

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
March 9, 1999**

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Mortimer L. Smedley, Acting County Administrator
Judith A. Spalding, Recorder

CALL TO ORDER

The meeting was called to order at 10:00 a.m.

ADDITIONS/DELETIONS TO AGENDA

Commissioner Mattingly moved, seconded by Commissioner Anderson, to accept the agenda as amended (to add County Commissioner time and to delete specific purposes for executive sessions). Motion carried.

APPROVAL OF CHECK REGISTER

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to authorize Commissioner Randall to sign the check register, as presented. Motion carried.

(Commissioner Raley questioned a Gatorade bill on page 11; Commissioner Mattingly questioned Seymour Auto Parts bill on page 14; Guazzo questioned the SMECO bill at the Regional Park on page 18.)

APPROVAL OF MINUTES

Commissioner Raley moved, seconded by Commissioner Anderson, to approve the minutes of the Commissioners' meeting of Tuesday, March 2, 1999 as presented, and the Planning and Zoning portion (Tudor Hall Village and Industrial Park public hearings) of the Commissioners' meeting of February 23, 1999. Motion carried.

COUNTY ADMINISTRATOR

Present: Mortimer L. Smedley, Acting County Administrator

- Draft Agendas for March 16, 1999 and March 23, 1999

1. Resolution No. 99-08

Cable Advisory Committee

(for the purpose of approving the transfer of control of cable television franchise Cable TV Fund 14-A from Jones Intercable, Inc. to Comcast Corporation.)

Also Present: Kim Shearin, Assistant County Attorney
Stan Goodwin, Chair, Cable Advisory Committee

Discussion ensued regarding: that the 120-day window for the transfer of the franchise from Jones to Comcast had passed; comments received from Jack Witten, Potomac River Association that should be considered in negotiations with Jones/Comcast for franchise renewal; and that the northern end of the County should have the same capabilities for public access programming as does the rest of the county.

The Commissioners requested County Administrator Smedley to prepare correspondence to Jones/Comcast recognizing that the 120-day window has passed, but expressing an interest in negotiations relative to the franchise renewal; and request a meeting with cable representatives

and the advisory committee regarding these negotiations to ensure that the best interest of the community and the County are served (to determine whether the standards and franchise requirements are being met).

Commissioner Randall suggested that the County Administrator recommend a staff member for the point of contact; that a letter be prepared to Jones/Comcast with recommendations from the Cable Advisory Committee and with staff regarding immediate requirements that should be taken care of now; that the County Administrator develop in conjunction with the cable advisory committee an approach for renegotiations with both cable companies (time lines, etc.) and that recommendations of the cable advisory committee, be included in the process.

In conclusion the Commissioners agreed, with the understanding that the 120-day window has passed, to approve the Resolution, and that the Commissioners are interested in renegotiating a new franchise agreement with Jones/Comcast. In addition the Commissioners recommended that the new owners have a representative attend the monthly cable committee meetings.

After discussion Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and sign the Resolution approving the transfer from Jones to Comcast, as presented. Motion carried.

Further Commissioner Raley moved, seconded by Commissioner Anderson, to request Assistant County Attorney to draft letters to both cable companies asking their intentions regarding renewal and forwarding that information to the cable advisory committee. Motion carried.

2. **Cable Television Bulk Billing Agreement (Multiple Dwelling Units)**
(For basic cable service to the St. Mary's Nursing Center)

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign Agreement as presented. Motion carried.

3. **Sheriff's Department**
Local Law Enforcement Block Grant Award
(\$66,644 – federal; \$7,405 – local match)

Follow Up Information Form to be signed by President of BOCC

Also Present: Barbara Dotson, Fiscal Analyst

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and to authorize Commissioner Randall to sign the Follow Up Information Form as presented. Motion carried.

4. **Fire and Rescue Revolving Loan Fund**
Loan Application from Lexington Park Volunteer Ambulance and Rescue Squad

Also Present: Steve Welkos, Director of Finance
Keith Fairfax, Chair, Emergency Services Committee

Commissioner Raley moved, seconded by Commissioner Mattingly to approve and authorize Commissioner Randall to sign the Loan Application as presented. Motion carried.

5. **St. Mary's County Housing Authority
Rental Allowance Program Application for 1999**
(Requesting \$53,210 from Department of Housing & Community Development, CDA)

Also Present: Dennis Nicholson, Director, Housing Authority

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the Application as presented. Motion carried.

(Commissioner Raley requested that there be a stipulation that the project does not involve county funds.)

6. **Ordinance No. Z99-01
Tudor Hall Village Growth Allocation**

(The Commissioners deferred a decision on the Ordinance and transmittal letter to the Critical Area Commission until the Commissioners have had an opportunity to review the documents.)

Later in the meeting after review of the documents and consultation with Stewart Diana, Esquire of Piper and Marbury, Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and execute the Ordinance and sign the transmittal letter to the Critical Area Commission as presented. Motion carried.

7. **Resolution Establishing St. Mary's County Millennium Commission**

(The Commissioners requested that the Resolution be amended to direct the Commission to report to the Commissioners monthly or more often as needed and to address the budget for the Commission. Action was deferred until next week's meeting.)

8. **Public Information Notice – MTA Commuter Route Proposal**
(MTA's proposal to reduce number of daily bus trips from Charlotte Hall to Washington D. C.; and announcing the dates and locations of public hearings on the proposal.)

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve the distribution of the Notice as presented. Motion carried.

9. **Office of Capital Projects Application for Federal Grant Assistance
Airport Obstruction Removal - (\$200,000)**

Also Present: Jim Stirling, Director, Office of Capital Projects

After review of the project by Mr. Stirling, Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and to authorize Commissioner Randall to sign the Grant Application as presented. Motion carried.

**ST. MARY'S COUNTY COMMUNITY DEVELOPMENT CORPORATION
LOAN POOL CONSORTIUM**

Present: Martin Fairclough, Director, DECD
Nancy Hutson, Loan Officer
Tom Watts, Maryland Bank and Trust
James Lanham, CDC, Minority Business Alliance
Bill McKissick, Attorney

The referenced individuals appeared before the Board to introduce the concept of the new loan pool program of the Community Development Corporation. Ms. Hutson advised that in celebration of the first anniversary of the Business Resource Center, located on Route 235 in California across from K-Mart, the business community will be working in partnership with local banks and CDC. There are two financing programs which will benefit local businesses—(1) the

Loan Guarantee program will provide guarantees of small business loans up to \$50,000; and (2) the Attraction and Retention Program will provide direct financing to businesses creating jobs in the County, when those businesses cannot obtain bank financing for their specific need. Funds for the loan pool will come from various sources, including the CDBG funds through the sale of the Skipjack property (\$550,000); state funds in recognition of this program - \$200,000 in Maryland Industrial Land Act funds; and funds from the banks in the amount of \$400,000. By June 1, the date to receive applications, there will be \$1,150,000 available for the six banks to work with in making loans. The business owners will work with individual lending institutions; and the banks will review the applications.

NURSING CENTER BRIEFING AND TOUR

At this time the Commissioners went to the Nursing Center for a briefing, tour and lunch.

INCLEMENT WEATHER CANCELLATIONS

Because of the snowstorm, the following agenda items were cancelled and will be rescheduled for another date: Proclamation for National Girl Scout Week; and Southern Maryland Child Care Resource Center.

EMERGENCY MANAGEMENT AGENCY DEPARTMENTAL BRIEFING

Present: Paul Wible, Director, EMA
Phil Cooper, Director, EMA
Keith Fairfax, Chair, Emergency Services Committee

The referenced individuals appeared before the Board to present an overview of the Emergency Management Agency. Mr. Wible reviewed EMA's responsibilities: Emergency Management (planning process for disasters - mitigation, preparedness, response, recovery); 911/Communications (county 911 project in the amount of \$10.4M for new facility); animal control (stressful job requirements due daily threats against employees; need for aggressive public education program geared toward responsible pet ownership).

Mr. Cooper explained his role as deputy director with emergency management (assists the director with management of animal control; 911 communications; disaster plan preparedness; membership on various communications and emergency preparedness committees; Calvex '99; etc.); emergency medical services (representation on various boards and committees); Advanced Life Support (coordination of training programs, preparation of budget requests, coordination of purchasing, ALS building/vehicle maintenance, etc.); Safety Committee (serves as Chair of County Health and Safety Committee).

Mr. Fairfax, as Chair of the Emergency Services Committee, explained some of the activities of the past year including getting the Peachtree accounting program up and running; Revolving Loan Fund procedures are now in place; and approval of the Emergency Services Master Plan. Projects for 1999 includes an RFP for Rural Water Study, which will be reviewed by three fire chiefs; and zoning ordinance update relative to public facilities.

In conclusion Mr. Wible indicated he would like to bring to the Board's attention three matters: the hiring of the Chief of Operations for the 911 Center; hiring of radio technicians (in that the County will be responsible for maintaining all of the radios); and a back up facility for the 911 Center (Mr. Wible recommended upgrading of the current facility as the back up center). Discussion ensued regarding these matters, and suggested that if the Navy Base is used that there be a Memorandum of Understanding.

COUNTY COMMISSIONERS' TIME

Solid Waste Recovery Facility Application

Commissioner Raley referred to a letter from Mr. Grimm to Mr. Ken Hastings regarding the application that is pending for a solid waste recovery facility. He stated that when he was on the Board of Appeals there was a meeting with the Planning Commission, Solid

Waste Advisory Committee, Board of Appeals, and Board of County Commissioners and it was agreed that there would be a public informational meeting prior to the rezoning process, that these would be separate functions, and that the informational meeting should be held first.

EXECUTIVE SESSIONS

Commissioner Raley moved, seconded by Commissioner Guazzo, to meet in Executive Session to discuss matters of Personnel (unfilled positions, boards, etc.), as provided for in Article 24, Section 4-210(a)1, and Property Acquisition, as provided for in Article 24, Section 4-210(a)11. Motion carried.

Property Acquisition

Present: Commissioner President Julie B. Randall
 Commissioner Joseph F. Anderson
 Commissioner Shelby P Guazzo
 Commissioner Thomas A. Mattingly, Sr.
 Commissioner Daniel H. Raley
 Mortimer Smedley, Acting County Administrator
 Judith A. Spalding, Recorder (left at 5:30 p.m.)

Authority: Article 24, Section 4-210(a)11
 Time Held: 4:10 p.m. – 7:00 p.m.

Action Taken: The Commissioners discussed a number of property acquisition issues 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
 Mortimer Smedley, Acting County Administrator

Authority: Article 24, Section 4-210(a)1
 Time Held: 7:00 p.m. – 9:10 p.m.

Action Taken: The Commissioners discussed a number of personnel issues, including unfilled positions, contracts, personnel study and compensatory time.

FOLLOW UP TO EXECUTIVE SESSIONS

Commissioner Guazzo seconded by Commissioner Raley, to direct staff to proceed as discussed in Executive Sessions on Property Acquisition and Personnel. Motion carried.

Commissioner Anderson moved, seconded by Commissioner Raley, that the Solid Waste Advisory Committee's by laws be amended to remove the reference to meeting on Thursdays to "that the Solid Waste Advisory Committee meet at least once a month."

PUBLIC FORUM

The Public Forum was cancelled due to inclement weather and was rescheduled for March 23.

ADJOURNMENT

The meeting adjourned at 9:10 p.m.

Minutes Approved by the
 Board of County Commissioners on 3/16/99

Judith A. Spalding
 Judith A. Spalding, Recorder