

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
February 16, 1999**

Present: Commissioner Joseph F. Anderson  
Commissioner Shelby P. Guazzo  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
Mortimer L. Smedley, Acting County Administrator  
Mary M. Langley, Recording Secretary

**CALL TO ORDER**

The meeting was called to order by Vice President Commissioner Anderson at 10:05 a.m.

**ADDITIONS/DELETIONS TO AGENDA**

**Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the agenda for February 16, 1999 as amended** (to remove Dukehart's Creek Special Taxing District from County Attorney presentation and to remove the Emergency Management Agency Departmental Overview). **Motion carried. Commissioner Mattingly moved, seconded by Commissioner Guazzo, to add a discussion of the County Commissioners' mail log process to the amended agenda. Motion carried.**

**APPROVAL OF BILLS**

Also Present: Steve Welkos, Finance Director  
Marty Jones, Budget and Fiscal Analyst

Commissioner Raley inquired relative to the expenditure for shredder service (1-year contract renewal by Sheriff's Office); the \$57,000 expenditure for Workers' Compensation (the Risk Manager is scheduled to provide a presentation on this item); and the significant difference in electric bills for the Governmental Center [\$2,600] verses \$7,300 for the Carter State Office Building. Commissioner Guazzo noted the monthly electric bill for the detention center was \$9,300 (*Steve Welkos will coordinate with Lynn Brady, Buildings Manager, to obtain electric service information for the various county government buildings*). She also questioned the IRS liens (garnishments against employees' salaries) and expenditures for Manpower services (*information will be provided on this via memorandum*).

**Commissioner Raley moved, seconded by Commissioner Guazzo, to approve the bills as presented. Motion carried.**

**APPROVAL OF MINUTES**

**Commissioner Guazzo moved, seconded by Commissioner Raley, to approve the minutes as corrected. Motion carried.**

**COUNTY ADMINISTRATOR**

Present: Mortimer L. Smedley, Acting County Administrator

- Draft Agendas for February 23 and March 2, 1999.

During discussion of the items on the draft agendas, *Commissioner Mattingly requested that the Commissioners consider Board, Committee and Commission appointments at least every other week*. Commissioner Anderson stated that the public forums will include a pertinent monthly topic of discussion (the March 9 forum will feature the Lexington Park Master Plan).

1. **Budget Amendments**

- a. 99-25—Sheriff's Department  
\$50,000 (Inter-department) Overtime for Court Security to June 30, 1999.  
*Deferred for discussion in executive session.*
- b. 99-26—Recreation and Parks  
\$5,000 (Administrative) for appraisal of St. Mary's River Public Landing  
Acquisition Project.

**Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize Commissioner Anderson's execution of Budget Amendment #99-26 as presented. Motion carried.**

2. **Boards, Committees and Commissions – Appointments**

	<u>Term Expiration</u>
<b><u>Navy Alliance</u></b> Mortimer L. Smedley	No Term
<b><u>Nursing Center Advisory Board</u></b> John W. Cheseldine	12/31/2001
<b><u>Patuxent River Commission</u></b> Shelby P. Guazzo Sue Veith – Alternate	No Term No Term
<b><u>Solid Waste Advisory Committee</u></b> Ken Hastings (Reaffirm) William M. Mattingly (Reaffirm) Denise Reichard Clare Whitbeck	12/31/1999 12/31/2000 12/31/2001 12/31/2002
<b><u>Zoning Board of Appeals</u></b> Susan P. McNeill – 1 <sup>st</sup> Alternate Joseph S. Scriber – Regular Member	12/31/1999 12/31/2002

**Commissioner Raley moved, seconded by Commissioner Mattingly, to approve the recommended appointments. Motion carried.**

The Commissioners expressed appreciation for the service of Tana Glockner Shultz, who served on the Zoning Board of Appeals, and Col. A. H. Richardson, who served on the Solid Waste Advisory Commission, and they signed letters of gratitude for the donation of time and effort during their membership.

3. **Introduction of Interim Public Information Officer**

Mr. Smedley introduced Charlene H. Newkirk, a current employee of the St. Mary's County Housing who was selected to serve in this post until the Board selects a new Public Information Officer in March. The Board welcomed Ms. Newkirk and noted the depth of professional experience she brings to this position.

**COUNTY ATTORNEY**

**DEED AND SETTLEMENT FOR THE "SKIPJACK" PROPERTY**

Present: Douglas S. Durkin, County Attorney  
Linda Opdyke, Paralegal

Mr. Durkin provided a brief summary of events related to the county's sale of the "Skipjack" property to the United States Postal Service which was interested in obtaining the 2.44 acre site located on Coral Drive in Lexington Park for the Lexington Park Post Office facility. The original property, purchased with federal Community Development Block Grant

program funds for the Tulagi Place Revitalization Project, was subdivided to provide the county with a 1.29 acre parcel needed to place a roadbed for the extension of Tulagi Drive to Willows Road. The county was able to recoup the purchase price from the \$555,000 sale which will be returned to the block grant program to fund other federally approved activities related to the Revitalization Project. Mr. Durkin noted that the documents were prepared for Commissioner Randall's signature and requested that the Board authorize her to execute the documents upon her return.

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve the settlement documents and to authorize Commissioner Randall's execution of the documents on behalf of the Board. Motion carried.**

#### **OFFICE OF COMMUNITY SERVICES DEPARTMENTAL BRIEFING**

Present: Cynthia A. Brown, Director  
Walter D. Biscoe, Community Services Coordinator  
A. Joseph Donick, Prevention Coordinator  
Joseph L. Dick, Safe Communities Coordinator  
R. Wendell Rothwell, Youth Service Corps Coordinator

Ms. Brown provided an overview of the mission, functions and activities of the Office of Community Services (OCS) and of the volunteer advisory boards assisting them. She stated that the department is charged with addressing societal problems and community concerns and finding solutions through referrals and interagency collaboration. Major activities include Operation Link, production of a bi-annual Community Services Directory, Community Service Day, Christmas Caring, Child Welfare Day, and the Maryland You Are Beautiful awards program. The department provides administrative support and guidance to a number of advisory boards, namely the St. Mary's Interagency Children's Council, St. Mary's County Mental Health, Substance Abuse and Victims Advisory Council, Commission for Women, Human Relations Commission, and Commission for the Disabled. Ms. Brown indicated that staff represents county government on many local, state and regional boards and that she serves as the county's ADA (Americans with Disabilities Act) Coordinator, charged with overseeing the county government's compliance efforts.

*Concerning ADA compliance, Commissioner Anderson requested that the Commissioners be provided with a status report to include any required capital improvements for consideration in the budget. Mr. Smedley indicated that this falls under the Office of Central Services' building maintenance division and that the information would be forthcoming.*

Messrs. Biscoe, Donick, Dick and Rothwell provided an overview of activities which are funded through a variety of grants that are handled and monitored by individual staff responsible for the respective programs. The Youth Service Corps grant requires a 25% local match while some others require in-kind services. The HotSpot Initiative grant requires a match for federal funds which has been covered by the state through the Governor's Office for the first two years; however, a local match is required in FY2000. This grant provides \$150,000 to the county in addition to probation officer funding (2 in the school system and 2 in the designated HotSpot area). Commissioner Mattingly asked if the proposed legislation relative to HotSpot grant funding is aimed at making the Initiative on-going rather than an optional program of the Governor's Office (*Mr. Dick will obtain this information*). Mr. Donick requested the Commissioners' assistance in the establishment of an enterprise fund for OCS to provide up-front funding to avoid expenditure delays caused by fiscal year close-out activities. Commissioner Mattingly noted the county's need for a Grant Manager to assist in "getting a handle" on the fiscal impacts of incoming grants.

A copy of the Departmental Overview for the Office of Community Services is on file in the County Commissioners' Office for review.

## COUNTY COMMISSIONERS' MAIL LOG PROCESS

Present: Kathleen L. Bellinger, Office Specialist III

Ms. Bellinger outlined the process for logging mail addressed to the County Commissioners. All incoming mail is date stamped and marked to indicate whether the document was placed on the mail log (a check mark) or routed without notation (initials of recipients). Generally, interdepartmental memorandums are not logged. The mail log contains correspondence from outside agencies and citizens, newsletters, press releases, invitations and meeting notices as well as volunteer advisory boards' minutes and annual reports, and the log notes the recipients of each item. Information protected by the Public Information Act are not logged which includes personnel (including volunteer board applications), litigation/potential litigation, contract negotiations, and property acquisition/disposition matters. *The Commissioners requested that a notation such as "sensitive" be placed on these protected items for their reference.* Ms. Bellinger indicated that she consults with the County Administrator in determining whether an item is protected from public disclosure, and he may refer it to the County Attorney or Public Information Officer for an opinion.

The County Administrator also receives the complete mail log packet, and all items are reviewed. Those items requiring action or response are placed on a pending list, assigned and tracked. Generally, correspondence from citizens is forwarded to the Public Information Officer (who often consults with various department heads in gathering information needed for formulating a response), and government-related items are handled by the County Administrator. In addition to mail log items, internal correspondence is tracked for action and/or appropriately maintained in files.

## REALIGNMENT OF FROGS MARSH ROAD

**(Follow up to Public Hearing of February 2, 1999 – Discussion/Decision)**

*[Approval of Resolution authorizing Realignment of Frogs Marsh Road (County Route 30302) and Drayden Road (County Route 30899), 545' improvement, Second (2nd) Election District, Porto Bello Estates]*

Present: George A. Erichsen, Director, Dept. of Public Works  
Don Kropp, Developer

Mr. Erichsen indicated that the record indicates no written comments were received during the 10-day period following the public hearing. Mr. Kropp stated that, although the limit of 22 building permits issued had not been reached, plans call for construction to begin in late summer (August/September) and would take approximately one month to complete.

**Commissioner Mattingly moved, seconded by Commissioner Raley, to approve Resolution No. 99-06 for the Realignment of Frogs Marsh and Drayden Roads. Motion carried.**

## COUNTY COMMISSIONERS

### MCI Contract

*Commissioner Raley requested that the chief contact for the MCI project--Jim Haley, Manager of the Office of Central Services—provide the Board with monthly status reports.* He inquired as to the status of filling the Contract Manager position associated with the project which closed in December. Mr. Smedley indicated that the county was using a current contractor on an interim basis until the selection was made.

The Commissioners noted that MCI Systemhouse had been bought out by EDS (Electronic Data Systems), which they learned about in a news article, and expressed disappointment that they had not been notified of this by the Contractor and apprised of any impact this might have on the county's contract. *The Board requested that a MCI briefing be scheduled March 2nd and that MCI representatives be present to answer their questions.*

The Commissioners discussed the design and siting of the MCI building and *requested an explanation of why the site was selected and a drawing of the building's design.*

Commissioner Anderson stressed the need for *designating a Contract Manager for county government to be the single point of responsibility.*

### **Courthouse Move to Temporary Quarters**

Commissioner Raley expressed appreciation for the hard work and long hours staff put in to accomplish the 3-day move of the Courthouse to their temporary quarters in the governmental center complex. Commissioner Mattingly requested that *individual letters of appreciation be drafted to all who contributed toward making the move successful.*

### **MACo Legislative Committee**

Commissioner Guazzo, the county's representative on the Maryland Association of Counties' (MACo) legislative committee and taxation subcommittee, provided an update on activities. During the legislative session, meetings are held every Wednesday from 10:30 a.m. to 1:00 or 2:00 p.m. She indicated that approximately 2,000+ bills are introduced each year and that MACo selects 50 to 60 of them, either supporting them with amendments or no amendments, no support and/or no position. The results of the meetings are reported weekly in the Courthouse News.

### **FDR Boulevard Focus Group**

*The Commissioners requested a status report from a member of the FDR Boulevard Focus Group prior to the Board making any decision as to their status. They also requested a copy of the FDR Boulevard Feasibility Study Final Report as prepared by the State Highway Administration.*

### **Board of Public Works**

Commissioner Anderson *requested that the Board be informed when county projects are scheduled to come before the Board of Public Works for approval, noting the examples of funding approvals received for the Clarkes Road Sewage Project (\$170,000) and Program Open Space funding (\$.5 million) for park development in the northern end of the county. He reiterated the need for establishment of a process of representation before the Board of Public Works.*

*Mr. Smedley will ask Phil Rollins to provide information relative to the referenced Open Space funding approval.*

### **Lexington Park Master Plan**

The Commissioners requested a *copy of the latest version of the Lexington Park Master Plan as this will be the topic of discussion at the next public forum. They also requested a status report from a member of the Lexington Park Master Plan Committee.*

### **Recycling Program**

Commissioner Anderson expressed his desire that county government participate fully in the recycling program. Mr. Smedley indicated that the Solid Waste Manager will be visiting county offices to present the program and encourage recycling..

### **Workforce Development**

Commissioner Anderson reported on a recent meeting with Martin Fairclough, Director of the Department of Economic and Community Development, and Ella May Russell, Director of the Department of Social Services, relative to Workforce Development and Preparation and the Welfare to Work Program. He noted that this initiative will improve the county's contacts with existing facilities in the region.

### **Visit of Secretary of Maryland Department of Business and Economic Development**

Commissioner Anderson indicated that the Board will be participating in a tour of Southern Maryland with Secretary Lewin and Congressman Hoyer, followed by a briefing at VEDA. He stressed the importance of working closely with representatives from state government to make sure St. Mary's County is recognized as a "star" on the map.

### **Colton Endowment Funding**

As an introduction to the presentation by the Board of Directors of Cedar Lane, Commissioner Guazzo reported that she and Commissioner Mattingly attended a meeting last Thursday with Delegate Wood, Secretary Sue Ward and staff (Maryland Office on Aging), former Senator Kathy Riley (Governor's Aide) and members of the Cedar Lane Board of Directors. Due to the change in the Board's membership, and concerns raised by one of the unsuccessful applicants, the state is desirous of obtaining the county's commitment to moving forward with funding the Cedar Lane project. The state has requested a letter from the Commissioners confirming the prior Board's selection; once received, the state will ask that the Attorney General petition Judge Kaminetz to modify his previous decision and allow the Board of County Commissioners to act as an agent for the funds to be issued to St. Mary's Home for the Elderly III, Inc. (a.k.a. Cedar Lane).

### **CEDAR LANE BOARD OF DIRECTORS' PRESENTATION**

Present: Joseph H. Dobson, Jr., Administrator  
Joseph F. Mitchell, Board of Directors  
Raymond S. Runco, Board of Directors  
F. Elliott "Sonny" Burch, Jr., Board of Directors  
Walter Cooper, Board of Directors

Mr. Mitchell, Past President, indicated that St. Mary's Home for the Elderly consists of three non-profit corporations—I, II and III—with III established for the building to be constructed with the Colton Endowment coupled with funding obtained through private lending institutions. He reviewed the slight modifications to the proposal presented to the former Board in November as related to number of units/bedrooms, funding approach and estimated rents. The 4-story expansion will be located adjacent to the existing dining area (the land was annexed to the town of Leonardtown) and house 30 apartments (27 1-bedroom and 3 2-bedroom units). The design will be similar to the existing units with the exception of the inclusion of washing machines and dryers. The original financing arrangement proposed the use of low-income tax credits which was abandoned due to the cumbersome burden associated with administration and up-front costs. Using Colton Endowment funds, 14 units can be built without debt service and are expected to rent between \$225-\$250 per month, plus utilities (approx. \$75/mth.). The remaining units will be rented for debt service plus operating expenses: \$670+utilities for 13 1-bedroom units and \$725+utilites for the 3 2-bedroom units. The Board of Directors requested that the Colton Endowment funds pass through the county and be provided to the Corporation in the nature of construction money to allow up-front funding thus freeing up approximately \$75,000 to \$80,000 in interest fees.

**Commissioner Mattingly moved, seconded by Commissioner Raley, to send a letter to the Secretary Ward, Maryland Office on Aging, supporting St. Mary's Home for the Elderly III, Inc.'s amended proposal (to be provided as an attachment to the letter of support) for the use of the Colton Endowment funds and confirming acceptance of the arrangement for funding to pass through the county for disbursement to the Corporation.**

### **OFFICE OF CAPITAL PROJECTS COURTHOUSE MOVE**

Present: James J. Stirling, Director

Mr. Stirling reported that the successful relocation of the courthouse to temporary quarters was a result of the efforts of the Courthouse Transition Team (*he will provide a listing of members and participants to the Commissioners*) which started back in December. The "Presidents' Day Weekend" move actually began on Friday with crews devoting 14 to 16+ hours

a day to the process. The courts are totally relocated and all four of the courtrooms were in use today—1 courtroom was used for the 100+ jury call. Crews petitioned lots off to reserve parking for the jurists, and it was noted that during the call over 100 parking spaces on the other side of Carter State Office Building (CSOB) remained vacant. He reported that he and Mr. Smedley are meeting Wednesday with department managers at the CSOB concerning employee parking.

Concerning courthouse construction/renovation, Mr. Stirling reported that a Notice to Proceed will be issued to the contractor next week, and the reverse move can begin by mid-year 2000.

**EXECUTIVE SESSIONS**

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to meet in executive session to discuss matters related to personnel and property acquisition/disposition as provided for in Article 24, Section 4-210(a)1&8. Motion carried.**

**Property Acquisition/Disposition**

Present: Commissioner Joseph F. Anderson  
Commissioner Shelby P. Guazzo  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
Mortimer L. Smedley, Acting County Administrator  
James J. Stirling, Director, Office of Capital Projects  
Mary M. Langley, Recording Secretary

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

Time Held: 4:01 p.m. – 4:16 p.m.

Action Taken: The Commissioners discussed matters related to property acquisition/disposition and gave direction to staff.

*BOC & Committees*

**Personnel – Office of the Sheriff**

Present: Commissioner Joseph F. Anderson  
Commissioner Shelby P. Guazzo  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
Mortimer L. Smedley, Acting County Administrator *attended from 4:50-5:29*  
Steven E. Welkos, Director of Finance *"*  
Marty Jones, Budget and Fiscal Analyst *"*  
Melvin A. McClintock, Director, Dept. of Human Resources *"*  
Mary M. Langley, Recording Secretary *(attended from 4:50 p.m. - 5:29 p.m.)*

Authority: Article 24, Section 4-210(a)1 *Deloris Hays (attended from 4:20-4:47 p.m.)*

Time Held: *4:20-4:47 p.m.* 4:50 p.m. – 5:29 p.m.

Action Taken: The Commissioners discussed personnel issues related to overtime and vacancies in the Office of the Sheriff, gave direction to staff, and agreed to take action on the overtime issue in open session.

**FOLLOW UP TO EXECUTIVE SESSION  
PERSONNEL – OFFICE OF THE SHERIFF**

**Commissioner Mattingly moved, seconded by Commissioner Raley, to approve Budget Amendment 99-25 in the amount of \$50,000 to cover overtime costs for court security to June 30, 1999. Motion carried.**

**ADJOURNMENT**

The meeting was duly adjourned at 5:35 p.m.

**Minutes Approved on 2/23/99  
By the Board of County Commissioners**

*Mary M. Langley*  
Mary M. Langley, Recording Secretary