

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
January 16, 2001**

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Daniel H. Raley
Alfred A. Lacer, County Administrator
Judith A. Spalding, Administrative Assistant to BOCC (Recorder)
Kate Mauck, Recorder

(Commissioner Thomas A. Mattingly, Sr. was not present.)

CALL TO ORDER

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

ADDITIONS/DELETIONS TO AGENDA

Commissioner Raley moved, seconded by Commissioner Guazzo, to accept the agenda as amended (to add a letter to Dr. Stenzler to the County Administrator's list). Motion carried.

APPROVAL OF CHECK REGISTER

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

APPROVAL OF MINUTES

Commissioner Anderson moved, seconded by Commissioner Randall, to approve the minutes of the Commissioners' meeting of Wednesday, December 20, 2000, as corrected. Motion carried.

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, January 9, 2001, as corrected. Motion carried.

**COMMENDATION
EMILY HOWE**

Sheriff Voorhaar presented a Commendation to Emily Howe recognizing her efforts in organizing the *Vest A Dog* program and raising funds to purchase two vests for the Police K-9 dogs in the Sheriff's Office. Ms. Howe efforts started as a Girl Scout project, and she stated that she was continuing this project until all five K-9 dogs have vests.

**PROCLAMATION
NATIONAL CERVICAL HEALTH MONTH**

The Commissioners presented a Proclamation designating January as *National Cervical Health Month* in St. Mary's County.

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas for January 23 and January 30, 2001

2. **Notice and Acknowledgement of Assignment of Lease
911 Communications Purchasing Agreement**

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the Notice and Acknowledgement. Motion carried.

3. **Right of Entry to Allow Survey to be Conducted
(Sheriff's Department Firing Range)**

Also present: Patrick Murphy, County Attorney
Janet Parks, Property Manager

Areas of discussion included the status of the Navy's firing range; whether the Commissioners wanted to include funds in the FY 2002 CIP Budget; the need for the County to vacate the current location by January 2002; and the Governor's action to provide for a firing range.

After discussion Commissioner Guazzo moved, seconded by Commissioner Anderson to approve and authorize Commissioner Randall to sign Right of Entry Agreement. Motion carried.

(The Commissioners requested Mr. Lacer to put this on a future County Administrator agenda with the additional information requested (status of Navy's range and CIP decisions.)

4. **Department of Planning and Zoning**

Present: Jon Grimm, Director, DPZ

a. **Growth Allocation Ordinance – Eagan Subdivision (ISUB #98-2844)**
(follow up to 10/17/00 public hearing)

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and sign the letter to the Critical Area Commission and Ordinance No. Z-2001-01. Motion carried.

During discussion Commissioner Randall requested that the approval of growth allocations be an item of discussion during deliberations on the ULDC.

b. **Callaway Area Plan**

Mr. Grimm referred to his memorandum of January 10 requesting guidance from the Board regarding the next step in developing the Master Plan for Callaway. He indicated that there were three plan alternatives (Consultant and DPZ version; Citizens Advisory Committee version; and Community group's version). Mr. Grimm reviewed three options for the Commissioners to consider and pointed out the possibility of expending all the funds in the Plan's budget depending on which option is chosen.

- Option A – DPZ to submit to the Planning Commission for public hearing a plan based on one alternative recommended by the Board. (can be done with current Plan budget)
- Option B – DPZ to submit to the Planning Commission for public hearing a document that includes two or three alternatives, as selected by the Board. (could be achieved within current Plan budget, but may need additional funds to complete the plan)
- Option C – DPZ to develop a countywide assessment of all the County's designated growth areas, in order to assess their relative suitability for growth. This would provide a perspective from which to decide Callaway's and other designated growth areas' suitability for growth. (Cost would be between \$15,000 and \$20,000)

During discussion Commissioner Guazzo pointed out that SHA's plans did not call for 40 foot rights-of-way on each side of the road; however, that is what the County has required. Mr. Grimm responded that the State has given assurance that it will accept the County's 40-foot requirements.

In conclusion, the Commissioners directed Mr. Grimm to send the Consultant's/ DPZ's version to the Planning Commission along with an addendum that has the comments from the committee. The Planning Commission should review and submit recommendations to the Commissioners as to what changes, if any, should be taken to public hearing.

After discussion on the Callaway issue, Commissioner Randall pointed out the need for sidewalks on Route 5 in the area of Great Mills and Callaway, and that if it was in a designated growth area the County would not have to pay 50% of the costs. Mr. Grimm stated it was a priority area and should be eligible for state funding.

5. **Lavendar Estates
Public Works Agreement**

Present: George Erichsen, Director, DPW
Patrick Murphy, County Attorney

Mr. Murphy noted that the referenced project is involved in an appeal before the Board of Appeals (which is scheduled for Thursday, January 25), and that the project has been pending for at least two years.

Commissioner Guazzo advised that the Vestry of All Faith Church has appealed to the Board of Appeals the decision made by DPZ staff, and that there was great concern that the integrity of the church and its land might be compromised by the staff's decision. The Vestry has provided a list of over 300 signatures in support of these concerns. The parties involved have come to an agreement that the developer, as a condition of planning approval, would give up his claim to the land, and a Release and Termination of Easement has been executed. The document is being reviewed by the County Attorney for legal sufficiency, and if the Commissioners approve the Public Works Agreement and the Release is recorded by the County, All Faith will dismiss its appeal. Commissioner Guazzo pointed out that not all of the details have been settled and requested that a decision on the Public Works Agreement be deferred until such time as the Release has been certified by the Legal Department and all details resolved.

The Commissioners agreed to defer a decision until next week's meeting.

6. **Letter to Dr. Yale Stenzler, Public School Construction**

The Commissioners agreed to sign a letter to Dr. Stenzler in support of the Board of Education's pursuit of a school site at the Stewart's Grant location near Great Mills High School.

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

**CALVERT CLIFFS NUCLEAR POWER PLANT
UPDATE ON EMERGENCY PLANNING PROGRAM AND PROJECTS**

Present: Paul Wible, Director, Emergency Management
Eric Schrader, Calvert Cliffs Nuclear Power Plant, Emergency Planning Unit

Mr. Wible and Mr. Schrader appeared before the Board of County Commissioners to present a briefing on Radiological Emergency Planning for incidents at the Calvert Cliffs Nuclear Power Plant. The report included:

- ◆ Operating principles
- ◆ Reactor types
- ◆ Key safety measures
- ◆ Defense in depth
- ◆ Off-site protective plans
- ◆ Emergency planning zones – 10 mile plume radius and 50 mile ingestion radius
- ◆ Responsibilities of the licensee should an accident occur
- ◆ Responsibilities of the State and local agencies should an accident occur
- ◆ How an emergency situation would be recognized
- ◆ Emergency Action Levels
- ◆ Protective Actions
- ◆ Emergency Classifications – unusual event, alert, site emergency or general emergency
- ◆ Perspectives on radiation and EPA guidelines
- ◆ Radiation exposure pathways and measurements
- ◆ Accident assessments
- ◆ Alert and notification procedures
- ◆ Public Information and radio stations that would provide instructions

A practice drill will occur on May 24, 2001. St. Mary's County will be asked to participate during an after-hours dress rehearsal on August 23rd and an after-hours exercise on September 24th, which will be evaluated by the Federal Emergency Management Agency.

The Board of County Commissioners expressed concern regarding the escape routes that were outlined. Should an accident occur, all traffic in Southern Calvert County and St. Mary's County would be directed toward Route 5. Route 235 would be closed down to incoming and/or through traffic, and persons living in those areas would be permitted on Route 235 only to exit their residence. Flooding problems on Route 5 and the importance of all cross-county connectors leading to Route 5 were discussed.

ESTABLISHMENT OF ST. MARY'S RIVER COMMISSION

Present: John B. Norris, III, Assistant County Attorney

Mr. Norris presented a draft Resolution to the Board of County Commissioners regarding the proposed establishment of a St. Mary's River Commission. Options concerning the Commission were discussed, and it was determined that the following items would be included in the draft Resolution:

- ◆ *Temporary, 30-day Committee, in which members may potentially be included in a permanent Committee*
- ◆ *Committee to determine relationship with the State and determine what level of support/funding would be provided by the State and also make recommendations*
- ◆ *Committee to look at the organization being proposed and give input as to whether other bodies of water should be included within the scope of the Committee*
- ◆ *Seven-member Committee, one member appointed by each Commissioner, two provided by the Commission on the Environment.*

The Board of County Commissioners further directed staff as follows:

- ◆ *Mr. Norris to immediately contact the Commission on the Environment for input on its recommendation of two members from the Commission*
- ◆ *A Staff member to be assigned to the St. Mary's River Commission and to be present at the meetings.*
- ◆ *Staff to place item on County Administrator List for 1/23/2001 – recommendations for Committee anticipated to be completed by then. If nominations are incomplete, then determinations will be completed on 1/30/2001.*

EXECUTIVE SESSION

Commissioner Anderson moved, seconded by Commissioner Raley, to meet in Executive Session under the Personnel Authority after lunch, as provided for in Article 24, Section 4-210(a)1. Motion carried.

(Judith Spalding recorded the following portion of the minutes.)

Personnel

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Daniel H. Raley
Delores Lacey, Assistant PIO
Judith A. Spalding, Recorder

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

Time Held: 2:05 p.m. – 3:40 p.m.

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

(Kate Mauck recorded the remaining meeting minutes.)

DIRECTOR OF FINANCE

REVENUE PROJECTIONS/FUND BALANCE/DEBT AFFORDABILITY

Present: Elaine Kramer, Director of Finance
Jeannett Cudmore, Deputy Director of Finance

Ms. Kramer appeared before the Board of County Commissioners to discuss revenue projections, the fund balance and debt affordability for the County. Areas of discussions included:

- ◆ Audited unreserved fund balance as of 6/30/2000
- ◆ Impact of tax rate changes
- ◆ Review of budget to actual
- ◆ Unreserved and undesignated portions of the general fund balance
- ◆ General fund revenues and additional revenue from property tax and income tax
- ◆ FY2001 spending from the general fund operating budget
- ◆ General fund balance history
- ◆ Revenue analysis for the general fund
- ◆ Debt capacity
- ◆ Projected debt as a percentage of the County's assessable base
- ◆ Next steps to be taken

It was speculated that a preliminary revenue increase of 4% for FY2002 would occur, versus a 7.3% increase that occurred in FY2001. Ms. Kramer stated that the County would stay below its' 5% debt limit.

WORK SESSION

FY 2002 CAPITAL IMPROVEMENT BUDGET

Present: Elaine Kramer, Director of Finance
Jeannett Cudmore, Assistant Director of Finance
Richard Rohrbaugh, Director, Facilities Management
George Erichsen, Director, DPW&T
Lynn Brady, Building Services

Ms. Kramer and staff met with the Board of County Commissioners in a work session in order to develop the project listing upon which the debt authority, debt

capacity, and capital budget will be determined for FY2002 to 2007. Ms. Kramer recommended that the County sell \$25 million worth of bonds this year. The Board of County Commissioners directed that the following items be carried out by Staff:

- ◆ *Regarding the moving of office spaces: Board of Elections to be situated far ahead of time prior to next years' election.*
- ◆ *Office on Aging: Complete a long-range plan involving population trends, etc. Commissioner Randall expressed concern that needs of the senior population would not be met in the future.*
- ◆ *Mr. Erichsen to look into potential uses of the airport facility to assist with the moving of office spaces.*
- ◆ *IT Building – further assess level of concern from IT staff regarding building needs and air pollution/germ/mold concerns in the building. Determine whether they should be moved out during the movement of office spaces.*
- ◆ *Add to budget – second story design to be included on the extension of the Governmental Center building.*
- ◆ *Schedule continuance of Work Session on Monday evening, 1/22/2001, possibly from 5:00-7:00 p.m.*

Commissioner Raley outlined a plan for a two-lane service road, with no median strips, to begin at Chancellor's Run Road, to continue behind the strip center, connect between Kmart and G&H Jewelers, go through two vacant properties, and run between Target and Chick-Filet. An initial estimate from a contractor on cost was \$1 million or less. This service road would service the four existing centers along the route.

Several items were moved/changed/deleted on Capital Improvement Budget list. Recorder, Kate Mauck, will type the list and forward to Ms. Kramer for review and action.

ADJOURNMENT

The work session adjourned at 9:00 p.m.

COUNTY COMMISSIONERS' TIME

Minutes Approved by the
Board of County Commissioners on 1/23/01

Judith A. Spalding
Judith A. Spalding, Administrative Assistant
to the Board of County Commissioners