

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
June 15, 1999**

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

(Commissioner Thomas A. Mattingly, Sr. was not present because he was attending the State Firemen's Convention)

CALL TO ORDER

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

ADDITIONS/DELETIONS TO AGENDA

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

APPROVAL OF CHECK REGISTER

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

APPROVAL OF MINUTES

Commissioner Raley moved, seconded by Commissioner Guazzo, to approve the minutes of the Commissioners' meeting of Tuesday, June 1, 1999 as corrected. Motion carried.

COUNTY ADMINISTRATOR

Present: Mortimer L. Smedley, County Administrator

- Draft Agendas for June 22, 1999 and June 29, 1999

1. (Amish Farmers' Market Proposal)

Present: Senator Roy Dyson
Donna Sasscer
Amish Farmers

Senator Dyson appeared before the Board to request support for a local farmers' market in the Charlotte Hall area. He advised that the Charlotte Hall Market had been originally established for the Amish farmers; however, it has changed over the years with produce being brought in from Jessup rather than locally grown. Senator Dyson has met with State Highway, Tri-County Council and Md. Department of Agriculture, the Department of Public Works, and the farmers regarding this issue as well as the Library Board of Trustees. It was decided that the best location of the market would be adjacent to the Charlotte Hall Library. A sketch prepared by DPW shows a clearing of 150' x 80' at the corner of Route 5 and Route 6 with a 10' x 100' foot gravel road to the gravel pad coming off the library parking lot, and Senator Dyson indicated that he would try to get the State to participate in the cost of the project. The Library Board gave unanimous support for this proposal.

Ms. Sasscer referred to the proposed letter addressed to the Office of Planning and Zoning requesting that the updated zoning ordinance include language to allow farmers' markets in all zoning areas of the county. Commissioner Guazzo suggested that the letter

be revised to define "locally grown" and to add "baked good, jams and jellies" to items to be purchased at the market. In addition the Commissioners requested that the letter not ask to include it in the update but that an exemption to local regulations be given now and that the zoning issue, which would require a public hearing, be addressed during the update.

After discussion Commissioner Anderson moved, seconded by Commissioner Guazzo, to exempt the Farmers' Market project from local zoning regulations so that the project can move forward. Motion carried. The Commissioners concurred that the zoning issue be addressed during the update of the Unified Development Code.

2. **Budget Amendment**

- a. No. 99-42 – Office of Central Services Mail Room – Messenger Service (\$8,000)
(postage and freight for balance of fiscal year)

Also present: Jim Haley, Manager, Office of Central Services

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign Budget Amendment No. 99-42. Motion carried.

- b. No. 99-43 – Department of Public Works (\$98,000)
(to cover remainder of Fiscal Year for Calvert County Appeal Landfill Tipping Fee)

Also present: George Erichsen, Director, DPW

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign Budget Amendment No. 99-43. Motion carried.

(Commissioners requested a presentation on solid waste issues at a future meeting.)

- c. No. 99-44 – County Administrator (\$1,985)
(to cover advertising of communications manager)

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign Budget Amendment No. 99-44. Motion carried.

3. **Department of Public Works Document**

Contract Agreement among Brake & Associates and Ronald Blackburn and Sidney C. Sheldon and the County for Indian Bridge Road property acquisition.

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

4. **Department of Recreation and Parks**

FY 2000 Waterway Improvement Fund Grant Applications (Abandoned Boat and Debris Removal (\$30,000) Sanitary Facilities (\$4,500); Refuse Collection (\$4,500) and Countywide Maintenance (\$5,000)

Also present: Phil Rollins, Director, R&P
Bill Ball, Supervisor, R&P

Commissioner Anderson moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the Grant Applications. Motion carried.

(Commissioner Guazzo requested that the Risk Manager be asked about the liability to the County if abandoned boats are not identified and removed expeditiously.)

- 5 **Department of Agriculture – Noxious Weed Control**
(Grant Agreement between Dept. of Agriculture and St. Mary's County for the control and eradication of specific noxious weeds (Johnsongrass, shattercane, thistles, and multiflora rose))
- Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the Grant Agreement. Motion carried.**
- 6 St. Mary's County Health Department
- a. Revised Fiscal Year 1999 funding Agreement with State (reflects \$23,619 allocated by State to cover COLA, which requires a County match, which is covered in the Budget)
Also present: Dr. Israel, Health Officer
- Commissioner Anderson moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the Agreement. Motion carried.**
- b. Agreement between State and County for Health Department's Fiscal Year 2000 Core Funding
- Commissioner Anderson moved, seconded by Commissioner Raley to approve and authorize Commissioner Randall to sign the Agreement. Motion carried.**
7. **Sierra House**
Alcohol Drug Abuse Administration FY 1999 Budget Modification to Utilize Unspent Funds from Walden Counseling Center to cover deficit (\$75,669)
Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the Budget Modification. Motion carried.
8. **Boards, Committees, Commissions**
Letters of Appointment – Millennium Commission
Commissioner Raley moved, seconded by Commissioner Anderson, to approve the appointment of Lorraine Glidden to the Millennium Commission and to sign the letter of appointment. Motion carried.
9. **Personnel Matters**
- a. St. Mary's Nursing Center
Medical Director Agreement
- (Commissioner Raley excused himself from participating because of a conflict of interest.)
- Discussion ensued regarding the authority that is given to Dr. Jarboe in the Agreement; that the performance of his duties will be coordinated with the Nursing Center Administrator; that his duties shall include clinical and administrative services, and that he will make recommendations regarding the placement, care and needs of residents.
- Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign Agreement with the St. Mary's Nursing Center Medical Director, Dr. J. Patrick Jarboe. Motion carried.**
- b. Employment Contract, Director of Recreation and Parks
- Commissioner Raley moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the Contract. Motion carried.**

- c. Employment Contract, Director of Finance

Commissioner Raley moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the Contract. Motion carried.

LEXINGTON PARK SENIOR APARTMENTS

Present: Al Lacer, County Attorney
Cliff Singleton, R. H. Tourtelot Company

As a follow up to the June 1 discussion regarding Mr. Singleton's request for extension of the property tax abatement for an additional ten years beyond the first ten-year term approved by the Commissioners in 1998, Mr. Lacer appeared before the Board to present a recommended motion.

Areas of discussion included the funding formula; rental incomes; inclusion of federal subsidies; and the past board's commitment to abate the property tax for ten years; whether Mr. Singleton would be amenable to accepting the proposed funding formula for the entire 20-year period; and that there will be additional documents.

After discussion Commissioner Raley stated that taking into account the actions by the previous board on September 22, 1998 and taking into account the comments by Messrs. Lacer, Welkos, and Singleton with regard to financing requirements, he moved, seconded by Commissioner Anderson, to agree to accept payment in lieu of real estate taxes on the Lexington Park Senior Apartments for operation of years 1 – 20 in an amount which is the greater of:

- ❖ 1.8% of gross rental income, or
- ❖ \$15,000 per year; or
- ❖ \$40,000 less than the prevailing real estate taxes assessed on the property.

Commissioner Guazzo moved, seconded by Commissioner Anderson, to amend the motion that further documentation and non-monetary requirements may be added before final documents are executed. Motion carried.

Vote on the amended main motion was carried.

COUNTY COMMISSIONERS

Workforce Development

Commissioner Anderson advised that he represented the Board at a meeting at St. Mary's College at which the president of the Governor's Workforce Investment Board attended as well as other community leaders. He stated it was a positive meeting and it established dialogue regarding workforce development needs in the county.

Minority Business Alliance Dinner

Commissioner Anderson stated that he and Commissioner Guazzo attended the Minority Business Alliance Dinner and noted that each year the organization gets stronger.

Chamber of Commerce Dinner

Commissioner Anderson stated he attended the Chamber of Commerce Annual Membership dinner and pointed out that this was another excellent community organization representing the needs of the business community.

Housing Authority Joint Power Agreement

Commissioner Raley referred to a memorandum from County Attorney Lacer regarding the referenced Agreement and requested that this item be placed on the County Commissioners' agenda under the County Administrator's time so that it can get finalized.

Cable Advisory Committee

Commissioner Raley referred to a memorandum from the Cable Advisory committee raising questions and suggested that the new PIO and Assistant County Attorney work with the committee regarding the franchise agreements.

Airport Manager Position

Commissioner Raley referred to the memoranda from Mr. Haley and from Mr. McClintock regarding the Airport Manager position and requested that it be placed on the County Commissioners' agenda during County Administrator's time.

GED Graduation

Commissioner Raley reported that he attended the GED graduation at which there were 45 graduates. He further noted that the Commissioners had attended the four high school graduations and congratulated all the graduates.

Flag Day Ceremonies

Commissioner Raley expressed appreciation to staff for the outstanding work done in seeing to a successful celebration for Flag Day.

EXECUTIVE SESSION

Commissioner Raley moved, seconded by Commissioner Anderson, to meet in Executive Session to discuss matters of Personnel (Boards and Committees), as provided for in Article 24, Section 4-210(a)1. Motion carried.

Personnel (Boards and Committees)

Present: Commissioner President Julie B. Randall
 Commissioner Joseph F. Anderson
 Commissioner Shelby P. Guazzo
 Commissioner Daniel H. Raley
 Mortimer Smedley, County Administrator
 Delores Lacey, Appointments Secretary
 Judith Spalding, Recorder

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

Time Held: 12:40 p.m. – 155 p.m.

Action Taken: The Commissioners reviewed the current status sheet and gave direction to staff.

STRATEGIC PLAN DISCUSSION

Present: Jo Anne Ellison, Ed.D, Strategic Plan Consultant
 Department Heads and Staff

Ms. Ellison appeared before the Board to present an overview of the Strategic Planning process, approaches that have been taken in other jurisdictions in Maryland as well as options for the Board's consideration. The presentation included an explanation of the three approaches (strategic planning without formal community data collection; strategic planning with formal community data collection; and visioning: community based strategic planning) along with a review of the key components of each approach including building relationships; internal team; and data analysis/data collection; mission statement; vision statement, action planning; time frame, communication; and potential results.

During her presentation Ms. Ellison described the strategic plan approaches being used in other jurisdictions (Charles and Frederick Counties, Charles County Community College, and City of Rockville). Commissioner Randall pointed out that St. Mary's County may decide to use a combination of approaches and develop a process that would meet the County's needs.

In closing Ms. Ellison stated that the Strategic Planning process uses V. I. P. Leadership: Vision; Involvement; and Persistence.

LEXINGTON PARK LIBRARY TASK FORCE LIBRARY SITE RECOMMENDATIONS

Present: Jim Stirling, Director, Office of Capital Projects
Library Task Force Members
Library Board of Trustees Members
Greg Lukmire, LukemireGrant Architects
Consultants and Engineers

Mr. Stirling appeared before the Board to present the background on the selection of a site for the Lexington Park Library and the recommendations of the Library Task Force. The presentation included:

- ❖ Review of documentation including the Library Task Force's Report of January 1999;
- ❖ Review of Master Plan for Lexington Park area indicating location of the three (keep current site and add a satellite in California; Nicolette Park site; Gabrelcik property; and the Great Mills site adjacent to Great Mills High School);
- ❖ Highlights of the results first survey and of the recent survey (which Mr. Stirling indicated resulted in almost the same conclusions—that the Nicolette Park site was the preferred site).
- ❖ Advantages of having one large in Lexington Park as noted in the surveys: economy of scale; socio-economic factors—importance of having as presence in Lexington Park; more depth to resource collection; attractive sites in Lexington Park; environmental factors (locating library in an area that would encourage walk-in customers)

Mr. Lukmire explained the process used in evaluating each of the sites which required: identification of factors that each site would be evaluated on (neighborhood characteristics; accessibility; topography; utility availability; how the library would function on the site; aesthetic characteristics; and site development costs).

In conclusion Mr. Stirling reported that the Library Task Force's recommendation was the same as it was in January—the Nicolette Park site as first choice, and the Gabrelcik property (which the County does not own) as second choice. He further pointed out that the Task Force added a caveat that the Commissioners take into consideration that any future development be compatible with library use.

EXECUTIVE SESSION

Commissioner Anderson moved, seconded by Commissioner Raley, to meet in Executive Session to discuss a matter of property acquisition, as provided for in Article 24, Section 4-210(a)11, respectively. 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, County Administrator
Al Lacer, County Attorney
Jim Stirling, Director, Capital Projects
Judith Spalding, Recorder

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

Time Held: 4:30 p.m. – 5:30 p.m.

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

PUBLIC FORUM

Prior to the opening of the public forum, the Commissioners received a presentation on the proposed new Lexington Park Library.

Prior to taking comments from the audience, Commissioner Randall re-emphasized the fact that the Commissioners' decision regarding the Great Mills property was not for designation as the library site, but for the protection of the investment of Great Mills High School.

The Board of County Commissioners conducted the monthly public forum. Questions/comments from the audience included:

Fred Powledge, Library Board of Trustees – Expressed appreciation to the Commissioners, staff, and Task Force for work put into this project and spoke in support of a full size library at the Nicolette Park site.

Mary Wood, Director of Library System – Indicated that plans for expansion of the Lexington Park library have been discussed since 1965 and encouraged the Commissioners to accept the Task Force's recommendation.

Janice Hummell, Manager, Lexington Park Library – Spoke in favor of the Nicolette Park site.

Christina Allen – Spoke in favor of the Gabrelcik site because she stated it was more accessible for the walking public.

Laurice White – Supported the Nicolette Park site.

Bob Boyd – Supported the Nicolette Park site and indicated it was important to develop it as the "soul" of the area.

Mary Ann Chasen – Supported Nicolette Park site.

Todd Morgan, Task Force Member – Thanked Capital Projects staff and Task Force members and spoke in favor of Nicolette Park site.

Rebecca Vanecko - Supported Nicolette Park site

Mary Ann Tomask – Submitted petition requesting that the location of a new library be a priority; that the three sites are in the HotSpots; however, Nicolette Park was the best site; Sheriff's Department should be present at location.

Merv Hampton, President, Democratic Club – (1) important that the decision made by the Commissioners about the library site be in the best interest of the County; (2) appreciated that he could speak without being ridiculed; (3) gave comments on accomplishment of Commissioners: (a) Comprehensive Plan was an achievement; passage of FY 2000 budget was done admirably and swiftly; (c) pleased with plan to appoint a Lexington Park Master Plan manager; (4) need for road improvements between Camp Brown Road and Point Lookout State Park; (5) referred to probe of Sheriff's Department by FBI and that the Washington Post article about the State's Attorney put the County in a bad light; that the County should consider having a public safety department that reports to the Commissioners.

Charles Mattingly – Referred to his numerous letters to elected officials and the fact that he has not received a response.

ADJOURNMENT

The meeting adjourned at 7:45 p.m.

**Minutes Approved by the
Board of County Commissioners on 6/22/99**

Judith A. Spalding
Judith A. Spalding, Recorder