

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
Thursday, November 2, 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 Guazzo, to accept the agenda as amended (to add an executive session on litigation; to add appointments to ULDC Technical Advisory Committee; and to defer the AICUZ discussion until a later meeting. Motion carried.

Commissioner Raley moved, seconded by Commissioner Mattingly, to amend the County Administrator's list to include the Airport Subdivision Plat in conjunction with the Navy Museum agreement. Motion carried.

APPROVAL OF CHECK REGISTER

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

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve the DPZ portion of the September 26, 2000 minutes of the Commissioners' meeting, as presented. Motion carried.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the approve the DPZ portion of the October 17, 2000 minutes of the Commissioners' meeting, as corrected. Motion carried.

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve the minutes of the Commissioners' meeting of Tuesday, October 24, 2000, as amended. Motion carried.

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas for November 14 and November 21, 2000
(to be added to future agendas: 11/14/00 - Appointments to Tri-County Council and Maryland Association of Counties; 11/28/00 - Lexington Park Library Project Update)
2. Department of Recreation and Parks
Acceptance of one-acre of land adjacent to Wicomico Shores Golf Course from the Metropolitan Commission (follow up to 10/10 public hearing)

Present: Phil Rollins, Director

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve the acceptance of one-acre of land (Parcel C) of land adjacent to the Wicomico Shores Golf Course from the Metropolitan Commission. Motion carried.

3. Grant Documents
a) Department of Recreation and Parks
Historic Preservation Capital Grant Agreement for Piney Point Lighthouse

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

- b) St. Mary's County Housing Authority
Rental Allowance Program Grant Agreement (RAP) Fiscal Year 2001
(deferred until November 14, 2000)

4. Department of Public Works Items

Present: George Erichsen, Director

- a) Public Works Agreement Addendum for Brooks Cluster Subdivision, Section 1, 3rd Election District, extending the completion date to October 1, 2001. The letter of credit provided by The First National Bank of St. Mary's in the amount of \$184,500 remains as posted.
- b) Public Works Agreement Addendum for Cedar Cove (Kedges Strait) Subdivision, Section 9, 8th Election District, extending the completion date to September 1, 2001. The letter of credit provided by the Bank of America in the amount of \$380,000 remains as posted.
- c) Public Works Agreement Addendum for Forrest Farm Subdivision, Section 2, 3rd Election District, extending the completion date to May 1, 2001. The bond provided by the Ulico Casualty Company is being replaced with a bond from the First National Insurance Company of America and the value has been reduced from \$185,300 to \$100,900.

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the Public Works documents (a – c) as presented. Motion carried.

- d) Airport Subdivision Plan
Conveyance Relative to Museum Site Access

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and sign the record plat subject to the approval of the Legal Department and the County Administrator. Motion carried.

**SOUTHERN MARYLAND TRAVEL AND TOURISM COMMITTEE
FINAL REPORT FOR FISCAL YEAR 2000**

Present: Jean Goodman, SMC Tourism Coordinator
Kathy Kazimer, Chair, So. Md. Travel and Tourism Committee
Joanne Roland, Charles County Tourism Director
Herman Schieke, Calvert Co. Tourism Specialist
Janet Cook, SMC Chamber of Commerce
Kim Cullins, SMC St. Clements Island Potomac River Museum

The referenced individuals appeared before the Board to present the Southern Maryland Travel and Tourism Committee's Final Report for Fiscal Year 2000. The Committee, consisting of 18 members, six from each County, was established to develop cooperative regional marketing program to attract visitors to the tri-county region.

Activities of the Committee for FY 2000 included: legislative initiatives (tenth annual *Taste of Maryland*; Tourism Council Legislative Awareness Day (January 25,

2000 in Annapolis); Fourth Annual Southern Maryland Day Reception in cooperation with the Southern Maryland Delegation, Patuxent Partnership and the Chambers of Commerce from the three counties); marketing projects (print advertising, travel/trade show participation, brochure and publications development; Memberships (Pennsylvania Bus Association); Southern Maryland Heritage Area Partnership (the committee has received "recognition" status and is completing the process of completing the application to become a "certified" Maryland Heritage area, which will make the group eligible for matching grants, loans for economic development projects, etc.)

The report included the budget for FY 2000 (\$6,000 from each county) and legislative initiatives (that the emphasis at the state level this session will be on tourism).

A copy of the report is on file in the Commissioners' Office.

**2001 LEGISLATIVE PROPOSALS
COUNTY COMMISSIONERS' POSITIONS**

Subsequent to the October 24 joint meeting with the legislators, the Commissioners took the following positions on the proposed 2001 legislative package items:

**2001 LEGISLATIVE ITEMS
COUNTY COMMISSIONERS' POSITIONS**

Code System to Identify Positions
Randall 1; Anderson 2; Guazzo 3; Mattingly 4; Raley 5

Item	Support	No Support	No Position	Comments
1. Executive Sessions	2, 4	1, 3, 5		
2. Tobacco Barn Tax Credit	1,2,3,4,5			
3. Sheriff's and Deputy Sheriff's Salaries		1,2,3,4,5		That this should be a local budgetary decision made by the Commissioners on an annual basis
4. Sidewalks - Construction, Repair and Maintenance	1,2,3, 5	4		
5. Special Road Taxing Districts	1,2,3,4,5			Delete reference to requirement for property owners to sign deeds
6. Eminent Domain		1,2,3,4,5		
7. Revolving Loan Fund (Loan Process)	1,2,3,4,5			
8. Revolving Loan Fund (Increase in Fund)	1,2,3,4,5			
9. Transfer Tax - Removal of Sunset Provision	1,2,3,4,5			
10. Public Facilities Bond	1,2,3,4,5			(amount to be determined)

11. Alcoholic Beverage Board - Property Owners Signing Certificate			1,2,3,4,5	There was no representative present at the public meeting to speak to this proposal.
12. Alcoholic Beverage Board - Change of Name	1,2,3,4,5			
13. St. Mary's River Watershed Project - State's Participation	1,2,3,4,5			To emphasize the funding for the Feasibility Study
14. St. Mary's County Commissioners' Meeting Requirements	1,2,4,5	3		To require the BOCC to meet 48 times per year in lieu of four times per month
15. Lexington Park Library Request for State Funds	1,2,3,4,5			To increase the request to \$500,000

Items Submitted at the October 24, 2000 Public Meeting

Item	Support	No Support	No Position	Additional Information Needed
Use of State Surplus for health insurance benefits for school bus drivers <i>(submitted by Mary Edwards and Kitty Barnes)</i>	1, 2,3,4,5			Letter to be drafted to legislators requesting support
State Funding for additional MDE Enforcement Agents <i>(submitted by Clare Whitbeck)</i> <i>Legislation not required)</i>				Letter to be drafted to legislators requesting them to urge the governor to support funding for MDE enforcement agents as well as Fire Marshall inspector positions.
Reconsideration of SB 733 (disclosure of sewage sludge on certain agricultural lands) <i>(submitted by Bob Lewis)</i>	1,2,3,4,5			

COUNTY COMMISSIONERS' TIME

Women's Wellness Pamphlet

Commissioner Guazzo displayed the Women's Wellness pamphlet explaining the programs available to women with no or little insurance (mammograms, breast examinations, and PAP tests). The number to call to get more information is 301 475-4391.

Celebrity Auction

Commissioner Raley thanked all who participated in the Celebrity Dessert Auction held Sunday, October 29. Approximately \$5,000 was raised for the Soup Kitchen.

Southern Maryland Agriculture Commission

Commissioner Raley reported that there will be a general commission meeting on Thursday, November 7, 2000 at 7 p.m. at the Calvert County Fairgrounds. The Commission will be firming up the buyout provisions. \$134,827 of grant funds has been distributed through eight separate grants. At the last meeting a greenhouse expert discussed alternative crops such as sod production and a special soy bean production.

Election Day

Commissioner Raley noted that Tuesday, November 7, 2000 is election day and urged everyone to get out and vote.

Great Mills versus Leonardtown High School

Commissioner Raley reminded Commissioner Mattingly that Great Mills High School and Leonardtown High School Girls' Field Hockey teams will be playing and that he "knew who was going to the State finals."

Maryland Department of Environment

Commissioner Anderson advised that MDE has \$30,000 to fund an inspector position for monitoring and sludge soil samplings. He requested staff to look into how to take advantage of these funds.

Sustainable Development Initiatives

Commissioner Anderson stated that Bill Reed, one of the consultants working on the Sustainable Development initiatives, will be giving an informational briefing at St. Paul's Methodist Church in Leonardtown on Sunday, November 4 at 4 p.m.

Japanese Teachers' Visit

Commissioner Mattingly stated that on behalf of the Board, he attended the Japanese Teachers' Recognition at Town Creek Elementary School. These teachers are spending about a month in the county's school system. He reported that the Open House was very well attended.

Maryland Association of Counties Executive Board Meeting

Commissioner Randall reported the following information from the recent MACo Executive Board Meeting:

- MACo has reported that all counties are doing their best to meet the governor's challenge regarding funding issues and the report listed those counties which had to raise taxes in order to meet those challenges.
- MACo, Municipal League, and Excellence in Local Government is putting together a seminar on the Public Information Act. Meetings will be held in Hunt Valley, Eastern Shore, and Western Maryland, and Southern Maryland has now also been included.
- The most discussed topic was the Thornton Commission and its proposal for an unfunded mandate to the Counties—all day Kindergarten. There will be several public hearings on the Thornton Commission's interim report, and the one in Southern Maryland will be held November 8, 7 p.m. at the College of Southern Maryland in LaPlata.
- Legislative issues and Governor's budget issues included (Minority Business Enterprise programs, Racial Profiling, Federal bill regarding drunk driving in terms of state law); funding issues including the fact that there will be a surplus, but will be

considerably smaller than last year, and the Governor's priorities will focus on community revitalization, land preservation and higher education.

- One of the initiatives of the executive board of MACo will be to work with the Attorney General to do a letter of support to the legislators urging the state to assume liability areas from the sheriff's office management and participation in joint task forces.

County Employees' Benefit Statements

Commissioner Randall noted that she received her earnings and new benefits statement and thanked the Department of Human Resources and the Finance Office for providing this information.

EXECUTIVE SESSION

Commissioner Raley moved, seconded by Commissioner Anderson, to meet in Executive Session to discuss a matter of litigation, as provided for in Article 24, Section 4-210(a)8. Motion carried.

Litigation

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
Patrick Murphy, Acting County Attorney
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)8

Time Held: 12:53 p.m. – 1:40 p.m.

Action Taken: Staff discussed a matter of litigation and received direction from the Board.

Follow Up to Executive Session

Commissioner Raley moved, seconded by Commissioner Mattingly to direct staff to proceed as discussed in Executive Session. All voted in favor.

UNIFIED LAND DEVELOPMENT CODE TECHNICAL REVIEW COMMITTEE MISSION, CHARGE AND APPOINTMENTS

Based on action by the Board of County Commissioners on October 3, 2000, Commissioner Mattingly moved, seconded by Commissioner Raley, to adopt a Mission and Charge Statement as well as the appointment of the following members to the ULDC Technical Review Committee:

Keith Fairfax, Chairman
Wayne Davis
Cindy Greb
Jay Hanks
Billy Higgs
Erik Jansson
Billy Mahaffey
Linda Murdock
Donny Ocker
Miek Pellegrino
Mel Powell
John Roberts
Tim Smith

Donny Tennyson
Ken Tenore

The Mission, Charge and Appointment Statement was read and discussed. After much discussion, Commission Guazzo outlined problems with the second paragraph of the Charge to the Review Committee. As a result of the discussion, Commissioner Randall outlined a proposed change to the second paragraph, as follows:

If any of the recommended changes to the ULDC would necessitate amendments to the Comprehensive Plan, such amendments shall be included in the Committee's written report.

Commissioner Guazzo requested an amendment to the motion to add the original motion that was created by the Board of County Commissioners on October 3rd, 2000 and Commissioner Randall's recommended change to the second paragraph. **All voted in favor of the amended motion.**

ADJOURNMENT

The meeting adjourned at 2:15 p.m.

CAPITAL IMPROVEMENT PROGRAM WORK SESSION

At this time the Commissioners conducted a work session on the Fiscal Year 2001 Capital Improvement Budget

**Minutes Approved by the
Board of County Commissioners on 11/14/00**

Judith A. Spalding
Judith A. Spalding, Recorder