

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
July 20, 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, County Administrator  
Judith A. Spalding, Recorder

**CALL TO ORDER**

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

**ADDITIONS/DELETIONS TO AGENDA**

**Commissioner Anderson moved, seconded by Commissioner Mattingly, to accept the agenda as amended (to add executive session on personnel: vacant positions; and Property Acquisition: Recreation and Parks). 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.**

(Questions on the bills included utilities for detention center; Injured Workers' Fund; oak lectern; handgun lights; incentive award)

In conclusion Commissioner Randall requested the Finance Office to review the past expenditures for the detention center and do an analysis to determine if the costs have risen or if they are typical.

**APPROVAL OF MINUTES**

**Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve the minutes of the Commissioners' meeting of Tuesday, July 13, 1999 as corrected. Motion carried.**

**COUNTY ADMINISTRATOR**

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

Draft Agendas for July 27, 1999 and August 3, 1999

**1. Budget Amendments  
Board of Education (FY2000)**

Also present: Pat Richardson, Superintendent of Schools  
Lorraine Fulton, Assistant Superintendent (Public Schools)  
Brad Clements, Director of Facilities Management “  
John Parlett, Jr., Vice-Chair, Board of Education  
Steve Kracinovich, “  
Mary Washington, “  
Tom Clark, Architect

- a. #2000-01 -- Leonardtown High School Addition / Renovation Project  
Request to transfer \$869,000 from three school projects (\$800,000 from Chopticon High School, \$40,000 from the Technical Center and \$29,000 from the Loveville Elementary to the Leonardtown High School to award bid for project).

Areas of discussion included the purpose of the budget amendment, source of fund transfers, use of contingency funds; funding formula for equipment, the renovation projects of the three high schools; equipment equity among the three high schools; and equity for boys and girls athletic equipment.

In conclusion Mr. Parlett pointed out the importance of moving forward with the Leonardtown High School project and indicated that the Board of Education would do an analysis to make sure there is equity among the three schools as well as equity for boys and girls athletic equipment.

**After discussion Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign Budget Amendment No. 2000-01 with the stipulation that the Board of Education provide equity information, including information on each of the high schools' equipment needs and plans to accomplish those needs; the adequacy and equity of athletic equipment for boys' and girls' athletic activities with plans to accomplish this; and the Board of Education's plan regarding process improvements relative to budget development, specifically with regard to equipment. Motion carried three to two with Commissioners Guazzo and Raley voting against.** Commissioner Guazzo voted against stating that she did not agree with taking funds from the Chopticon equipment account; Commissioner Raley voted against stating he was not satisfied with the funding sources and he would have preferred to defer a decision for a week.

- b. #2000-02 -- Project Coordinator Position  
Request to transfer \$60,000 from two projects (\$20,000 from Carver Elementary AICUZ study and \$40,000 from Spring Ridge Middle entrance modifications) to fund position for on-site monitoring of construction contracts.

**Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign Budget Amendment #2000-02 for the Project Coordinator Position on a one-year contract. Motion carried.**

*(The Commissioners deferred the following remainder County Administrator items because of their scheduled meeting at the Health Department.)*

## 2. Department of Public Works

- a) Public Works Agreement Addendum for Rue Woods Subdivision located in the Eighth (8th) Election District extending the completion date to July 1, 2000. The Letter of Credit in the amount of \$163,200 has been provided by the First National Bank of St. Mary's.

**Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign Addendum. Motion carried.**

- b) Public Works Agreement Addendum for Victoria's Grant Subdivision located in the Eighth (8th) Election District. The Letter of Credit by the Maryland Bank & Trust Company is being reduced from \$426,200 to 150,000. The completion date remains July 1, 2000.

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign Addendum. Motion carried.**

- c) Public Works Agreement Addendum for Hunting Quarter Subdivision located in the Second (2nd) Election District. The Letter of Credit in the amount of \$39,000 has been provided by the Maryland Bank & Trust Company.

**Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign Addendum. Motion carried.**

- d) Construction Easement Agreement from Francis F. and Thaddeus J. Burch for improvements to Fairgrounds Road, Third (3rd) Election District.

**Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign Construction Easement Agreement. Motion carried.**

- e) Easement Agreement from Michael McWilliams for Improvements to Indian Bridge Road, Eighth (8th) Election District.

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

- f) Right-of Entry Agreement for St. Mary's River State Park Groundwater Monitoring Well (deferred from 7/13/99 agenda).

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign Right-of -Entry Agreement. Motion carried.**

### 3. Railroad Right-of-Way Easement Documents

As a follow up to last week's discussion, the County Administrator presented a handout indicating administrative costs to process railroad right-of-way easement agreements based on time spent by staff. In order to implement a fee for administrative costs, the fee schedule will have to be amended by Resolution to include this fee.

### 4. Boards/Committees Appointments

<u>Community Health Advisory Committee</u>	<u>Terms To Expire</u>
Jill M. Bodamer	12/31/99
Krishna P. Jayaraman, M.D.	12/31/2001
<u>Family Center of St. Mary's</u>	
Lynn R. Fitrell	12/31/2002
<u>Millennium Commission</u>	
A. Joseph Donick	NO TERM
Yvonne York	NO TERM
<u>Solid Waste Advisory Committee</u>	
Richard T. Mueller	12/31/2000

**Commissioner Raley moved, seconded by Commissioner Guazzo, to approve and sign letters appointing the referenced individuals to Boards, Committees, Commissions as indicated. Motion carried.**

### DEPARTMENT OF HEALTH LUNCH/BRIEFING AND EXECUTIVE SESSION

**Prior to departing for the Health Department, Commissioner Mattingly moved, seconded by Commissioner Raley, to meet in Executive Session following the briefing at the Health Department on a matter of Personnel (Health Department Positions), as provided for in Article 24, Section 4-210(a)1.**

The Commissioners left to go to the Health Department for a briefing, for lunch and for an executive session on personnel.

**Personnel (Health Department)**

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  
Dr. Ebenezer Israel, Health Officer  
Mary Wood, Health Department  
Nancy Luginbill, “

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

Time Held: 12:10 p.m. – 2:00 p.m.

Action Taken: The Commissioners discussed vacant positions in the Health Department with Health Department staff.

**OFFICE OF CENTRAL SERVICES**

**911/EMERGENCY COMMUNICATION PROJECT**

Present: Jim Haley, Manager, Office of Central Services  
Jim Stirling, Director, Office of Capital Projects  
Patty Steadman, Project Administrator  
Paul Wible, EMA  
Phil Cooper, EMA  
Lt. Rusty Malone  
Robert Szoke, EDS

As requested by the Commissioners, the referenced individuals appeared before the Board to provide an update on the 911/Emergency Communications Project. Mr. Haley reported that the County is six months into the project, that it is on schedule and within budget. The site plan for the 7,100 square foot facility, located on Leonard Hall Drive and Baldrige Street, has been approved. The report also included a description of the facility, construction schedule, radio (application for frequency licenses submitted, working with Charles and Calvert Counties regarding mutual aid); communication towers (locations in four zones—Mechanicsville, Governmental Center, California, and Ridge); telephones (reimbursable expenses by Maryland Emergency Numbers Service Board); establishment of work group to create Standard Operating Procedures; Computer Aided Dispatch (CAD) (verification of street addressing, CAD training).

During discussion of the appearance of the facility, the Commissioners requested Mr. Stirling to look to changing the roof color from the green as shown on the drawing.

A copy of the report is on file in the Commissioners' Office.

**UNIFIED DEVELOPMENT CODE**

**SCHEDULE UPDATE**

Present: Jon Grimm, Director, Department of Planning and Zoning  
Hal Willard, Planning Commission Member

Mr. Grimm and Mr. Willard appeared before the Board to provide an update on the progress of the Unified Development Code update. The schedule, beginning in April and May with the policy direction from the Commissioners, draft framework paper, staff comments, and Planning Commission's initial review, suggests a joint meeting between the County Commissioners and Planning Commission in August (a date for the meeting will be determined later). In closing Mr. Grimm noted that adoption of the Code is anticipated between Halloween and Thanksgiving.

**ORDINANCE NO. 99-09**  
**ACCOMMODATIONS TAX**  
*(follow up to July 6 public hearing)*

Present: Al Lacer, County Attorney  
Steve Welkos, Director of Finance  
Patrick Murphy, Assistant County Attorney

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and sign Ordinance No. 99-09 – Public Accommodations Tax. Motion carried.

**COUNTY COMMISSIONERS' TIME**

**Workforce Development Board**

Commissioner Anderson advised that the kickoff for the transition from the Private Industry Council to the legislatively mandated Workforce Development Board was recently held. 50 from the tri-county area people involved in the workforce area attended. An aggressive schedule has been set for the establishment of the Board, and nominations will be sent to the three Boards of County Commissioners by August. Anticipated date for initial meeting is mid September.

**Maryland Department of Environment**

Commissioner Guazzo advised that the Board attended MDE's public meeting on wetlands crossing application for Persimmon Hills. She suggested that a letter be drafted to MDE indicating that the Commissioners would like to see a more thorough informational meeting. She pointed out that it had been billed as an *informational meeting*. Commissioner Randall referenced the hearing that was held for Summitt Hill and stated that the letter should include a statement that the MDE's hearings should be consistent.

**ADA Awareness Forum**

Commissioner Randall advised that there will be an ADA Awareness Forum on July 21, 1999. Public Information Officer Yvonne York reported that the Forum will be held at the Chancellor's Run Activity Center from 4 – 7 p.m. From 4 – 5 p.m. there will be an Informational Fair; 5 p.m. the guest speaker will be Carolyn Knight followed by an ADA panel discussion.

Commissioner Randall requested Ms. York to get a complete list of those who participated in order to thank them for all they have done.

**ABC/Channel 7 – Celebrate the Bay Program**

Commissioner Mattingly expressed appreciation to everyone who participated and worked with the "Celebrate the Bay" program by ABC (Channel 7).

**EXECUTIVE SESSIONS**

**Commissioner Anderson moved, seconded by Commissioner Raley, to meet in Executive Session on matters of Property Acquisition and Personnel, as provided for in Article 24, Section 4-210(a)11 and 4-210(a)1, respectively.**

**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, Office of Capital Projects  
Phil Rollins, Director, Recreation and Parks (attended from 6:12 p.m. – 6:33 p.m.)  
Tom Waring (attended from 4:10 p.m. – 5:01 p.m.)  
Harry Wentzel “

Authority: Article 24, Section 4-210(a)11  
Time Held: 4:10 p.m. – 5:01 p.m. and 6:12 p.m. – 7:30 p.m.

Action Taken: The Commissioners discussed several 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, County Administrator  
Sheriff Richard Voorhaar (attended from 5:01 p.m. – 6:06 p.m.)  
Capt. Steven Doolan, Sheriff's Dept. “  
Lt. John Horne, “  
Sgt. “Rusty” Malone “  
Lynn Fitrell, Women's Center “

Authority: Article 24, Section 4-210(a)1  
Time Held: 5:01 p.m. – 6:06 p.m. and 7:30 p.m. – 8:15 p.m.

Action Taken: The Commissioners discussed a personnel matter between the Sheriff's Dept. and Women's Center and a vacant position in County Government.

**FOLLOW UP TO EXECUTIVE SESSIONS**

**Property Acquisition (Recreation and Parks)**

**Commissioner Anderson moved, seconded by Commissioner Mattingly, to direct Mr. Rollins to proceed as directed in executive session. Motion carried.**

**Property Acquisition**

**Commissioner Mattingly moved, seconded by Commissioner Anderson, to direct staff to proceed as discussed in executive session with regard to Waring and Gabrelcik properties. Motion carried.**

**Personnel**

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to not dispense the grants funds for the Domestic Violence Intervention and Prevention Program until the grant has been amended to include the Women's Center and further that the Women's Center and Sheriff's Department report to the Board on personnel issues in a month. Motion carried.**

**ADJOURNMENT**

The meeting adjourned at 8:15 p.m.

**Minutes Approved by the  
Board of County Commissioners on 7/27/99**

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