

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Governmental Center  
Tuesday, September 5, 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  
Kate Mauck, Recorder

**CALL TO ORDER**

The meeting was called to order at 10:05 a.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 Anderson moved, seconded by Commissioner Raley, to authorize Commissioner President Randall to sign the Check Register. Motion carried.**

**PROCLAMATION  
TRY-TRANSIT WEEK**

The Board of County Commissioners issued a Proclamation for Try-Transit Week for the week of September 10 – 16, 2000. Mr. George Jarboe announced that the Proclamation would help to promote ridership for the already successful bus system in St. Mary's County, and he announced several ridership programs for special events that will soon be available to the public.

**APPROVAL OF MINUTES**

**Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve the minutes of the Commissioners' meeting of Tuesday, August 22, 2000, as corrected. Motion carried.**

**Commissioner Anderson moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, August 29, 2000, as corrected. Motion carried.**

**COUNTY ADMINISTRATOR**

**Present:** Alfred A. Lacer, County Administrator

1. Draft Agendas for September 12 and 19, 2000
2. **Legal Department/Public Works  
St. Andrews Landfill Closure**

**Present:** John B. Norris III, Assistant County Attorney  
Elaine Kramer, Director of Finance  
George Erichsen, Director, Department of Public Works

- a. Resolution: Water Quality Bond of 2000 for the Purpose of Financing/Refinancing of the St. Andrews Landfill Closure
- b. Final Loan Application for Maryland Water Quality Revolving Loan Fund

Some confusion existed concerning the time period of the loan. Mr. Norris stated that all final documents would reflect a 15-year loan agreement.

**Commissioner Anderson moved, seconded by Commissioner Mattingly to approve and sign Resolution and to approve and authorize Commissioner Randall to sign Loan Application. Motion carried.**

3. **Legal Department/Planning and Zoning**  
Draft Resolution – First Colony Appeal of Planning Commission Decision –  
Concept Plan Amendment

Present: John B. Norris III, Assistant County Attorney

**Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve and sign Resolution. Motion carried.**

4. **Metropolitan Commission**  
**Patapsco Aquifer Study Memorandum of Understanding**

The matter was deferred, as no representation was present from the Metropolitan Commission to respond to concerns from the Board of County Commissioners. **In particular, Commissioner Guazzo asked for a firm decision on how many wells St. Mary's County would actually have.**

5. **Recreation and Parks**  
Drayden African American Schoolhouse Deed

Present: Phil Rollins, Director, Recreation and Parks  
Mike Humphries, Museum Division

**Commissioner Anderson moved, seconded by Commissioner Raley to approve and authorize Commissioner Randall to sign Deed. Motion carried. In addition, Commissioner Anderson requested that a letter of thanks be written to the Crawford family for their generous donation. Mr. Humphries stated that an Open House would be held, and that might be a good time to present the letter to the Crawford family.**

6. **Department of Finance**  
Supplemental Appropriation Ordinances (follow up to 8/22/00 public hearing)
- Office on Aging (\$10,105)
  - Circuit Court (\$63,600)

Present: Elaine Kramer, Director of Finance

**Commissioner Raley moved, seconded by Commissioner Mattingly to approve and sign Ordinances. Motion carried.**

7. **Boards and Committees**  
**Appointments**

The following individuals were nominated for appointment to Boards, Committees and Commissions:

<u>Boards and Committees</u>	<u>Term Expiration</u>
<u>Mental Health Authority Board</u>	
Melvin McClintock	NO TERM
<u>Southern Maryland RC&amp;D Board</u>	
Denise Reichard	03/01/2003

**Southern Maryland Travel & Tourism Committee**

Estelle Seward

NO TERM

**Human Relations Commission**

Melvin McClintock

06/03/00

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve the appointments of the nominated individuals to Boards, Committees, and Commissions. Motion carried.**

8. **Office of the Sheriff  
Grant Application/Grant Agreement (\$30,108)**

Present: Lieutenant Charles Malone, Sheriff's Department

Mr. Lacer presented the Board of County Commissioners with a Grant Application/Agreement that had not as yet been routed through the appropriate staff approval/recommendation process. The document would be due to the State by September 11<sup>th</sup>, and no matching funds by the County are required. The grant funds would be used toward protective orders and for the care and maintenance of such orders.

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President Randall to sign the Grant Application/Grant Agreement pending the appropriate review and recommendations of staff. Motion carried.**

The Board of County Commissioner recessed at 10:50 a.m. and reconvened the meeting at 11:05 a.m.

**DEPARTMENT OF PUBLIC WORKS  
RAILROAD RIGHT-OF-WAY CROSSING  
EPIC CENTER OFFICE BUILDING (8<sup>th</sup> ELECTION DISTRICT)**

Present: George Erichsen, Director, Department of Public Works

Mr. Erichsen came before the Board of County Commissioners in order to present a request for the signing of a railroad right-of-way crossing in the vicinity of Buck Hewitt Road, 8<sup>th</sup> Election District, for the purpose of installing and/or maintenance of a sewer line connection related to the construction of the Epic Center Officer Building.

After much discussion concerning the lack of advance planning on a previously laid sewer line, **Mr. Erichsen was asked to provide the Board of County Commissioners with his latest correspondence with the Metropolitan Commission concerning this topic. In addition, Commissioner President Randall asked that the Metropolitan Commission come before the Board of County Commissioners and provide a review of their planning procedures. Mr. Erichsen was also asked to provide a 1-2 page document outlining all concerns and anticipated problems he might have on the subject matter.**

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President Randall to sign the railroad right-of-way crossing agreement for the Epic Center Office Building. Motion carried.**

**DIRECTOR, LEXINGTON PARK PLAN  
(FOCUS ENTERPRISE ZONE DESIGNATION FOR LEXINGTON PARK  
REDEVELOPMENT DISTRICT)**

Present: Robin Finnacom, Director, Lexington Park Revitalization Plan

Ms. Finnacom presented the Board of County Commissioners with a letter of congratulations sent to her from Governor Glendening on the approval of the application for an allocation of Maryland tax credits under the Department of Housing and Community Development's Neighborhood Partnership Program. This award provides \$35,000 in tax credits, which will leverage \$70,000 in contributions from businesses, to support the Lexington Park Property Improvement Grant Program.

In addition, Ms. Finnacom provided an extensive presentation on the Focus Enterprise Zone Designation for the Lexington Park Redevelopment District. The main topics covered in this presentation were:

- Eligibility Block Group Census Data – 1990 Census
- Criteria requirements – one of four to meet the Enterprise Zone Designation and three of five to meet the Focus Enterprise Zone Designation
- Speculation on which zoned areas in and around Lexington Park should meet the eligibility requirements for both the regular designation and the focus designation

The initial filing deadline for the application is October 15, 2000, although there is also an April 15, 2001 secondary deadline for submission. Ms. Finnacom requested that the Board of County Commissioners allow her to properly advertise and to conduct a public hearing on a resolution of support and asked the Commissioners to assist in submitting any other necessary documentation to verify eligibility. After submission of the necessary paperwork, the State will have 60 days in which to make their six designations known. This is a 10-year program, and it would be possible to re-apply in the future as well. Ms. Finnacom was applauded for her extensive efforts on the Lexington Park Revitalization and her work on the Enterprise Zone Designation application process.

**Commissioner Anderson requested that Ms. Finnacom also compute the numbers for the Patuxent River Naval Air Station as well. In addition to that area, Ms. Finnacom stated that she would be running the numbers for the area below Great Mills High School.**

**Commissioner Raley moved, seconded by Commissioner Anderson, to authorize Ms. Finnacom to proceed with the process for scheduling a public hearing so as to apply to the State to become an Enterprise Designation Zone, and for the Board of County Commissioners to support the effort with a resolution. Motion carried.**

**In addition, Ms. Finnacom was directed to work with the Public Information Officer in the development of a press release on the tax credit received.**

The meeting recessed for lunch at 11:45 a.m. and reconvened at 2:07 p.m.

#### **SHERIFF'S DEPARTMENT RETIREMENT PLAN (DISCUSSION/DECISION)**

Present: Alfred A. Lacer, County Administrator  
Melvin McClintock, Director of Human Resources  
Elaine Kramer, Director of Finance

Mr. McClintock and Ms. Kramer appeared before the Board of County Commissioners in order to present detailed information and an accompanying Resolution on changes for the Sheriff's Department Retirement Plan (SDRP). The changes were recommended by the Sheriff's Department Board of Trustees in order to promote comparable and competitive benefits for past and future retirees of the Sheriff's Department. Information covered on the presentation included:

- Implementation of a 2-tier disability program;
- Restoration of credit for military service;
- Elimination of the 20% Social Security offset;
- Explanations for growing trend in disability retirements;

- Total versus partial disability percentages;
- Cost/benefit comparison between Calvert, Charles and St. Mary's County Retirement plans;
- Annual increased cost to the County estimated at approximately 1.05% of covered payroll beginning in FY2002 (approximately \$250,000) – no cost at the present time;
- No change in payroll deductions/employee contributions – remains at 6% of salary;
- There is a 5-year vesting time period to be retirement eligible; however, disability coverage starts on the first day of employment; and
- Effective date would be October 1, 2000 if adopted at today's meeting.

**Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve the new retirement package and Resolution for the Sheriff's Department as presented. Motion carried.**

Sheriff Richard Voorhaar approached the Board of County Commissioners, thanking them for approval of the new retirement package. He stated that he has now completely filled the deputy ranks, and invited the Commissioners to attend the new deputy training class.

#### **METROPOLITAN COMMISSION PROPOSED ARSENIC STANDARD CHANGES FOR PUBLIC WATER SYSTEMS**

Present: Steven King, Director, Metropolitan Commission  
Tom Russell, Assistant Director, Metropolitan Commission  
Valentino Johnson, Chairman, Metropolitan Commission

Mr. King and staff came before the Board of County Commissioners in order to present an extensive report on the proposed arsenic standard changes for public water systems as mandated by the Federal Safe Drinking Water Act. Highlights of the presentation were:

- Federal government has announced intention of lowering the allowable levels of arsenic in community water systems;
- Regulations apply only to public water systems and not to private residential wells;
- An explanation of what arsenic is and where it can be found was presented;
- Beneficial health effects as well as adverse health effects were detailed;
- The current arsenic standard is currently 50 ppb;
- The proposed DPA standard rule is 5 ppb;
- Implementation schedule for public comment and sampling, monitoring and reporting compliance was outlined;
- Industry opinions, supply and treatment alternatives and problems were outlined;
- Potential costs were \$100,000 for replacement of contaminated wells if the Patapsco aquifer has a low arsenic level;
- Potential costs were \$550,000 for treating arsenic at Breton Bay alone;
- The expected standard was speculated at being 10 ppb, with a tremendous treatment cost;
- Documentation of Maryland exposure levels and results were presented;
- MetComm's prompt responses to the proposed increase were outlined, which included three sets of samples taken from previously problem-identified water systems, with sampling to continue; and
- Sample results were presented with arsenic levels above 10 ppb in the following water systems: Breton Bay, Fenwick Manor, Hollywood, Mulberry South, King/Kennedy and Lexington Park.

The Metropolitan Commission anticipates that completion of new wells will be completed by March of 2002, and that if the industry standard is set at 10 ppb, the problems for the St. Mary's County water systems will be eliminated by that time.

**Commissioner Guazzo requested that information be presented about the testing of various levels in the Patapsco aquifer – whether testing of all levels can**

**be done separately for arsenic or if the sample(s) all blend together when the water is drawn. Mr. King stated that he would ask the State for the information and would get that information back to the Board of County Commissioners.**

The Board of County Commissioners recessed at 3:43 p.m. and reconvened at 3:52 p.m.

**OFFICE OF COMMUNITY SERVICES  
MARYLAND YOU ARE BEAUTIFUL PROGRAM**

**Present:** Cynthia Brown, Director, Office of Community Services  
Florene Applefeld, Volunteer Director of the People's Pride Program

Ms. Brown introduced Ms. Applefeld, who presented a message from the Governor's office on the importance of volunteerism in the State of Maryland. She presented invitations to the Board of County Commissioners as well as the volunteers receiving awards to attend the November 15<sup>th</sup> gala event in Annapolis, Maryland at St. John's College in celebration of the Maryland You are Beautiful Program. The following individuals were publicly acknowledged and presented with Commendations from the Board of County Commissioners:

- Ed Bergin
- Ralph Butler
- Dirk Griffith
- Vishnu Grover
- Clancy Lyall
- Beth McCoy
- Jim Noble
- Loretta B. Norris
- Anandi Patel
- Mr. & Mrs. Douglas Phillips
- Susan B. Reynolds
- Jim Woods
- Valentino Johnson

In addition, the Grand Winner of the volunteers representing St. Mary's County was announced, and the title went to Mr. Clancy Lyall, who was nominated by the Public Information Office. Mr. Lyall was presented with a complimentary dinner for two at the Nook and Monks Restaurant, and he will be congratulated by the Governor on November 15<sup>th</sup> in Annapolis.

**EXECUTIVE SESSION**

**Commissioner Mattingly moved, seconded by Commissioner Anderson, to meet in Executive Session to discuss matters 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  
Alfred A. Lacer, County Administrator (departed 5:25 p.m.)  
Patrick Murphy, Acting County Attorney (departed 5:12 p.m.)

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

**Time Held:** 4:47 p.m. to 5:43 p.m.

**Action Taken:** No action taken.

**ADJOURNMENT**

The meeting adjourned at 5:43 p.m.

**Minutes Approved by the  
Board of County Commissioners on 9/12/00**

*Kate Mauck*  
Kate Mauck, Recorder