

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Governmental Center  
October 5, 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 delete Southern Maryland Child Care Resource Center and Council on Mental Health and Addiction Services; to have discussion on the Board of Education's CIP at 10:50 a.m. and continued at 11:30). Motion carried.**

**APPROVAL OF CHECK REGISTER**

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

(Commissioner Raley questioned the purchase of a straw hat for \$86, and Finance staff will check on it and give a response to the Board.)

**APPROVAL OF MINUTES**

**Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve the minutes of the Commissioners' meeting of Tuesday, September 28, as presented. Motion carried.**

**COUNTY ADMINISTRATOR**

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

- Draft Agendas for October 12, 1999 and October 19, 1999

1. Grant Document - Office of Community Services  
HotSpot Phase II Grant Application  
Funding: Federal - Unknown; State - \$165,677  
Local - None for this year  
(Returned from last week)

**Present:** Joe Dick, Alliance Coordinator  
Sheriff Voorhaar  
HotSpot Team Members

As a follow up to last week's discussion Mr. Dick return with the referenced grant application, acknowledge the presence of the HotSpot Team members, explained the funding issues, and requested the Commissioners' approval of the Grant Application.



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

(In conclusion Commissioner Guazzo suggested that the Alliance come back to the Board in about six months to give an update on the project.)

2. Office on Aging  
Also present: Gene Carter, Director, Office on Aging
  - a. Alzheimer's Day Out Program Agreement  
(deferred from a previous meeting)

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

- b. Amended RSVP Grant Agreement  
(reflecting increase of \$1,000 added to county budget as a result of 8/24/99 supplemental appropriation public hearing)

**Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the RSVP Grant Agreement. Motion carried.**

3. Resolution No. 99-20  
(Authorizing County to issue and sell general obligation bonds)

Also present: Steve Welkos, Director of Finance  
James E. Cumbie, Bond Counsel  
Sam Ketterman, Financial Advisor

The referenced individuals appeared before the Board to review and present the Resolution authorizing St. Mary's County to issue and sell general obligation bonds upon the County's full faith and credit to finance \$29,575,000 for various county capital projects.

During discussion Mr. Ketterman recommended that the official statement of the bond be put on the website. The Commissioners agreed and requested Mr. Welkos to look into doing this.

**After discussion Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and sign Resolution No. 99-20 . Motion carried.**

4. Boards and Committees
  - a. Letters of Appointment

**Commissioner Mattingly moved, seconded by Commissioner Raley, to sign the letters of appointing the following individuals with terms as indicated. Motion carried.**

<u>Board</u>	<u>Terms to Expire</u>
<b><u>Historic Preservation Commission</u></b>	
Ellyne Brice Davis	6/30/2002
Teresa Wilson	6/30/2002
<b><u>Millennium Commission</u></b>	
Jody Dean	NO TERM
Patricia Sawyer	NO TERM
Ramon Veras	NO TERM



- b. Letter to St. Clements Potomac River Museum Board  
Staggered Terms for Board Members

**Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and sign the letter approving staggered terms for the Museum Board as requested. Motion carried.**

- 5. Ordinance No. 99-16 and Quit Claim Deed  
Disposition of a portion of Tall Timbers Road  
(follow up to 9/21/99 public hearing)

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and sign Ordinance and to authorize Commissioner Randall to sign the Quit Claim Deed. Motion carried.**

- 6. Scheduling of Public Hearing  
Mill Run Plaza and Commercial Park Development  
Amendment to Solid Waste Plan

Mr. Smedley requested direction from the Commissioners for the scheduling of a public hearing for consideration of an amendment to the Solid Waste Management Plan for the Mill Run Plaza and Commercial Park Development for a solid waste transfer station, material recovery facility north of Route 6, Charlotte Hall.

The Commissioners agreed to schedule the hearing at the public forum night of Tuesday, November 9, at 6:30 p.m.

- 7. Federal Emergency Management Agency

Present: Orlin Bradey

Mr. Bradey appeared before the Board to explain FEMA's disaster assistance programs, to advise that information on the programs is being provided to county agencies and community organizations.

#### **ST. MARY'S PUBLIC SCHOOLS/BOARD OF EDUCATION**

Present: Pat Richardson, Superintendent of Schools  
Brad Clements, Director, Facilities (SMCPS)  
Mike Hewitt, President, Bd/Ed  
John Parlett, Jr., “

- a. New Grant Award for FY 2000  
(Safe and Smart Together After School Program) \$30,000  
From Governor's Office of Crime Control and Prevention

Also Present: Mark Smith, SMCPS  
Kim Howe

**Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and inclusion of grant award and to sign letter to Board of Education. Motion carried.**

- b. FY 2001 – 2006 State Capital Improvement Program  
(to be submitted to the State by 10/15/99)

The referenced representatives of St. Mary's Public Schools and the Board of Education appeared before the Board to present the Fiscal Year 2001 – 2006 State Capital Improvement Program. Dr. Richardson and Mr. Clements reviewed the FY 2001 projects.



Areas of discussion included the location of the replacement for Carver Elementary School; changes in funding procedures, which are scheduled to be enacted on October 13; and the county's spending limitations in comparison with listed projects.

After the presentation the Commissioners agreed to continue discussion at next week's meeting, to address the funding concerns in the Director of Finance's memorandum of October 5, 1999, and to consider action on the CIP program.

#### **ALCOHOLIC BEVERAGE BOARD**

Present: William Cullins, Chair  
Ted Newkirk, Member  
Pat Insley, Board Clerk  
Steve Welkos, Director of Finance

The referenced representatives of the Alcoholic Beverage Board appeared before the Board to make two requests: (1) to get authorization to use funds generated by fees and fines toward enforcement and educational programs; and (2) to provide a supplemental allocation to the Alcoholic Beverage Board's attorney, Karen Abrams. Ms. Abrams is currently on a contract for \$5,000 per year, and the Board requested that she be given an additional \$6,500 because of unanticipated Circuit Court Appeals which required research and appearance before the Court since 1997.

Areas of discussion included the fact that the request was not brought to the Commissioners' attention during the budget review; the possibility of amending her contract for a certain amount with a cap; whether to compromise with the request by providing funding since January of 1999; and whether there were funds in the ABB's budget;

After discussion the Commissioners directed:

That use of the fines and fees revenues be presented during the next budget cycle;

That Mr. Welkos research contracts for other agencies; e.g., Board of Education;

That the Alcoholic Beverage Board work with the County Attorney in writing a new contract for the ABB attorney.

#### **COUNTY COMMISSIONERS' TIME**

##### **Persimmon Hills Wetlands Crossing Permit Application**

Commissioner Anderson advised that he has been contacted by a number of constituents expressing concerns regarding the wetlands permit application for Persimmon Hills. He reported that the Commissioners signed correspondence today to MDE requesting an additional public hearing on this request.

##### **Bond Rating Trip to New York**

Commissioner Raley reported that the full Board went to New York for the bond rating meetings and stated that it was very enlightening and beneficial trip.

##### **Non Public School Bus Transportation**

Commissioner Randall advised that she has received a number of communications regarding the length of bus rides for non-public school students. Some students are on the bus two hours one way (for a total of four hours a day). She requested that the Transportation Supervisor, George Jarboe, come before the Board to discuss this issue, to advise as to the County's transportation goals regarding length of bus rides. She stated that public schools have a stated goal of no longer than one hour, and that the County should have a similar goal.

Commissioner Guazzo indicated that having to fill up the "jumbo" buses may be part of the problem, and that perhaps that large of a bus is not needed in all areas.



**PUBLIC HEARING  
SUPPLEMENTAL APPROPRIATION  
AGRICULTURE, SEAFOOD, AND FORESTRY COMMISSION**

Present: Steve Welkos, Director of Finance  
Donna Sasscer, Agriculture, Seafood, and Forestry Specialist

The Commissioners conducted a public hearing to consider a supplemental appropriation in the amount of \$3,900 in federal funds for the purpose of establishing a K-12 Career awareness and exploration program for all students in each school, and in addition, to help establish the new Environmental and Natural Resources Management laboratory at the Technical Center, which will provide a venue for specific educational experiences designed to prepare students for careers in environmental management.

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

**LOCAL MANAGEMENT BOARD**

Present: Julia Bates, Acting Director  
Lin Meong, Chair, LMB Board

The referenced individuals appeared before the Board to provide a briefing on the goals and objectives of the Local Management Board. Highlights of the report included:

- ❖ Two more citizen members were added to the Board
- ❖ Process is underway for hiring a new director for LMB
- ❖ In the process of developing a three-year strategic plan in working with children and families in St. Mary's County
- ❖ Review of Mission Statement and Vision Statements
- ❖ Review of Summary of Grant Awards (amount awarded and purpose) and grant application process
- ❖ Review of Budget Detail for Fiscal Year 2000
- ❖ Number of children served (one in 1999; three in the current year with a goal of ten)
- ❖ Conflict of Interest issues (LMB members with regard to grant proposals)
- ❖ Request for Proposal Process

Areas of discussion by the Commissioners included coordination of services, conflict of interest issues, and concerns regarding the fact that over \$300,000 was returned to the state because it was not used.

In conclusion the Commissioners thanked Ms. Bates and Mr. Leong for the presentation and requested LMB to keep the Commissioners updated.



**DEPARTMENT OF PLANNING AND ZONING  
INSPECTION FEES**

Present: Jon Grimm, Director, DPZ  
Harry Knight, Permits Coordinator, DPZ  
Tom Russell, Deputy Director, MetComm  
George Erichsen, Director, DPW  
Al Lacer, County Attorney  
Patrick Murphy, Assistant County Attorney

Mr. Knight reviewed with the Commissioners each of the construction codes, the need for updates, proposed changes to each code and the next steps for each.

**Electrical Code**

NEC is updated every three years by NFPA  
Board of Electrical Examiners recommends the update  
Changes designate BEE as "authority having jurisdiction"  
Changes consolidate "homeowners exam" into Electrical Code  
A public hearing needs to be scheduled in about five weeks

**Plumbing & Natural Gas Code**

New Maryland Plumbing Code took effect on 10/20/97 and requires certain local modifications  
Plumbing and Gas Board recommend most of the amendments  
County does not have authority to conduct local licensing program  
County does not have authority to recognize any license other than state's  
Changes consolidate and amend ordinances to conform to state plumbing code  
Changes include proposed administrative changes.  
Public hearing needs to be scheduled in about five weeks

**Building Code**

MBPS requires certain local modifications  
BOCA Appeals Board recommends all of the changes  
Changes delete provisions regulating HVACR  
Changes include proposed administrative provisions  
Public hearing to be scheduled (evening meeting at Carter building)

**Inspection Fee Resolution**

Current inspection fees are not all in "resolution" form  
New inspection fees are proposed  
Proposed changes include collection of fees, equal treatment of all plumbing work, fee schedule as a grid  
No public hearing required  
Effective date would need to be established and notice published 90 days in advance

Areas of discussion included a means for requiring licenses for new home builders; forest, slope, and stormwater management evaluation in the building code (to be included in Unified Development Code and Building Code); and portion of fees to the inspection contractor.

During discussion Commissioner Raley requested a list of current fees, and a scenario showing costs for a single family home in relation to the proposed new fee schedule, and to proceed with scheduling public hearings for the Electrical Code and Plumbing and Natural Gas Code. The Building Code is to be schedule at an evening meeting in November.



**EXECUTIVE SESSION**

**Commissioner Anderson moved, seconded by Commissioner Guazzo, to meet in Executive Session to discuss matters of Property Acquisition and Personnel, as provided for in Article 24, Section 4-210(a)11 and 4-210(a)1, 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 L. Smedley, County Administrator  
George Forrest, Deputy County Administrator  
Al Lacer, County Attorney  
Jim Stirling, Director, Office of Capital Projects  
Judith A. Spalding, Recorder

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

**Time Held:** 4:58 p.m. – 5:46 p.m.

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

**Personnel (Boards and Committees)**

**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  
Judith A. Spalding, Recorder

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

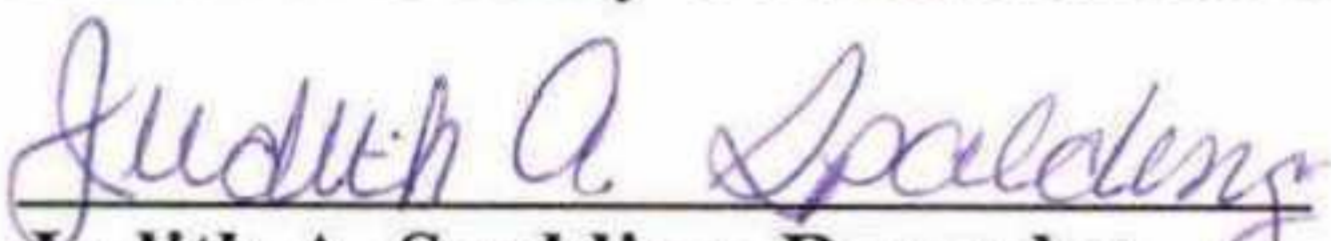
**Time Held:** 6:00 p.m. – 6:20 p.m.

**Action Taken:** The Commissioners discussed appointments and gave direction to staff.

**ADJOURNMENT**

The meeting adjourned at 6:20 p.m.

**Minutes Approved by the  
Board of County Commissioners on 10/12/99**

  
**Judith A. Spalding, Recorder**