

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Governmental Center  
Tuesday November 12, 2002**

**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  
Donna Gebicke, Administrative Assistant to BOCC (Recorder)

**CALL TO ORDER**

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

**ADDITIONS/DELETIONS TO AGENDA**

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to accept the agenda as presented. Motion carried.**

**APPROVAL OF CHECK REGISTER**

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

**APPROVAL OF MINUTES**

**Commissioner Mattingly moved, seconded by Commissioner Guazzo, to approve the minutes of the Commissioners' meeting of Tuesday, October 29, 2002, as presented. Motion carried.**

**PROCLAMATIONS**

**National Hospice Month**

**Present:** Charlene Taylor, Hospice Director  
Jan Barnes, President of the Board  
and Staff

November is National Hospice month. The service Hospice provides St. Mary's County is essential and very much appreciated by the community. Volunteers are always needed. Please call Charlene Taylor to volunteer.

**National Animal Shelter Appreciation Week**

November 3-9, 2002, is designated as National Animal Shelter Appreciation Week to recognize the many services of the Tri County Animal Shelter.

**America Recycles Week/Day**

**Present:** Richard P. Tarr, Solid Waste Manager, DPW&T  
Clare Whitbeck, President, Solid Waste Advisory Committee

November 10-16, 2002, is America Recycles Week and November 15 is America Recycles Day. Americans generate more than 4.6 lbs of waste per person/per day. A recycling rate of 28% has been achieved nationwide; however, more can be done. Ms. Whitbeck commended Mr. Tarr for achieving the most successful electronic recycling event in the state.

### COMMENDATION

Present: Walt Biscoe, Project Supervisor, OCS

A commendation honoring Lakina Channelle Scribner for completing one year of volunteer service as an AmeriCorps\*Vista volunteer was presented by Commissioner Anderson. Lakina worked on a variety of community problems and concerns and was a valuable contributor to the program.

### COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agenda – November 19 (*no meeting Nov. 26*)
2. Grant Agreements
  - a. Emergency Management Agency (*Paul Wible, Stanley Williams Elaine Kramer*)
    - (i) Approve and sign Memorandum of Agreement with MEMA, Budget Amendment and Ordinance for Domestic Preparedness Equipment – Supplemental Appropriation Public Hearing held 9/17/02 (\$129,202)

**Commissioner Mattingly moved, seconded by Commissioner Anderson to authorize Commissioner Randall to sign the MOU, budget amendment, and the Board will sign the requisite Ordinance. Motion carried.**

- (ii) Approve and sign Budget Amendment (*Elaine Kramer, Paul Wible, and Mike Barnette*)  
For ALS Life Packs (\$29,000)

**Commissioner Mattingly moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to sign the budget amendment. Motion carried.**

*Commissioner Mattingly recommended research be conducted to identify funds for additional protective equipment that was not included in the FY03 budget. There is a need for an additional \$20,000. Commissioner Randall suggested the ALS requirements were not clearly understood in the past and that the process should be improved in the next budget review cycle.*

- b. Walden/Sierra, Inc. (*Dr. Kathleen O'Brien*)
    - (i) Approve and re-sign renewal of Inter-Governmental Agreement with DHR to continue services to victims of domestic violence (*IGA previously signed by BOCC on 8/27/02. DHR modified name/address*)

**Commissioner Raley moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to approve the renewal of the IGA between DHR and the BOCC. Motion carried.**

- (ii) Approve and sign renewal of Inter-Governmental Grant Agreement with DHR to continue services to victims of sexual assault/rape crisis

**Commissioner Anderson moved, seconded by Commissioner Mattingly, to authorize Commissioner Randall to approve the renewal grant agreement to continue services. Motion carried.**

- c. Office on Aging (*Gene Carter, Jennie Page, Peggy Maio*)
  - (i) Approve and sign Senior Health Insurance Program Notification of Grant Award (\$5,370)
  - (ii) Approve and sign Title III's Notification of Grant Award (\$217,550)

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to authorize Commissioner Randall to sign the grant agreement and the Title III grant award [Items c.(i) and c.(ii)]. Motion carried.**

- 3. Budget Amendment
  - a. Office on Aging (*Gene Carter, Jennie Page*)  
Approve and sign Budget Amendment and Ordinance for FY03 Supplemental Appropriation Hearing held 10/29/02(\$50,295)

**Commissioner Raley moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to sign the budget amendment and the Board will sign the requisite Ordinance. Motion carried.**

- b. Lexington Park Plan/DPW&T (*Robin Finnacom, George Erichsen*)  
Approve and sign Budget Amendment and Ordinance to increase the appropriation for the Lexington Park Pathways to Schools Grant. Public Hearing held 10/29/02 (\$205,745)

**Commissioner Anderson moved, seconded by Commissioner Raley, to authorize Commissioner Randall to sign the budget amendment and the Board will sign the requisite Ordinance. Motion carried.**

- c. Office of Community Services (*Cynthia Brown, Joe Donick*)  
Approve and sign budget amendment to place unused grant allocation in grant reserve account-SOSAR Food Program (adding difference of \$27,045 to grant reserve)

**Commissioner Anderson moved, seconded by Commissioner Guazzo, to authorize Commissioner Randall to sign the budget amendment. Motion carried.**

- d. \*Facilities Management (*Richard Rohrbaugh*)  
Approve and sign Budget Amendment transferring funds from Government Center Addition to the College of Southern Maryland humidity project.

**Commissioner Guazzo moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to sign the budget amendment. Motion carried.**

- e. Lexington Park Library (*Richard Rohrbaugh, Elaine Kramer, Robin Finnacom*)  
Approve and sign budget amendment to transfer funds from completed projects into the Lexington Park Library Project (\$100,000) \*and to reduce Lexington Park Library project budget

*Item 3.e. was not approved at this meeting. The Library project came in at approximately \$48,000 under the original scope of the budget which is commendable. However, the Board of Trustees feels the non-functioning coffee bar needs to be addressed. Commissioner Randall recommended Mr. Rohrbaugh review the schematics and work with the Board of Trustees to fully address this issue and return to the Board on November 19, 2002.*

4. Department of Recreation and Parks (*Phil Rollins*)  
Approve and sign Program Open Space Development Application/Project Agreement for Phase I development of Chaptico Park (\$116,949 budgeted in FY03)

**Commissioner Guazzo moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to sign the project agreement for Phase I of Chaptico Park. Motion carried.**

5. Department of Planning and Zoning (*Teresa Wilson, Historic Preservation Planner; Jeff Jackman, Senior Planner*)  
Approve and sign the Certified Local Government Certification Agreement (SMC approved for participation as a CLG in national historic preservation program)

**Commissioner Guazzo moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to sign the CLG agreement. Motion carried.**

6. Department of Public Works (*George Erichsen, George Jarboe*)
  - a. Approve and sign Transportation Grant Assurances for SMC transit system

**Commissioner Anderson moved, seconded by Commissioner Guazzo, to authorize Commissioner Randall to sign the FY04 Assurances. Motion carried.**

Commissioner Anderson congratulated Mr. Jarboe on his leadership in making SMC's transit service the top service in the state for 2000 and 2002. Ridership has tripled in the last three years.

- b. Approve scheduling of Public Hearing for purposes of accepting road transfers from the SHA

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve scheduling a public hearing on accepting road transfers from the SHA. Motion carried.**

7. County Attorney's Office (*Linda J. Springrose, Asst. County Attorney*)  
Approve scheduling of public hearing to amend Article XV, Chap. 267 of the Code of Public Laws of SMC relating to the Real Property Transfer Tax. (Amendment would allow an agent of the buyer to sign a statement on behalf of the buyer that buyer intends to use property for owner-occupied residential use.)

**Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve the County Attorney's office to schedule a public hearing to amend Article XV, Chapter 267 of the Code of Public Laws relating to Real Property Transfer Tax. Motion carried.**

**Commissioner Mattingly moved, seconded by Commissioner Anderson, to amend the agenda to add the Leonardtown Wharf Easement agreement. Motion carried.**

The County uses a few hundred square feet of the Wharf as an easement. Releasing the easement would benefit the property owner (St. Mary's Ice and Fuel) and the town of Leonardtown.

**Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve the scheduling of a public hearing on the release of St. Mary's Ice and Fuel from the easement agreement with the County. Motion carried.**

8. Approve and Sign Employment Contracts  
a. Deputy County Administrator

**Commissioner Anderson moved, seconded by Commissioner Guazzo, to sign the employment contract. Commissioner Raley voted no. Motion carried 4-1.**

- b. Director, Department of Public Works and Transportation

**Commissioner Anderson moved, seconded by Commissioner Guazzo, to sign the employment contract. Commissioner Raley voted no. Motion carried 4-1.**

- c. Director, Facilities Management

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to sign the employment contract. Commissioner Raley voted no. Motion carried 4-1.**

- d. Golf Course Manager, Wicomico Golf Course

**Commissioner Guazzo moved, seconded by Commissioner Anderson, to sign the employment contract. Commissioner Raley voted no. Motion carried 4-1.**

9. Appointment Letters

Commission on the Environment  
Dennis F. Roth

Housing Authority Board  
Dr. Andrew Kozak

Recreation and Parks Board  
Kathryn Burruss  
Richard Smith

**Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve the appointments. Motion carried.**

#### **RECREATION AND PARKS: BMX TRACK STATUS**

Present: Phil Rollins, Director Recreation and Parks  
George Erichsen, Director DPW&T  
Lisa Russell, President, SMC BMX  
Dr. Martha Neal, SMC BMX

The sites investigated included property near the airport and the landfill. Due to multiple factors, the sites were not ideal. The ultimate long term goal is to include a BMX track as part of the public park system. An early solution would be to use the capped landfill site for a short term "bridge" until a permanent site can be identified in a public park. Unfortunately, this location is within 3 miles of the airport and FAA/MAA restrictions may apply.

*The Commissioners recommended the BMX group meet with the Recreation and Parks Board and the Fairgrounds Board looking at including a track site within an existing park facility or at the fairgrounds. Because the track is a public/private partnership whose purpose is ultimately to improve recreation and tourism, the track should be located in a practical locale. George Erichsen will contact the FAA, MAA to obtain a ruling on the 3 mile limitation on spectator sports near airports.*

## COUNTY COMMISSIONERS' TIME

### Commissioner Guazzo

- Thanks to the 59% of the electorate who voted on November 5.

### Commissioner Anderson

- Participated in a dedication for new program space at The Center for Life Enrichment. SMC unemployment is down to 2.7%, however, the developmentally disabled unemployment rate is astronomical. One of the goals of the workforce development program is to remedy this problem.
- *Received a request for an addition to the November 19, BOCC agenda. The United Committee for Afro-American Contributions asks for support for school transportation to an exhibit displayed at the Lexington Park Library.*
- The Rotary Clubs in the County honored the best and brightest teachers in the community. Thanks to Rotary for their efforts.
- The schedule on roof repairs at Lexington Manor is lacking. This situation has been going on for years. The Resolution to allow roof repairs without permits was adopted but no significant improvement has been made. Repairs should have been made years ago and were not. This situation is unconscionable. *Requests a full explanation from Permits and Inspections on roof repairs be presented at the November 19<sup>th</sup> Board meeting.*
- St. Mary's College, Three Oaks Center and volunteers will sponsor a sleep-in on November 15 to raise money and awareness for the homeless in St. Mary's County.

### Commissioner Mattingly

- Leonardtown High School has been selected to appear at the Liberty Bowl game. Congratulations to LHS. Please contact the Principal if interested in sponsoring a student for this trip.
- Congratulations to the Library for their outstanding dedication program.
- Congratulations to the new officers of the Hollywood Rescue Squad..
- Congratulations to the Horseshow League and thanks for the opportunity to emcee this great event.
- Congratulations to All Saints Church for their 360<sup>th</sup> celebration ceremony.

### Commissioner Randall

- Unemployment of the developmentally disabled in SMC is at 70%. *Request Randall Schultz, Director Human Resources, to provide the Board with information on hiring the developmentally disabled at the November 19<sup>th</sup> Board meeting.*
- *Staff was asked to present background information to the Board on November 19<sup>th</sup> regarding the County's policy on the release of fire and rescue volunteers (who are non-essential county employees) when called out on an emergency.*

## EXECUTIVE SESSIONS

**Commissioner Anderson moved, seconded by Commissioner Guazzo, to meet in Executive Session (following the reception and lunch) to discuss matters of Litigation and Personnel, as provided for in Article 24, Section 4-210(a)8 and 4-210(a)1 respectively. 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  
Donna Gebicke, Recorder

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

**Time Held:** 2:10 p.m – 3:20 p.m.

**Action Taken:** The Commissioners discussed pending litigation matter and gave direction to staff.

**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  
Donna Gebicke, Recorder

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

**Time Held:** 3:23 p.m. – 5:05 p.m.

**Action Taken:** The Commissioners discussed boards and committees and gave direction to staff.

**ADJOURNMENT**

The meeting adjourned at 5:05 p.m.

Minutes Approved by the  
Board of County Commissioners on 11/19/02

Donna Gebicke

Donna Gebicke, Administrative Assistant  
to the Board of County Commissioners