

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
September 21, 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
George Forrest, Deputy 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 Raley moved, seconded by Commissioner Mattingly, to accept the agenda as amended. Motion carried.

APPROVAL OF CHECK REGISTER

Commissioner Raley moved, seconded by Commissioner Mattingly, to authorize Commissioner President Randall to sign the Check Register. Motion carried.

APPROVAL OF MINUTES

Commissioner Anderson moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, September 14, 1999, as corrected. Motion carried with Commissioner Guazzo abstaining because she was not present at that meeting.

COUNTY ADMINISTRATOR

Present: Mortimer L. Smedley, County Administrator

- **DRAFT AGENDAS for September 28, 1999 and October 5, 1999**

1. **RESOLUTION NO. 99-19
SMARTCO - SUPPORTING PROJECT PROPOSAL**

Also present: Ed Foresman, SMARTCO

A resolution to approve submission of a Proposal by the Southern Maryland Applied Research and Technology Consortium (SMARTCO) to the MD Dept. of Housing and Community Development for participation in the Neighborhood Partnership Program for computer recycling.

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and sign Resolution No. 99-19 for forwarding to the State by SMARTCO. Motion carried.

2. **OFFICE OF CENTRAL SERVICES**

Also present: Patty Steadman, OCS
George Jarboe, "
Al Lacer, County Attorney

a. AIRPORT LEASE AGREEMENT

Airport Lease Agreement with Piedmont Flight Center, Inc. for occupation of county-owned spaces in the General Aviation Hangar to begin September 15, 1999. (Deferred from September 7 pending County Attorney review.)

County Attorney Lacer advised that tenant (Piedmont) did not wish to sign the personal guarantee; however, it was Mr. Lacer's recommendation that the County require the guarantee as a good business practice unless the Board wanted to waive the guarantee in order to get the tenant at the airport.

After discussion Commissioner Raley moved, seconded by Commissioner Anderson, to approve the lease agreement with the stipulation that a personal guarantee be included. Motion carried.

Later in the meeting Mr. Haley appeared before the Board to address the issue of the personal guarantee stating that the tenant would not sign it, but would be willing to provide the entire year's lease up front in addition to providing the \$625 security deposit.

Later in the meeting Commissioner Guazzo moved, seconded by Commissioner Mattingly, to cancel the requirement for the tenant to sign the personal guarantee and that instead, the tenant would pay up front the entire one year's lease plus the security deposit in advance of his occupying the premises. Motion carried.

In conclusion Commissioner Anderson suggested that the County should still investigate including a requirement for a signed personal guarantee for any lease the County Attorney believes would be necessary.

b. AIRPORT CAPITAL IMPROVEMENT PROGRAM (ACIP)
FY2000-2004

FAA ACIP outline of airport improvement projects recommended for funding (Ratio is 95% federal, 5% state, 5% county). In order to receive the formal offer of those grant funds, the Commissioners must sign off on certain certifications.

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign grant application certifications (2). Motion carried.

3. PUBLIC WORKS & CENTRAL SERVICES
TRANSPORTATION PRIORITIES

Discussion and review of staff's recommendations for state highway priorities in preparation for September 21 Department of Transportation Annual Project Presentation.

(Because the Commissioners had not had an opportunity to review the memorandum from the Director of Public Works, the Commissioners deferred discussion on this item until later in the meeting.)

NOTE: See the portion of the minutes later in the meeting entitled TRANSPORTATION RELATED PROJECTS.

4. BUDGET AMENDMENT NO. #2000-11
St. Mary's County Public Schools
Intra-department, \$248,551

Also present: Steve Welkos, Director of Finance
Brad Clements, Public Schools
Lorraine Fulton, “

(To reallocate funding to the Chopticon High School equipment account and to provide additional funding for alternates on the Leonardtown High School addition/renovation project.)

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign Budget Amendment No. 2000-11. Motion carried.

5. ST. MARY'S COUNTY HOUSING AUTHORITY
HOUSING BOND PROGRAM – OBO ALLOCATION TRANSFER

Also present: Dennis Nicholson, Director, Housing Authority

The MD DHCD utilizes local government housing bond allocations to issue bonds to fund housing programs “on behalf of” of local governments. In order to participate, local jurisdictions must transfer its allocation in writing. St. Mary's has assigned its allocation of \$1,509,637 to the Maryland Mortgage Program.

During discussion the Commissioners directed Mr. Nicholson to return to the Board to provide a more in depth briefing of this program, a review of other housing programs, and a report on other counties process in getting mortgage companies in the programs and how successful the programs are.

After discussion Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and sign the allocation transfer correspondence to MD DHCD. Motion carried.

6. DEPARTMENT OF PUBLIC WORKS DOCUMENTS

- a. Addendum for Cedar Cove (Kedges Strait) Subdivision, located in the Eighth Election District, extending the completion date to September 1, 2000. The Letter of Credit provided by Nations Bank is being reduced from \$517,300 to \$380,000.
- b. Addendum for Southern Pines Subdivision, located in the Eighth Election District, extending the completion date to September 1, 2000. The Bond has been provided by the Frontier Insurance Company in the amount of \$80,000.
- c. Addendum for Hickory Hills North Subdivision, located in the Eighth Election District, extending the completion date to July 1, 2000. The Bond has been provided by the United Pacific Insurance Company in the amount of \$51,000.
- d. Addendum for Rue Woods Subdivision located in the Eight Election District, with a completion date of July 1, 2000. The Letter of Credit provided by the First National Bank of St. Mary's is being reduced from \$163,200 to \$37,000.

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the Public Works Agreement Addenda. Motion carried.

- e. Resolution No. 99-18
To Temporarily Waive Tipping Fees

(Resolution to temporarily waive tipping fees for hurricane cleanup activities. Resolution effective dates are September 16 through October 9, 1999)

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and sign Resolution 99-18. Motion carried.

7. ST. MARY'S NURSING CENTER
HOSPICE AGREEMENTS

Also present: Gary Waitt, Acting Director
Terry Barnes

Agreement and Protocol for Hospice Home Care Services for Residents of St. Mary's Nursing Center. The document has been reviewed by the County Attorney and signed by the St. Mary's Hospital of St. Mary's.

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the Hospice Agreement (2 originals). Motion carried.

8. MD DEPARTMENT OF HUMAN RESOURCES
THE EMERGENCY FOOD ASSISTANCE PROGRAM (TEFAP)

First year renewal of a two-year option to renew the agreement for the distribution of commodities and funds. The Tri- County Community Action Committee (TCCAC) is the EFO currently designated to administer TEFAP locally. Funds come directly to the County and are distributed to TCCAC upon receipt.

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the acknowledgement of grant renewal (3 originals). Motion carried.

9. COOPERATIVE EXTENSION
COUNTY APPROPRIATION VERIFICATION FOR FY2000

Standard form MES-8 reflecting the approved FY2000 budget for the Cooperative Extension Service for forwarding to the Business & Fiscal Operations officer for MD Cooperative Extension at the University of Maryland. (The document has been reviewed by the Finance Director for correctness.)

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the budget verification form. Motion carried.

ST. MARY'S COUNTY FAIR BOARD

Present: John Richards, President
Ann Richards

Mr. and Mrs. Richards appeared before the Board to provide information to the Commissioners on the County Fair being held this weekend and in addition, presented tee shirts for the 53rd Annual County Fair. Mr. Richards expressed appreciation to the County for the support and cooperation over the years.

**OFFICE ON AGING/ST. MARY'S COUNTY HEALTH DEPARTMENT
SENIOR HEALTH CARE NEEDS/COMMUNITY HEALTH CARE SERVICES**

Present: Gene Carter, Director, OOA
Ebenezer Israel, Health Officer
Kathy Wolf, Consultant

Mr. Carter indicated that Dr. Israel had informed him of available state grant funds in order to do a study with Office on Aging to look into senior health care needs and community health care support services (physical therapy, occupational therapy, respite services, etc.).

Ms. Wolf described the findings of the study including:

Issues:

- ❖ That the service system is fragmented and complex
- ❖ That certain groups of consumers are unserved or underserved
- ❖ That there is no comprehensive communication mechanism among consumers and referring parties on availability and eligibility of services, access, etc.
- ❖ That there is as need for better coordination of services

Recommendations:

Mr. Carter indicated to the Board that there were steps that can be taken to address these issues:

- ❖ To establish a group of service providers to address the services needed and the targeted population.
- ❖ To take steps to collaborate and coordinate service providers to address the issues
- ❖ To organize case management services (getting medical needs addressed and also go through referral process under the direction of the senior information and assistance staff)
- ❖ In order to address informational needs a student from St. Mary's College will be working with the OOA to develop a data base of health service needs (as well as in cooperation with service providers).

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

EXECUTIVE SESSION

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

Personnel

Present: Commissioner President Julie B. Randall
Commissioners Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Mortimer L. Smedley, County Administrator
George Forrest, Deputy County Administrator

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

Time Held: 12:21 p.m. – 1:10 p.m.

Action Taken: The Commissioners discussed a number of vacant positions and other personnel issues and gave direction to staff.

Property Acquisition

Present: Commissioner President Julie B. Randall
Commissioners Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Mortimer L. Smedley, County Administrator
George Forrest, Deputy County Administrator
Martin Fairclough, Director, DECD

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

Time Held: 1:10 p.m. – 1:25 p.m.

Action Taken: The Commissioners discussed a property issue and gave direction to Mr. Fairclough.

PUBLIC HEARING

PROPERTY DISPOSITION (PORTION OF TALL TIMBERS ROAD)

Present: George Erichsen, Director, DPW

The Commissioners conducted a public hearing on the disposition of a portion of Tall Timbers Road Right-of-Way located near the intersection of Md. Route 249, Second Election District, via private sale, on terms and conditions to be decided by the Board of County Commissioners. This portion of road will be conveyed to Joseph Bowes (adjoining property owner), and if the Commissioners approve the conveyance a Resolution will be presented as well as a Quit Claim Deed.

Hearing no comments, the public hearing was closed; the record will remain open for ten days for written comments.

COUNTY COMMISSIONERS' TIME

Hurricane/Tropical Storm Floyd

Commissioner Randall expressed appreciation to county staff for their efforts during the recent rainstorm and requested lists of those who assisted in order for the Commissioners to formally thank them. The Commissioners also thanked the volunteer fire departments, SMECo and Bell Atlantic, and emergency workers as well.

Commissioner Mattingly reported that SMECo was able to get its customers in the tri-county "up and running" by Saturday evening, the first in the State to have all its customers with electrical service after the storm.

Commissioner Anderson expressed appreciation to the Red Cross for all its efforts in helping citizens during this storm.

Commissioner Raley stated that St. Mary's County is very fortunate to have so many people that helped during the storm.

Commissioner Mattingly indicated that there were a number of roads that flooded during the storm, and that there is a Tri-County Council project in which the County is participating in called *Project Impact*. This program would be a good opportunity to get funding to address these problem areas.

Sotterley/Judy Collins Concert

Commissioner Mattingly commended the people who arranged for the Judy Collins concert at Sotterley on Sunday night.

College Fair

Commissioner Randall reminded the public that the College Fair sponsored by the school system is being held this evening at the Hollywood Fire House.

County Executive Baltimore County

Commissioner Randall advised that Dutch Ruppensberger, County Executive for Baltimore County, as well as a member of the Maryland Association of Counties executive board, has offered for any of his staff to meet with our staff to do some partnership "lessons learned," and he has agreed to attend the Commissioners' October

19 meeting. Commissioner Randall stated that if any of the Commissioners have any particular items they would like to discuss with him, to let her know so that she can relay that information to him.

TRANSPORTATION RELATED PROJECTS

Present: George Erichsen, Director, DPW
Jim Haley, Manager, Office of Community Services
George Jarboe, OCS, Transportation Division

As requested by the Commissioners the referenced individuals appeared before the Board to discuss transportation projects in preparation for the Department of Transportation presentation scheduled for Tuesday, September 28.

During discussion the Commissioners prioritized their transportation concerns they believed were critical:

- ❖ Route 237 (Chancellors Run Road) to accelerate the property acquisition and construction process
- ❖ Route 5 (Point Lookout Road)—to expedite improvements from the causeway to Camp Brown Road
- ❖ To investigate the construction of a center left turn lane in Leonardtown
- ❖ Route 235 – To proceed with Phase III and to re-evaluate a northbound acceleration lane from the Base main gate at the Pegg Road intersection)
- ❖ Route 246 (Great Mills Road) to look into curb cut ramps and sidewalks around poles
- ❖ Flooding Conditions – To do analysis of the following highways: Route 5 in Great Mills and Leonardtown, Flat Iron Road, Route 234; Route 243 (and to check out the process for the dam at St. Mary's Lake during storm conditions and to check out the dam for the Victoria's Grant project);
- ❖ Highly Erodible Soils – to address runoff from state roads into tidal creeks

Other projects discussed included: St. Mary's County Airport (obstruction removal, runway extension, and an overlay to accommodate potential commuter air service providers); FDR Boulevard (to evaluate and determine if there are available alternative funding sources for this project); Route 4 (provisions for bypass lanes to be evaluated at high volume intersections on St. Andrews Church Road); Tulagi Place (sidewalk rehabilitation and enhancement); public transportation grants (support for increase in federal and state funds for the St. Mary's Transit System); Park and Ride facilities; Maintenance of Roadways; and State Review of the Unified Land Development Code.

Mr. Erichsen will prepare a letter to Department of Transportation Secretary Porcari for the Commissioners' review and signature.

DIRECTOR OF FINANCE

Present: Steve Welkos, Director of Finance

Supplemental Appropriation - Recreation and Parks

As a follow up to the September 7, 1999 public hearings the, Commissioners took action on the following Supplement Appropriation Ordinances:

- a) Ordinance No. 99-13 approving a supplemental appropriation of \$5,000 in state Waterway Improvement grant funds for the purpose of providing county-wide maintenance and repairs to various public boat ramps.
- b) Ordinance No. 99-14 approving a supplemental appropriation of \$25,000 in state Waterway Improvement grant funds for the purpose of planning, designing, and constructing a catwalk adjacent to an existing public boat ramp at Abell's Wharf.
- c) Ordinance No. 99-15 approving a supplemental appropriation of \$50,000

in state Waterway Improvement grant funds to enable extension of the boat ramp into deeper water and dredge the area around the boat ramp at Piney Point Public Landing.

Commissioner moved, seconded by Commissioner to approve and sign Resolution Nos. 99-13, 14, and 15, as presented. Motion carried.

General Obligation Bond Issue

Also present: Jeannette Cudmore, Deputy Finance Director
Marty Jones, Budget and Fiscal Analyst
Jim Stirling, Director, Office of Capital Projects
George Erichsen, Director, DPW
Sam Ketterman, H.C. Wainwright
Eileen Foley, “

In preparation for next week's bond ratings meetings in New York, Mr. Welkos appeared before the Board to review the general obligation bond financing process, the proposed 1999 bond issue, debt service costs, debt affordability status, and the projected status of the County's general fund balance as of June 30, 1999. The preliminary estimate of the undesignated fund balance is \$11.6M, \$5.4M of which is being held for the normal reserve, with another \$250,000 being held in accordance with the Commissioners' policy; and other \$400,000 for potential debt service costs, leaving \$5.5M available.

Staff reviewed with the Commissioners capital projects included in the 1999 bond issue and Mr. Welkos advised that the \$3M for the Tudor Hall project would be removed from the issue in that the Town no longer needed those funds.

During discussion Commissioner Mattingly noted that while the \$3M would not be included in the bond request, that there may be a time in the future that the Town may need some funding from the County for this project.

After review, the Commissioners directed Mr. Welkos to prepare a list of projects that will be included in the bond issue. Mr. Ketterman pointed out that the exact amount nor specific projects were needed by the bond rating agencies, but would like an estimate and types of projects to be included in the issue.

EXECUTIVE SESSION

Commissioner Anderson moved, seconded by Commissioner Raley, to meet in Executive Session to discuss matters of Potential Litigation, Property Acquisition, and Personnel, as provided for in Article 24, Section 4-210(a)8 and 4-210(a)11, and 4-210(a)1, respectively. Motion carried.

Potential Litigation

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

(Also present: Representatives from MetCom (Steve King, Director, Tom Russell, Deputy Director, Larry Petty, Consultant, and Joe Mitchell, Attorney)

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

Time Held: 4:20 p.m. – 4:59 p.m.

Action Taken: The Commissioners received a briefing on a potential litigation issue and gave direction to the County Administrator.

Personnel

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

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

Time Held: 5:04 p.m. – 5:30 p.m.

Action Taken: The Commissioners discussed a vacant position and gave direction to staff.

Property Acquisition

Present: Commissioner President Julie B. Randall
Commissioners Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Mortimer L. Smedley, County Administrator
George Forrest, Deputy County Administrator
Martin Fairclough, Director, DECD
Judith A. Spalding, Recorder

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

Time Held: 5:40 p.m. – 6:15 p.m.

Action Taken: Mr. Fairclough briefed the Commissioners on a property acquisition issue and received direction from the Board.

Follow Up to Executive Sessions

Commissioner Mattingly moved, seconded by Commissioner Guazzo, to direct staff to proceed as discussed in Executive Sessions. Motion carried.

ADJOURNMENT

The meeting adjourned at 6:20 p.m.

**Minutes Approved by the
Board of County Commissioners on 9/28/99**

Judith A. Spalding
Judith A. Spalding, Recorder