

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
July 11, 2000**

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
George Forrest, Deputy County Administrator (on behalf of County Adm. Alfred Lacer)
Judith A. Spalding, Recorder

(Commissioner President Julie B. 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 an executive session on property acquisition on the July 13 agenda). 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.

APPROVAL OF MINUTES

Commissioner Anderson moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, June 27, 2000, as corrected. Motion carried.

COUNTY ADMINISTRATOR

Present: George Forrest, Deputy County Administrator

1. Draft Agendas for July 18 and July 25, 2000

After discussion regarding the Eye Care Center agenda item for July 18, Commissioner Raley moved, seconded by Commissioner Anderson to approve the drafted agenda for July 18 as submitted. Motion carried.

Commissioner Anderson moved, seconded by Commissioner Raley, to approve the draft agenda for July 25 as presented. Motion carried.

2. **County Attorney's Office**

Present: Patrick Murphy, Acting County Attorney
Jim Cumbie, Venable Baetjer (bond counsel)

- a. **911 Emergency Center Project
Contract Modification and Third Party Financing**

(Commissioner Randall entered the meeting at 10:40 a.m.)

Mr. Murphy provided the highlights of the 911 Contract Modification stating that there is no increase in costs and does not change the payment schedule. Highlights included:

Replaces the current contractor (EDS) with IXP;
Creates third party financing agreement with Banc One;
Creates an escrow account to ensure delivery of equipment, etc. prior to payment to IXP;

After discussion Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the 911 Contract Modification and Third Party Financing documents. Motion carried.

**b. Local Management Board
Community Partnership Agreement
(State of Maryland/St. Mary's County/Local Management Board)**

Also present: Julia Bates, Director, LMB
Kathy O'Brien, President, LMB

Areas of discussion included receipt of additional funding from the State, placement of children in other states, return of children to St. Mary's County, the need to get support on the state level through Maryland Association of Counties; and officers of the LMB.

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

During discussion Commissioner Randall requested staff to develop a method of getting information from the County to LMB (e.g., monthly status reports from county departments).

In conclusion Ms. Bates advised that she will return to the Board at a later date to discuss the details of the grants.

c. Impact Fee Ordinance Clarification

Also present: Jon Grimm, Director, DPZ

As a follow up to previous discussions Acting County Attorney Murphy returned to the Board to discuss the Commissioners' requested clarifications to the Impact Fee Ordinance (interfamily transfer of an entire parcel being qualified for an exception to the fee; and the applicability date by which a property is exempted from the new fee). He stated that he had previously advised the Board that the clarification could be done by Resolution; however, after further review, it was his recommendation that a public hearing be scheduled on the clarifications and that they be adopted by Ordinance.

After discussion the Commissioners gave consensus for Mr. Murphy and Mr. Grimm to draft an Ordinance on the clarifications and to schedule a public hearing.

**3. Office of Capital Projects
Commuter Air Service update**

Present: Jim Stirling, Director

Mr. Stirling appeared before the Board to discuss the process to be followed regarding the proposed Regional Air Service Commuter Assistance Program. The program, which was developed through State Legislation (HB 17), will provide assistance to three or four regional airports in the State for commuter service to BWI (\$1M for the current year; \$2M for the next two fiscal years, which is subject to annual budget considerations, for a total of \$5M).

Mr. Stirling advised that in order to be included in the selection of airports, the Commissioners would need to submit a letter of interest in competing with other

communities for the award of the regional air service contract, and that it must be delivered to MAA by July 31.

The letter should include:

- ❖ Type of aircraft (start small in order to have a better chance of survival once the state subsidy is gone.
- ❖ That the County would not any commitments for funding (commuter service should operate on its own business plan and with the state subsidy).
- ❖ That the type of aircraft be able to operate without additional infrastructure at the airport.
- ❖ Because of the large proportion of government travel business, that the service would have to meet Joint Travel Regulations (or have a pre-approved waiver).

During his presentation, Mr. Stirling emphasized that the Commissioners' decision on the commuter service is a separate issue from the Board's decision on the Airport Master Plan.

In conclusion the Commissioners requested information on: the County's commitment if the Board sends the letter of interest to participate and if selected, if the County no longer wishes to participate; a reality analysis based on information provided (available airlines able to meet the County's requirements, and if those requirements are too restrictive).

Mr. Stirling will gather the information needed including passenger projections so that the Commissioners can further discuss and arrive at a decision on sending the letter of interest.

4. **Boards and Commissions
Letters of Appointment**

Commissioner Anderson moved, seconded by Commissioner Raley, and motion carried, to make the following appointments:

Agriculture Preservation Advisory Board

George Baroniak	12/31/2001
Parran Russell	12/31/2001

Ethics Commission

Ramon Veras	06/30/2003
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5. **E-Mail Status Report**

In response to the Commissioners' concerns regarding problems with the County's e-mail Mr. Forrest advised that staff was looking into other service providers. He stated that he would get back to the Commissioners with recommendations on a contract for e-mail service.

Commissioner Mattingly suggested that Mr. Forrest notify all departments and agencies to submit information in writing rather than e-mail until the problem is resolved.

6. **PEPCO Oil Spill Meeting**

Mr. Forrest advised that St. Mary's County will be sponsoring an oil spill meeting this evening at the Mechanicsville Fire House, and he will attend on behalf of the Commissioners.

COUNTY COMMISSIONERS' TIME

First Annual Fishing Tournament

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

Tobacco Settlement Committee

Commissioner Raley advised that the Tobacco Settlement Committee will be meeting July 12 at the Charles County Commissioners' meeting room to discuss the results of the surveys returned by the farmers. His subcommittee will be giving recommendations to the full committee regarding the grant application.

Chesapeake Bay Agreement

Commissioner Anderson reported that he attended the signing of the Chesapeake Bay 2000 Agreement in Anne Arundel County. He stated that the signing took place at Quiet Water Park and suggested that the Commissioners visit this park prior to making decisions on Myrtle Point.

Celebration Honoring Senator Mikulski

Commissioner Anderson advised that he attended the celebration, organized by the Chesapeake Bay Foundation, honoring Senator Mikulski for her efforts in the restoration of the Bay.

St. Mary's College Summer Concert Series

Commissioner Anderson reported that he attended the Summer Concert at the College and accepted, on behalf of the Commissioners, a Commendation of Appreciation for the County's participation in sponsoring the program.

State Shore Erosion Task Force

Commissioner Anderson referred to a letter from Dr. Sarah Taylor Rogers indicating that DNR is looking to partnering with two or more coastal counties and suggesting that the State Shore Erosion Task Force meet with the Board of County Commissioners on August 1 or 8 to discuss this.

Workforce Development Initiative

Commissioner Anderson advised that he attended a meeting at the Navy Base and that the Base is very interested about participating in this initiative with the school system.

Expressions of Congratulations

Commissioner Mattingly congratulated the individuals who were elected to office on the SMECO Board of Directors.

Commissioner Mattingly congratulated Commissioner and Mrs. Raley on the celebration of their 28th Wedding Anniversary.

Commissioner Mattingly expressed congratulations to the St. Clements Island-Potomac River Museum on the occasion of its 25th Anniversary.

Commissioner Raley congratulated his Uncle Ross and his wife Mary Frances on the celebration of their 55th Wedding Anniversary.

Department of Planning and Zoning

Commissioner Randall referred to a letter from Jon Grimm, Director, DPZ, expressing appreciation to his department for responding to concerns regarding the backlog of processing permits. She stated that Mr. Grimm's letter indicated that there are no longer any outstanding applications received prior to June 1.

**COMMENDATION
TRI-COUNTY ANIMAL SHELTER POETRY CONTEST WINNER**

The Commissioners presented a Commendation to Emily Howe for winning the Tri-County Animal Shelter poetry contest. Her poem was entitled *My Very Best Friend and Me*.

EXECUTIVE SESSION

Commissioner Anderson moved, seconded by Commissioner Raley, to meet in Executive Session to discuss a matter of Personnel, as provided for in Article 24, Section 4-210(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
Delores Lacey, Asst. PIO
Judith A. Spalding, Recorder

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

Time Held: 1:55 p.m. – 3:00 p.m.

Action Taken: The Commissioners discussed appointments to Boards and Commissions and gave direction to staff.

PUBLIC FORUM

Proposed Leonardtown Wharf Project Discussion

Present: J. Harry Norris, Jr., Mayor
Charles Faunce, Council Member
Walter Gillette, “
Becky Proffitt, “
Lashele Miller, Town Administrator
Colleen Bonnel, Town Planner
Phil Rollins, Director, Recreation and Parks

Prior to the regular public forum the Commissioners discussed the County's proposal to possibly acquire five acres at the Leonardtown Wharf site for water access and public park.

Mr. Rollins described the site, pointing out the county-owned pier and the subject property currently owned by St. Mary's Ice and Fuel. He pointed out that an environmental study and appraisals are being done.

Commissioner Mattingly explained that the County Commissioners have an option to acquire all or a portion of the property with access to the water.

Mr. Norris indicated that although the town recognizes the need for boat ramps and public access, but did have a problem with this particular site. He pointed out the uniqueness of the property and that the Town was interested in a mixed use with public access and private ownership. Mr. Norris stated that once the park was developed, it would be the Town's responsibility to maintain and police it, and requested the Commissioners to respect the Town's Comprehensive Plan and Development Plan and its

wishes for this property. He also expressed concerns about taking the property off the tax rolls.

Other areas of discussion included: that the property was currently zoned Commercial Marine and may be changed to a mixed use; suggested uses proposed by Town's consultant; e.g., restaurant, bait and tackle shop; and other uses that would tie in the Town of Leonardtown with the waterfront; and the Tudor Hall project.

In conclusion Commissioner Randall suggested that Mr. Rollins and Mr. Stirling work with Town staff to look at various options and develop recommendations for public/private concepts and goals that would serve the Town as well as the County citizens.

Comments from the audience on this topic were as follows:

Tub Delahay – Opposed to site being turned into a county park site and being taken off of tax roles and that it should be developed in a commercial atmosphere.

Jan Norris – Expressed opposition to the County's proposal.

Jim Tennison – Expressed opposition to county taxpayers' money being used to purchase this property.

Ann Tennison – Stated that the Chesapeake Bay should be cleaned up first.

David Triantos – Stated that more attention should be paid to Abell's Wharf, which has a public landing.

Tommy Bell – Suggested that the County give the boat ramp to Leonardtown and further suggested that the silt in Breton Bay should be taken care of.

Public Forum

The Commissioners conducted the regularly scheduled public forum accepting comments and questions from the audience.

Pam Coerber – Requested the Commissioners to not go forward with the commuter project and that there be a public hearing on the commuter issues as well as expansion issues; recommended that the Commissioners meet with an individual who is an expert in this field.

Steve Coerber – Expressed opposition to the Airport and stated that the County should spend money on schools and law enforcement.

Sheila Collicott (Commuter Service Coalition) – Stated it was the consensus of the Coalition that the Commissioners do not have enough information to make a decision on the Airport (whether there is a need, the costs, and impact).

Commissioner Raley – Advised that after hearing the staff report on the Airport Master Plan revisions, the Commissioners agreed to solicit input from the public through public meetings; that staff was acting on the direction of the Commissioners to get more information; and that the Commissioners will be making decisions based on what is best for the County.

David Langford – Expressed concerns regarding the commuter service and that the County may end up with an expanded airport that is not needed; would like to seem considerations as to impact on the community.

Donnie Williams – Concerned about impact of airport (environmental) and expressed opposition to the project.

Clare Whitbeck – Stated that the Commissioners are being requested to make a decision on the airport without all of the information; that the Commissioners should hold a public meeting on July 20, and to listen to the expert referred to Pam Coerber.

Mallory Knott – Expressed concerns about the impact of this project on wildlife and on her horseback riding activities; asked the Commissioners to think about the future of St. Mary's County.

Connie Hewlett – Concerned about family members losing their homes because of expansion of the airport.

Carrie Miles – Concerned about having her home taken because of airport expansion.

Mary Ellen Shunke – Urged the Commissioners to have a public meeting on July 20 because citizens need questions answered.

Darlene Mack – (held up sign stating "Hollywood says No to Airport.")

Julie Bingman – Teaches horseback riding and expressed concerns about the loss of property if the airport was expanded.

Patricia Lawrence – Stated she was scared of the Commissioners' decision regarding the airport.

Myron Hewlett – Concerned about the dumping of fuel from the planes into Breton Bay; concerned about pollution, taking away wetlands, and putting people out of their homes.

Brandon Coleman – Expressed concern about expansion of the airport because it will cut off Lawrence Hayden Road where he lives; Commissioners should use money to improve schools.

Chondra Hewlett – Expressed concern about people losing their homes from the expansion of the airport and about water, air and noise pollution.

Ethel Smith – Suggested that the Commissioners take time to make a decision for the good of the people; stated that there could be financial and economic impacts that can be reversed.

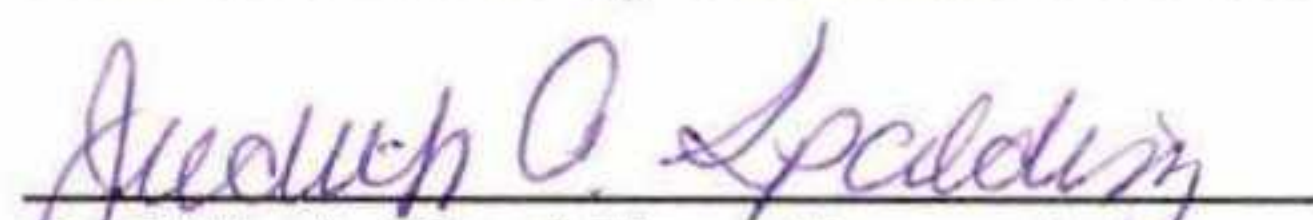
Minnie Russell – Referred to an item in the draft ULDC regarding charter boats and requested that paragraph 3 be deleted.

Telephone calls were received concerning the ULDC (commissioners will be conducting their own public hearing); the taking of farm land; status of recent pay study (information has been gathered and given to consultant);

ADJOURNMENT

The meeting adjourned at 8:45 p.m.

Minutes Approved by the
Board of County Commissioners on 7/18/00



Judith A. Spalding, Recorder