Run Plaza
(To determine date for public hearing)**

Mr. Lacer indicated that the Planning Commission has conducted its hearing on the Mill Run Plaza PUD and made its decision. It is now time for the Commissioners to schedule a hearing on this project.

The Commissioners agreed to schedule the hearing on a day other than Tuesday in July, since July 4 is a holiday, and since the Commissioners are required to meet four times as month. Thursday, July 13 was set as the tentative date for the hearing.

COUNTY COMMISSIONERS' TIME

Marcey House Golf Tournament

Commissioner Guazzo reported that she attended the Marcey House Golf Tournament on Friday, and stated that it was a very enjoyable day. She stated that she met a graduate of the Marcey House Program and a current resident, who were giving their time to help with the event.

Atlantic Trucking/Chingville Road

Commissioner Guazzo referred to correspondence from citizens of the Chingville area regarding concerns with Atlantic Trucking Company. The citizens have been requesting information since 1996 on the status of the firm's permit and response to their concerns as to what is going on. She requested that DPZ come before the Board to provide information as to whether this issue has been resolved, and if not, why not.

Commissioner Randall pointed out that the County Administrator has been directed to request definitive information from Mr. Grimm. Mr. Lacer will follow up and bring it before the Board at a future meeting.

Commissioner Randall suggested that there be a policy established for the closing out of citizen complaints.

Memorial Day

Commissioner Raley reported that he and Commissioners Mattingly and Anderson attended the Memorial Services at Ridge American Legion (Post 255), during which time Congressman Hoyer stated that over one million of the country's men and women had given their lives to ensure our freedom and democracy. He stated he felt it would be appropriate for citizens to take a few minutes to think about this today, the official Memorial Day.

Commissioner Mattingly suggested that a Proclamation be prepared for the Ridge American Legion recognizing its 50th Anniversary.

High School Graduations

Commissioner Raley pointed out that Ryken's graduation is this evening and will be followed by graduations of the three public high schools. He wished the graduates a joyous time, but to be careful on the roads.

Commission on Education, Finance, Equity and Excellence

Commissioner Anderson advised that he attended the referenced Commission meeting last week and stated that because of the important work to be done, the Commission may be requesting an extension of time in order to accomplish this work. He further pointed out that he has been nominated by MACo to represent the rural counties in Maryland. Some of the issues that will be addressed include basic school funding formulas, capital funding, and formulas for special education and transportation funding.

Commissioner Anderson noted that MACo was also putting together a group to look at this issue, and it will probably be a parallel effort.

Governor's Workforce Investment Board

Commissioner Anderson reported that he is being appointed to the Governor's Workforce Investment Board, representing the County and the region, and will be attending an orientation meeting on Wednesday.

Trip to Louisiana

Commissioner Mattingly advised that he will be going to Louisiana next Sunday for a tour of the oil spill site. He will be returning on Monday. The trip is at the expense of PEPCO and no county funds will be used.

**SIGNING OF FISCAL YEAR 2001 BUDGET
(and Related Documents)**

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

After review of the Fiscal Year 2001 Budget documents, the Commissioners took the following actions:

Fiscal Year 2001 Budget

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and sign the Operating and Capital Budget for Fiscal Year 2001. Motion carried.

Ordinance No. 2000-16 - Appropriations

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and sign Ordinance No. 200-16. Motion carried.

Ordinance No. 2000-17 - Revenue Tax

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and sign Ordinance No. 2000-17. Motion carried three to two with Commissioners Guazzo and Raley voting against consistent with their votes of last week on the property tax and income tax rates.

IMPACT FEE ORDINANCE

Present: Jon Grimm, Director, DPZ
Patrick Murphy, Acting County Attorney

As a follow up to previous discussions, Mr. Grimm and Mr. Murphy presented two versions of the Impact Fee Ordinance, one with a grandfathering clause and one without.

Discussion ensued as to the number of projects that could actually get building permits with the August 31 deadline; whether individual property owners could have priority over larger builders in order to make it a more fair procedure; elimination of the specific number of lots in a minor subdivision because of possible changes in the Unified Land Development Code; verification of relationship for intra-family land transfers; the addition of the words "first approved inspection" under Paragraph 9(D) for "legally implemented."

After discussion Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and sign the Impact Fee Ordinance with the grandfathering clause, setting the fee at \$4,500, and with the amendments requested by the Commissioners. Motion carried four to one with Commissioner Guazzo voting against, consistent with her vote of last week on the impact fee stating she did not believe that it would provide adequate revenues for infrastructure costs.

The Commissioners expressed interest in looking at different methodologies in implementing an impact fee and requested staff to contact other jurisdictions to get this information.

In conclusion Commissioner Randall emphasized the importance of getting the message out to the public regarding the economic impact fee requirements.

EXECUTIVE SESSION

Commissioner Anderson moved, seconded by Commissioner Guazzo, to meet in Executive Session to discuss matters of Property Acquisition and Personnel, as provided for in Article 24, Section 4-210(a)11 and 4-210(a)1, 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
Alfred Lacer, County Administrator
Judith A. Spalding, Recorder

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

Time Held: 3:15 p.m. – 4:30 p.m.

Action Taken: The Commissioners discussed a property acquisition issue 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
Alfred Lacer, County Administrator
Judith A. Spalding, Recorder
Delores Lacey, Asst. PIO (attended from 4:35 p.m. – 4:40 p.m.)

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

Time Held: 4:30 p.m. – 4:45 p.m.

Action Taken: The Commissioners discussed appointments to a Board and gave direction to staff.

ADJOURNMENT

The meeting adjourned at 4:45 p.m.

**Minutes Approved by the
Board of County Commissioners on 6/6/00**

Judith A. Spalding
Judith A. Spalding, Recorder