

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
March 16, 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 another executive session on personnel and on property acquisition. 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.**

**APPROVAL OF MINUTES**

**Commissioner Raley moved, seconded by Commissioner Anderson, to approve the minutes of the Commissioners' meeting of Tuesday, March 9, 1999 as presented. Motion carried.**

**COUNTY ADMINISTRATOR**

**Present:** Mortimer L. Smedley, Acting County Administrator

- Draft Agendas for March 23, 1999, and April 6, 1999

1. **Budget Amendment No. 99-28 – Treasurer's Office**  
(Y2K fix for Treasurer's Software - \$60,000)

Also Present: Jan Norris, Treasurer

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and to authorize Commissioner Randall to sign Budget Amendment No. 99-28. Motion carried.**

2. **Asphalt Overlay Program**

Also Present: George Erichsen, Director, DPW

- a. **Budget Amendment No. 99-29 – Public Works**  
(Additional funds needed in the FY '99 Asphalt Overlay Program - \$1,100,000)

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and to authorize Commissioner Randall to sign Budget Amendment No. 99-29. Motion carried.**

**b. Resolution No. 99-9  
Public Facilities Bonds of 1993 - Asphalt Overlay**

(Supplement March 2, 1993 Resolution authorizing issuance of general obligation bonds by designating new projects as additional projects authorized to be financed with the proceeds from the sale of the bonds)

**Commissioner Mattingly moved, seconded by Commissioner Anderson to approve and sign the Resolution as presented. Motion carried.**

**3. Ordinance No. Z99-02  
St. Mary's Industrial Park**

( Lot 500-1, Section 1 (ZONE #98-1151; follow up to 2/23/99 public hearing)

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and sign the Ordinance approving the requested rezoning of Lot 500-1 from Residential Town Center/Industrial to Industrial, as presented. Motion carried.**

**4. St. Mary's Public Schools  
Grant Awards for Fiscal Year 1999**

Safe Schools – Lexington Park - \$10,000  
Safe Schools – Leonardtown High School - \$10,000  
MSSA Fellows Program - \$3,189

**Commissioner Anderson moved, seconded by Commissioner Guazzo, to sign letter to Board of Education approving the grant awards as requested. Motion carried.**

**5. Resolution No. 99-10  
St. Mary's County Millennium Commission**

As a follow up to last week's discussion, the County Administrator re-presented the referenced Resolution creating a St. Mary's County Millennium Commission consisting of nine members. The Resolution was amended to add language that the Commission would report to the Commissioners on a monthly basis or more often, if needed.

**Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and sign the Resolution as presented. Motion carried.**

**SHERIFF'S OFFICE**

Present: Sheriff Richard Voorhaar  
Acting Captain Steven Doolan  
Jim Stirling, Director, Office of Capital Projects  
Jim Haley, Procurement Officer  
Melvin "Mac" McClintock, Director, DHR

**1. Firearms Training Facility**

Also Present: John Hopf, Sheriff's Department  
Jean Lippard, DNR; F/Sgt. Homer Rich, MSP; Lt. Mercer, NAS

The referenced individuals appeared before the Board to give a presentation relative to a proposal for a new firearm training facility to be located on a 40-acre site on the perimeter of the wild land in St. Mary's River State Park. The current site, which the County is leasing from DNR, is in the wild land, and pursuant to the Wild Land Statute, the firearms range must be relocated. According to the five-year lease, which expires January 2002, the range must be moved to a mutually agreed alternate site on the edge of the wild land. A Right of Entry

Agreement was signed by the County and DNR in August 1998 for the purpose of conducting a land survey and preliminary site study of the proposed site.

Mr. Hopf gave a video presentation showing the current site, the proposed site, BG&E's firearms range, Prince George's County's facility, and Anne Arundel County's facility (a \$1.5M facility).

Areas of discussion included:

- That a number of agencies (DNR, NAS, MSP, Sheriff's Office) would be using the range;
- That state and federal grants are being sought;
- That agencies using the range, should participate in the costs;
- That in-house capabilities be used to work on the facility (site work); Mr. Stirling suggested using the County's rental contract that is currently in place;
- That the Planning Commission recommended deleting the fire range capital project from the Fiscal Year 2000 budget because it was not located in the development district (Mr. Stirling indicated that this type of project should not be located in a development district);
- That \$240,800 is designated in the FY 2000 (to be derived from county bonds);
- That the next step in the process is developing a lease with DNR for the new 40±-acre site;
- That DNR is committed to assisting and cooperating in this project and the improvements.

In conclusion the Commissioners requested Mr. Smedley and other county staff to help facilitate discussion among the various agencies as to what grants might be available; that staff also collaborate with the other agencies in developing a long-range plan and come back to the Board with recommendations.

## 2. Overtime Pay Policy

Sheriff Voorhaar requested a change in the County's Manual of Personnel Policies and Procedures (Chapter 13) as it relates to methods used to calculate overtime and compensatory time for those who work 171 hours in a 28-day cycle. The current policy does not recognize overtime until 171 hours have been worked in the 28-day cycle, and the Sheriff recommended that the policy be changed to recognize overtime on a daily basis when employees have worked his/ her normal shift (8.5 hours). He pointed out that neighboring jurisdictions recognize overtime on a daily basis, and further that it created less of a bookkeeping problem to do it this way.

Areas of discussion included the need to attract and retain officers; source of funding for the overtime; and that this was a very high priority of the Sheriff.

Commissioner Raley questioned the Sheriff as to why he wanted to calculate overtime on a daily basis rather than the way its done in the private sector (40 hours/weekly). Sheriff Voorhaar responded that the deputies perform a difficult task, sometimes life threatening.

**Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve the policy change to Chapter 13 of the Manual of Personnel Policies and Procedures as it relates to Overtime and Compensatory time calculation.**

**Motion carried four to one with Commissioner Raley voting against stating that he did not receive an adequate response to his inquiry.**

### 3. Staffing for Temporary Courthouse

Sheriff Voorhaar requested the Commissioners' consideration for the authorization of five deputy sheriff positions, effective April 30, 1999. These positions would be assigned to Courthouse Security upon completion of entrance level training for police officers. This would allow the necessary time for completing the hiring process in time for the training academy scheduled to begin May 1, 1999. Experienced deputies are now providing courthouse security, which is costing the County in overtime. Funding is available with the Sheriff's Department's budget to cover the costs.

During discussion Mr. McClintock noted that there are eight vacancies within the Sheriff's Department.

**Commissioner Mattingly moved, seconded by Commissioner Anderson, to authorize the five new deputies to be assigned to Court Security. Motion carried.**

## PROCLAMATION NATIONAL GIRL SCOUT WEEK

The Commissioners presented the referenced Proclamation designating the week of March 8 – 12, 1999 as National Girl Scout Week in St. Mary's County.

## COUNTY COMMISSIONERS' TIME

### Web Page

Commissioner Mattingly referred to the status of the County's web page, stating there are individual efforts in this regard, and that it was important to stand back and bring everyone's efforts together to get focused and to get it going in one direction. He stated that the County needs to get on line with valuable information, e.g., ordinances, regulations, information on boards and committees, etc. Commissioner Mattingly gave Anne Arundel's web page as an example stating that their Comprehensive Plan, Zoning Ordinance, and various forms are accessible to their citizens.

Mr. Smedley advised that he met with Mr. Bob Harper, who will be coordinating work on the web page with MIS.

### Tri-County Council Meeting

Commissioner Anderson advised that he attended the Tri-Council Council Executive Committee meeting and wanted to update the Board on issues before the Council:

- *Tobacco Settlement Funds*- TCC sent correspondence to the Governor and leaders in the House and Senate requesting authority to be the vehicle for the distribution of the settlement funds for Southern Maryland area.
- *Regional Strategic Plan for Tri-County Area* – TCC has over the last 1½ years worked on drafting a summary of the regional strategic plan for the tri-county area. There was a meeting on March 11 to discuss the plan, and that the plan will be developed into a formal document and given to the Boards of Commissioners. TCC will be making presentations to each of the Boards to get input in the process.
- *BRAC Issue* – TCC has taken an interest in addressing the BRAC issue and is looking at methods to determine how to best approach this issue including the coordination with Maryland Department of Economic Development. TCC intends to pursue this aggressively as an economic opportunity for the area.

**Regional Community College Proposal**

Commissioner Randall indicated that Commissioner Mattingly drafted an alternate proposal for the tri-county community college to be considered by the other two counties and the Board of Trustees. She stated that she has drafted a letter for the Commissioners' consideration and signatures to the Southern Maryland Delegation, Charles and Calvert Commissioners, and the College Board of Trustees forwarding the alternate proposal. The letter requests their review and suggests that a meeting be held to see if the legislation can be done this legislative session.

**Local Strategic Plan**

In response to Commissioner Randall's inquiry with regard to the local Strategic Plan, Mr. Smedley indicated that he has contacted MACo, Charles County, University of Maryland (Institute for Governmental Services). He further noted that the Comprehensive Plan needs to be adopted in order to proceed with the Strategic Plan.

**Commissioners' First One Hundred Days**

Commissioner Randall stated that the Commissioners have now served almost 100 days in office, and stated that she has enjoyed working with the other four members, and that she believed that the Board has accomplished a lot in this short time. She also wanted to take the opportunity to thank staff, and particularly Mr. Smedley, for all the work they have accomplished and their cooperation.

**EXECUTIVE SESSIONS**

**Commissioner Mattingly moved, seconded by Commissioner Anderson, to meet in Executive Session to discuss matters of Personnel (DPW and Workers' Comp issues), as provided for in Article 24, Section 4-210(a)1, and Property Acquisition (Indian Bridge Road), as provided for in Article 24, Section 4-210(a)11. Motion carried.**

**Property Acquisition (Indian Bridge Road)**

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  
 George Erichsen, Director, DPW  
 Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)11

Time Held: 2:25 p.m. – 2:40 p.m.

Action Taken: The Commissioners discussed a property acquisition issue relative to Indian Bridge Road and gave direction to staff.

**Personnel (Department of Public Works)**

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  
 Melvin "Mac" McClintock, Director, DHR  
 George Erichsen, Director, DHR  
 Judith A. Spalding, Recorder

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

Time Held: 2:40 p.m. – 3:04 p.m.

Action Taken: The Commissioners discussed positions in the Department of Public Works and agreed to take action in open session.

**Personnel (Workers' Compensation Issues)**

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  
Douglas S. Durkin, County Attorney  
Bil Chen, Attorney from LGIT  
Melvin "Mac" McClintock, Director, DHR  
Mary O'Brien, Risk Manager  
Judith A. Spalding, Recorder

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

Time Held: 3:04 p.m. – 4:10 p.m.

Action Taken: The Commissioners discussed workers' comp issues.

**FOLLOW UP TO EXECUTIVE SESSIONS**

**Commissioner Guazzo seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the Deed Easement Agreement and Temporary Easement Agreement between Third's Addition, Inc. and the Board of County Commissioners of St. Mary's County relative to the Indian Bridge Road Realignment project. Motion carried.**

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to proceed with regard to Personnel actions for the Department of Public Works as discussed in Executive Session.**

**FISCAL YEAR 2000 BUDGET WORK SESSION**

The Commissioners had a work session on the FY 2000 budget and agreed to schedule another one for Friday, March 19, 1999.

(Commissioner Guazzo left the session at 5:50 p.m.)

**ADJOURNMENT**

The meeting adjourned at 7:30 p.m.

**Minutes Approved by the  
Board of County Commissioners on 3/23/99**

*Judith A. Spalding*  
**Judith A. Spalding, Recorder**