

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
June 27, 2000**

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Alfred A. Lacer, County Administrator
Judith A. Spalding, Recorder

(Commissioner Shelby P. Guazzo was not present.)

**CHANGE OF COMMAND AND RETIREMENT CEREMONY
FOR VICE-ADMIRAL JOHN A. LOCKARD, USN**

The Commissioners attended the referenced Change of Command held at 10:00 a.m. at the Naval Air Station Parade Field.

CALL TO ORDER

The meeting was called to order at 1:05 p.m.

ADDITIONS/DELETIONS TO AGENDA

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

APPROVAL OF CHECK REGISTER

Commissioner Raley moved, seconded by Commissioner Anderson, to authorize Commissioner President Randall to sign the Check Register for the week of June 27, 2000. Motion carried.

Commissioner Anderson moved, seconded by Commissioner Raley, to authorize Commissioner Randall to sign the bills for the week of July 3, 2000. Motion carried.

APPROVAL OF MINUTES

Minutes of June 13, 2000

Commissioner Raley moved, seconded by Commissioner Anderson, to approve the minutes of the Commissioners' meeting of Tuesday, June 13, 2000, as corrected. Motion carried.

Minutes of June 20, 2000

Commissioner Anderson moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, June 20, 2000, as corrected. Motion carried.

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

**OFFICE OF CAPITAL PROJECTS
LEXINGTON PARK LIBRARY PROJECT UPDATE**

Present: Jim Stirling, Director
Mary Wood, Director, St. Mary's County Libraries
Janice Hummel, Lexington Park Library
Greg Lukemire, Project Architect

Mr. Stirling appeared before the Board of County Commissioners in order to provide an update on the design of the Lexington Park Library Project. An illustrated floor plan of the 25,000 square foot building was presented by Mr. Lukemire, which included a breakdown and discussion on each of the four main areas:

- Meeting room complex;
- Staffing area;
- Library proper; and
- Children's section

In addition to the four main areas, discussion also included the placement of the building on the property, access points, parking design and location, a drive-in book drop, tree retention, fire escapes, meeting room capacity, lounging areas, and stormwater management.

It is anticipated that the construction bid will be ready to go out in November or December of this year, and that groundbreaking should occur early next calendar year. After further development, drawings of the outside of the building will be presented to the Board of County Commissioners by the end of the summer.

The Board of County Commissioners expressed concern about the appearance of the stormwater management area, asking Mr. Stirling to avoid a fence around that area if at all possible. They also asked that further review with library staff take place to explore the possibility of having an entrance access to the building on Shangri-La Drive.

ST. MARY'S COUNTY PUBLIC SCHOOLS FY 2001 BUDGET

Present: Dr. Lorraine Fulton, Director of Student Services
Elaine Kramer, Director of Budget and Finance
Bradley Clements, Director of Facilities, Building and Maintenance

Members of the St. Mary's County Public School system came before the Board of County Commissioners in order to present a request for final approval on the FY 2001 School Budget. The budget amount of \$93,333,618 had been approved by the Board of Education at its meeting on June 14, 2000.

Dr. Fulton thanked the Board of County Commissioners, on behalf of the parents and schoolchildren of St. Mary's County, for their hard work in what proved to be a very difficult budgeting process.

Ms. Kramer provided a breakdown of the expenditures that had been either moved or eliminated from their original requested budget amount. Commissioner President Randall expressed appreciation to the many members of the Board of Education and school staff for their hard work and cooperation in developing a sound budget for the education of the schoolchildren of St. Mary's County.

Commissioner Anderson moved, seconded by Commissioner Raley, to approve the FY 2001 School Budget as submitted. Motion carried.

INCOME TAX DISCUSSION/DECISION

Present: Patrick Murphy, Acting County Attorney

As a follow up to the June 6, 2000 public hearing, Mr. Murphy came before the Board of County Commissioners to present an Income Tax Ordinance for action.

Commissioner Mattingly moved, seconded by Commissioner Anderson to approve the signing of the Income Tax Ordinance. Commissioners Randall, Anderson and Mattingly voted in favor and Commissioner Raley voted against (in order to be consistent with his previous votes on this issue). Motion carried.

TRANSFER TAX DISCUSSION/DECISION

Present: Patrick Murphy, Acting County Attorney

Mr. Murphy came before the Board of County Commissioners to present a re-adoption and re-enactment of the Real Property Transfer Tax Ordinance for a vote. The appropriate public hearing and ten-day waiting period had been completed as required by law. The transfer tax would be staying the same; however, because the current Transfer Tax will expire on July 1, 2000, the Ordinance would re-enact the transfer tax for a period of five years.

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve the re-adoption and re-enactment of the Real Property Transfer Tax Ordinance. Motion carried.

(Judith Spalding resumed taking the minutes for the remainder of the meeting.)

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas for July 11 and July 18, 2000
2. **Budget Amendments:**
 - a. No. 2000-53 - County Commissioners (\$5,000)
(to allocate funds for the 2000 Investment in the Greater Washington Initiative)
(deferred)
 - b. No. 2000-54 - Finance (\$31,820)
(to allocate funds for salary for senior accountant, payment of employee leave)

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign BA No. 2000-54. Motion carried.

3. **Human Resources**
 - a. Severe Weather Alert and Action Plan
 - b. County Declared Emergency Closing Policy
(deferred until additional information is received)
4. **St. Mary's County Metropolitan Commission**
Member Compensation

Present: Tom Russell, Deputy Director, MetComm

The Commissioners discussed a memorandum from the Chair of MetComm requesting consideration for an increase in the compensation of the MetComm members. Currently the chair receives \$1,200 and members receive \$900; the request is for \$2500 and \$2,000 respectively.

After discussion the Commissioners requested that the MetComm take an official vote on the requested increase in compensation and to submit the to the County Commissioners for consideration.

Discussion also ensued regarding the compensation to the Planning Commission, which has not been increased for a number of years. Staff was directed to contact other jurisdictions, particularly Calvert and Charles Counties in order to get comparisons of those planning commissions.

5. **Department of Public Works Documents**
 - a. Resolution for the Unauthorized use of the Railroad Right-of-Way

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and sign Resolution No. 2000-18. Motion carried.

- b. Temporary Easement Agreement – William J. & Dorothy R. Sickle, Indian Bridge Road Project
- c. Easement Agreement – James M. Amsden, Indian Bridge Road Project
- d. Easement Agreement – Curtis A. & Ann M. Seltzer, Indian Bridge Road Project
- e. Easement Agreement – Patrick E. & Ethnea C. Montgomery, Indian Bridge Road Project
- f. Easement Agreement – John H. and Mary P. Bowen, Indian Bridge Road project

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the DPW documents (b – f), as presented. Motion carried.

6. **Office of Capital Projects**

Present: Jim Stirling, Director
Joan Lolcama, Property Manager

- a. Proposed Easement for SMECO service to 911 Emergency Communications Center

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

- b. Leonard Hall Lease Agreement

The current lease with the Leonard Hall Junior Naval Academy expires June 30, 2000, and Mr. Stirling pointed out that the new agreement is for one year with two-year renewal options (at the option of the school).

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

7. **Legal Department**

Cable Franchise Renewals Status Report

Present: Patrick Murphy, Acting County Attorney

Mr. Murphy appeared before the Board to provide an update on the status of negotiations for the cable franchise renewals.

The consulting firm of Mill & Van Eaton is in the process of doing needs assessment; financial review; and technical review.

The Cable Advisory Committee, using its institutional knowledge, will go through the agreements and prepare a report which will be used as a tool in negotiating with the cable companies.

The Public Information Office will develop a community outreach program; and there will be public informational meetings on the franchise renewals.

In closing Mr. Murphy advised that he will request the Advisory Board and the consultant come before the Board for a presentation on the progress of the franchise renewals.

8. **Mosquito Control Agreement**

Proposed Budget between Md. Dept. of Agriculture and St. Mary's County for FY 2001

Present: Jeannett Cudmore, Acting Director of Finance

Discussion ensued regarding concerns received from citizens of St. George Island, aerial spraying, the County's level of support in the budget (FY 2001 was not as high as requested, but that it was based on past expenditures), DNR's willingness to work with the County if additional services are needed.

After discussion Commissioner Anderson moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the Agreement. Motion carried.

9. **Department of Planning and Zoning**

Present: Jon Grimm, Director, DPZ

Permit Process (backlog of permits discussion)

As a follow up to a request by the Commissioners Mr. Grimm provided an update on what actions are being taken to reduce the backlog in the issuance of permits in the Department of Planning and Zoning.

Areas of discussion included:

The increase in the impact fee has created a "last minute" rush for permits before the June 1 effective date of the fee (the number of requests will be reduced since the deadline has passed).

It now takes three to four weeks to process a permit, which had previously been a three to four day waiting period.

Actions being taken to help reduce the backlog: Filling of vacancies, using Manpower temps, and payment of overtime (rather than allowing accumulation of additional compensatory time.

Director of Permits Position

County Administrator Lacer reported that the candidate for the Director of Permits position is reviewing the contract and, therefore, requested the Board to authorize Commissioner Randall to sign the contract once it is returned. He stated that the individual will be starting work on July 24.

Commissioner Anderson moved, seconded by Commissioner Mattingly, to authorize Commissioner Randall to sign the Contract for the Director of Permits upon signature and return of the document. Motion carried.

Economic Impact Fee Clarifications

Also present: Patrick Murphy, Acting County Attorney

As a follow up to direction by the Commissioners for clarification on two issues in the recently adopted Economic Impact Fee Ordinance, Mr. Grimm and Mr. Murphy responded to the requests. The issues were: (1) the June 1 effective date for subdivision of property; and (2) the transfer of an entire parcel to a child or grandchild to be exempted from the economic impact fee.

During discussion the Commissioners indicated that the intent of the Ordinance should be consistent with the implementation and that it was their intent to allow the subdivision of family lots before or after the June 1 date; and to waive the fee for the transfer of an entire parcel to a child or grandchild.

Discussion ensued as to whether these amendments would require a new ordinance or if the clarifications could be done by resolution. The County attorney responded that since the changes were only clarifications to the existing ordinance and therefore, could be accomplished through a Resolution.

Mr. Grimm and Mr. Murphy will draft the clarifying resolution and submit the document to the Commissioners for approval.

10. **Sheriff's Retirement Plan – Public Hearing Discussion**

Mr. Lacer advised the Board that the Sheriff's Retirement Plan Board has had several meetings on updates to the Plan. He pointed out that the changes clarify certain benefit issues and will bring the document up to date. In order for the Plan to be implemented, the Commissioners will have to conduct a public hearing as recommended by counsel for the Retirement Board.

After discussion the Commissioners gave their concurrence for staff to schedule a public hearing on the draft Sheriff's Department Retirement Plan.

11. **Office of Community Services**

Grant Acceptance from Governor's Office of Crime Control & Prevention
\$600: each for Lexington Manor/Southampton Summer Program; Quad
Community After School Program; Community Action Team.

Present: Cynthia Brown, Director

Ms. Brown explained the programs receiving the \$600 grant awards, stating that these are grass root initiatives in the community.

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

In closing Commissioner Anderson requested a report on what grant opportunities are available to provide services to areas outside the HotSpots and what other initiatives are being done in those areas. Commissioner Randall requested information on the types and numbers of staff hours involved in applying for these grants.

Relative to HotSpot areas, Commissioner Raley stated that the Housing Office is working on a HUD grant in the amount of \$234,000 for streetlights and speed bumps for Lexwood Drive; however, there were no funds available for sidewalks. He requested staff to work with him in searching for funds to provide sidewalks for Lexwood Drive.

12. **August Commissioners' Meetings**

Mr. Lacer noted that State law requires the Commissioners to meet four times a month and pointed out that there are five Tuesdays in August. In that the Commissioners will be attending the MACo Conference during the third week, he inquired, for meeting scheduling purposes, whether they wished to cancel the meeting of August 15 or another Tuesday in August

The Commissioners will make a decision on this at a later meeting.

13. **Workforce Investment Board Grant Documents**

Mr. Lacer advised that St. Mary's County will be the recipient of the grant for the Workforce Investment Board and stated that the documents are being reviewed by the County Attorney's Office. Since the Commissioners will not be meeting the week of July 4, he requested the Board to authorize Commissioner Randall to sign the grant documents when completed.

Commissioner Mattingly moved, seconded by Commissioner Raley, to authorize Commissioner Randall to sign the Workforce Investment Board grant documents when completed. Motion carried.

COUNTY COMMISSIONERS' TIME

Agriculture/Seafood Newsletter

Commissioner Raley commended Donna Sasscer and staff for the recent Agricultural/Seafood newsletter, stating it was well done, colorful, and provided important highlights.

First Annual Fishing Tournament

Commissioner Raley reiterated his reminder to the public about the First Annual Fishing Tournament, which will be held August 26.

Mass Transit Public Hearing

Commissioner Anderson announced that there will be a public hearing June 29 at Charlotte Hall conducted by the Mass Transit Administration on commuter route service. MTA will be asking the public to provide comments on the changes to the service with one of the topics for discussion being the length of the commute.

Maryland Navy Alliance Day

Commissioner Anderson reported that he represented the Board at the June 26 Maryland Navy Alliance Day at the Washington Navy Yard. He stated that there was a presentation on the Joint Strike Fighter, Pax River's Role in Research, Development, Technical Evaluation. Speakers included Rear Admiral Jay Cohen, Dave Burgess, Commander Mike Rabens.

Commission on Education Finance, Equity and Excellence

Commissioner Anderson reported that he attended the referenced Commission meeting and advised that there are a number of public hearings scheduled throughout the State to get input on finances and equity in public schools. He noted that Southern Maryland was "lumped in" with Central Maryland, and that he requested a separate hearing be scheduled for Southern Maryland.

The Commissioners directed staff to prepare a letter for their signatures as well as a letter to be signed by all three counties.

Angels Watch

Commissioner Anderson advised that he attended a meeting in Hughesville for Angels Watch, a regional shelter for homeless women and children. He stated that included in the topics discussed was the fact that the current building could not accommodate all those who need this service and the need for resources from the three counties to look at acquiring another building.

Commission on Environment

Commissioner Anderson stated that the Commissioners have assigned the COE with the task of providing recommendations regarding a Water Policy Task Force, and he suggested that this group also provide a full report on the transport and application of sludge in St. Mary's County, the leading county in Maryland for the application of sludge.

Callaway Project

Commissioner Anderson stated that he was disappointed that the developer for the Callaway project had proceeded with the demolition of the Callaway Club without getting a permit (which was obtained after-the-fact). He further noted that the project had proceeded without an approved site plan or an approved forestry plan, and pointed out that the current Zoning Ordinance does not sufficiently deter this type of activity, that the

finances are not adequate. Commissioner Anderson requested input from Legal and Planning and Zoning as to appropriate level of funds for violations of the ordinance.

State Firemen's Convention

Commissioner Mattingly advised that last week at the State Firemen's Convention, "Jenks" Mattingly, II, was moved up to the position of First Vice-President of the Firemen's Association, and Joe Cooper from Bay District was appointed Assistant Secretary.

Maryland Association of Counties Executive Board Retreat

Commissioner Randall stated she attended the referenced MACo Retreat, which proved to be a good networking opportunity among the counties. She advised that she got procedures regarding funding its school system from Harford County, which she will provide to the Commissioners.

Other topics that came out of the MACo meeting included collaboration on legislative initiatives; the forecast for future school funding—that there will be more emphasis on transportation and less on school construction.

Retirement Events

Commissioner Randall reported that she attended the Retirement Party for Velma Sanford, a long time employee of the Tri-County Council.

Commissioner Randall advised that she attended the Retirement Celebration for Vice Admiral John Lochard.

Lexington Park Elementary School Renovation Project

Commissioner Randall reported that Board of Education Chair John Parlett had informed her that the bids for the referenced project came in significantly over budget. The Team for the project is being reassembled to look at the design to see what changes can be made and then put it back out for bids again.

EXECUTIVE SESSION

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

Personnel

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Alfred A. Lacer, County Administrator
Judith A. Spalding, Recorder
Delores Lacey, Asst. Public Information Officer

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

Time Held: 4:50 p.m. – 5:15 p.m.

Action Taken: The Commissioners reviewed vacancies on Boards and Commissions and gave direction to staff.

Property Acquisition

Present: Commissioner President Julie B. Randall

Commissioner Joseph F. Anderson
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Alfred A. Lacer, County Administrator
Jim Stirling, Director, Capital Projects
John B. Norris, III, Assistant County Attorney
Judith A. Spalding, Recorder

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

Time Held: 5:15 p.m. – 6:00 p.m.

Action Taken: The Commissioners discussed a property acquisition issue and gave direction to staff.

ADJOURNMENT

The meeting adjourned at 6:00 p.m.

Minutes Approved by the
Board of County Commissioners on 7/11/00

Judith A. Spalding
Judith A. Spalding, Recorder