

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
January 18, 2000**

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

CALL TO ORDER

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

ADDITIONS/DELETIONS TO AGENDA

Commissioner Anderson moved, seconded by Commissioner Raley, to accept the agenda as amended (to delete the 10:30 a.m. discussion on the Text Amendment; to add an executive session on personnel at that time; to delete the 2:45 discussion on the proposed Callaway moratorium discussion; and to add an executive session on litigation at 2:45). Motion carried.

APPROVAL OF CHECK REGISTER

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

(During discussion of the bills, Commissioner Raley requested details regarding for two individuals in the Sheriff's Department (Page 2 of the Check Register).

SUPPLEMENTAL APPROPRIATION PUBLIC HEARINGS

Present: Jeannette Cudmore, Deputy Director of Finance

The Commissioners conducted a public hearing on the following supplemental appropriations:

Office on Aging - \$3,931 grant from Maryland Department of Aging for the Senior Health Insurance program

Department of Public Works - \$200,000 grant from the Maryland Department of Transportation for project planning for FDR Boulevard

Office of Community Services - \$24,000 HotSpot Grant to support citizens on patrol activities

Office of Community Services - \$29,634 HotSpot Grant to support expansion of after school program and the creation of the Pirates Club at Esperanza Middle School

Office of Community Services - \$13,000 HotSpot Grant to provide funding of a part time coordinator to implement the HotSpot strategy.

Sheriff's Office - \$4,000 HotSpot Grant to provide overtime support for two community police

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

EXECUTIVE SESSION

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

Personnel

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley

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

Time Held: 10:23 a.m. – 11:05 a.m.

Action Taken: The Commissioners discussed a matter of personnel.

ST. MARY'S PUBLIC SCHOOLS

Present: Pat Richardson, Superintendent
Brad Clements, Supervisor, School Facilities and Construction
Elaine Kramer, Budget and Fiscal Services, SMCPS
Steve Welkos, Director of Finance

Also Present: Chairman and Members, St. Mary's County School Board

1) Recycled Tire Grant For Park Hall Elementary School Playground

St. Mary's County Public Schools came before the Board of County Commissioners to seek approval for a grant from the State of Maryland. This grant would enable them to use recycled tires to install playground equipment at the Park Hall Elementary School. Discussion took place about the project budget, which amounts to \$22,000. Also discussed were the merits of utilizing recycled tires for this type of project.

Commissioner Raley moved, seconded by Commissioner Guazzo, to approve the grant award and sign the letter to the Board of Education approving the grant. Motion carried.

2) Request To Use Fund Balance And Supplemental Funding

Dr. Richardson presented a request to use supplemental funding in the amount of \$180,000 from the uncommitted St. Mary's County School fund balance. She also asked the Commissioners for consideration from the County should any funding become available. The total request amounted to \$504,000, of which the \$180,000 would be provided from Schools.

Questions were asked by the Commissioners concerning when the official audit of the County would be completed. Mr. Welkos stated that it should be completed by the beginning of February.

Dr. Richardson outlined three items that have been earmarked as top priorities:

- Margaret Brent Middle School Project – to keep it moving – estimated at \$25,000.
- Chopticon High School Library - \$95,000.
- The balance of the \$180,000 after the first two projects would be used to complete funding on Chopticon, for equipment and such things.

It was pointed out that Chopticon was not yet closed out, but nearing to completion. Discussion ensued concerning the final closeout costs. The Commissioners indicated that they would be willing to approve the \$180,000 amount; however, the remaining amount would have to wait until after the official audit is completed.

Commissioner Guazzo moved, seconded by Commissioner Raley, for the Board of County Commissioners to approve the Board of Education request to use their fund balance as they deem best. Motion carried.

PRESENTATION TO STEVE WELKOS

The Commissioners presented a Commendation expressing appreciation for his outstanding service to the County and a gift to Steve Welkos, Director of Finance, who will be leaving St. Mary's County Government.

EXECUTIVE SESSION

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

Property Disposition

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
George Forrest, Deputy County Administrator
Jim Stirling, Director, Office of Capital Projects
Robert Gray, Contract Attorney
Judith A. Spalding, Recorder

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

Time Held: 11:38 a.m. – 11:48 a.m.

Action Taken: The Commissioners discussed a property disposition issue 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
George Forrest, Deputy County Administrator (attended from
Judith A. Spalding, Recorder (11:50 a.m. – 12:05 p.m.)

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

Time Held: 11:50 a.m. – 12:40 p.m.

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

MARYLAND HERITAGE PROJECT OVERVIEW

Present: Dr. Margaret O'Brien, President St. Mary's College of Maryland
Dr. Martin Sullivan, Executive Director, St. Mary's City Commission

The referenced individuals appeared before the Board to present the details of the proposed Maryland Heritage Project in collaboration with Historic St. Mary's City, which will include three comprehensive components: (a) Maryland's Foundations of

Democracy (which includes reconstruction of the St. John's site and renovation of Calvert Hall; (b) Maryland's Cultural Legacy (includes renovation of Anne Arundel Hall); and (c) Maryland's Colonial Ways (includes reconstruction of the 17th century Town Lands and the addition of a Maryland Craft Center).

COMPTROLLER'S OFFICE OFFER OF ASSISTANCE

Present: Dean Kenderdine, Chief of Staff, Comptroller's Office
Kristin Saunders, Special Assistant/Intergovernmental Affairs

As part of the Comptroller's Office's efforts to reach out to local officials, the referenced individuals appeared before the Board to offer assistance.

Areas of discussion included a review of the Comptroller's Office organizational chart (duties and responsibilities of the various positions), the Comptroller's emphasis on enforcement of laws on the books (use tax—when a large item is purchased in another state, taxes should be paid on that item; cigarette tax); whether taxes should be imposed on sales over the internet).

In closing the Commissioners thanked the Comptroller's staff for visiting St. Mary's and for the offer of assistance.

EXECUTIVE SESSION

Commissioner Anderson moved, seconded by Commissioner Guazzo, to meet in Executive Session to discuss matters of Litigation, as provided for in Article 24, Section 4-210(a)8. Motion carried.

Litigation

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
George Forrest, Deputy County Administrator
Al Lacer, County Attorney
George Erichsen, Director, DPW
Jon Grimm, Director, DPZ
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)8

Time Held: 2:35 p.m. – 3:20 p.m.

Action Taken: The Commissioners discussed a matter of litigation with staff and agreed to take action in open session.

Follow Up to Executive Session

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

COUNTY ADMINISTRATOR

Present: George Forrest, Deputy County Administrator

- Draft Agendas for January 25 and February 1, 2000
- FY 2001 Budget Review Calendar (to be revised similar to last year's schedule) taking into consideration the Commissioners' personal schedules).

1. Department of Public Works Documents

Also present: George Erichsen, Director, DPW

- (a) Solid Waste Resolution prohibiting disposal of rubble/construction and demolition debris materials by commercial/industrial haulers at the St. Andrews Landfill effective January 18, 2000.

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the Solid Waste Resolution. Motion carried.

- (b) Traffic Resolution No. 00-04 establishing a 30-mph speed limit for Bethel Church Road, County Route 30046, in the 4th Election District currently not on record.
- (c) Traffic Resolution No. 00-05 establishing a 25-mph speed limit for Reed Road, County Route 30898, in the 4th Election District currently not on record.
- (d) Traffic Resolution No. 00-06 establishing a 30-mph speed limit for Long Road, County Route 30088, in the 4th Election District currently not on record.

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

- (e) Public Works Agreement Addendum for Hilton Ridge Estates Subdivision, 8th Election District extending the completion date to January 1, 2001. The Letter of Credit provided by The First National Bank of St. Mary's is being reduced from \$237,200 to \$88,000

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

2. **Grant Documents**

- a. Maryland Loan Industrial Action (MILA) Subrecipient Agreement between Board of County Commissioners and St. Mary's Community Development Corporation, Inc. (Using proceeds from sale Skipjack property and additional federal funds, making available a total of \$800,000 for small business loans.)

Also present: Al Lacer, County Attorney
Nancy Hutson, Community Development Program Manager

Commissioner Guazzo moved, seconded by Commissioner Mattingly to approve and authorize Commissioner Randall to sign the MILA Agreement Subrecipient Agreement as presented. Motion Carried.

- b. **Office of Community Services**
HotSpot – Lexington Park/Youth Prevention I Grant Award (\$29,634)

Also present: Cynthia Brown, Director, OCS
Walt Biscoe, Community Services Coordinator

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

3. **Correspondence**

- a. To Patuxent River Naval Air Museum from County Attorney regarding museum project

Also present: Al Lacer, County Attorney

The Commissioners gave their concurrence for County Attorney Lacer to sign and forward letter to the Chair of the Patuxent River Naval Air Museum Committee.

- b. To President Bay District Fire Department approving loan application towards purchase of ladder truck

Also present: Al Lacer, County Attorney
Steve Welkos, Director of Finance

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve the letter to Bay district Volunteer Fire Department approving funds from the Fire/Rescue Revolving Loan Account in the amount of \$270,000. Motion carried.

4. **Walden/Sierra, Inc.**

(Proposed Intermediate Care Facility/Clinic within the CVC and C zoning district)

Also present: Jon Grimm, Director, DPZ
Kathy O'Brien, Director, Walden

As a follow up to last week's discussion and subsequent receipt of the Intermediate Care Facility Business Plan and COMAR definition, the Commissioners continued discussion on the request to permit such a facility in the C and CVC Zoning District.

After discussion Commissioner Raley moved, seconded by Commissioner Mattingly, to have the proposed publicly funded government supported Intermediate Care Facility listed as a permitted use in the "C" Zoning District; that the applicable text amendment be made to reflect this decision; and that the COMAR reference be included in the amendment. Motion carried.

5. **Office of Capital Projects**

**Temporary Easement Agreement (MetComm Access to Waring Site)
Post Closing Agreement**

Also present: Jim Stirling, Director

Mr. Stirling advised that closing on the Waring property was held January 14 and that MetComm has agreed to be responsible for the maintenance of the well and water system for the Commissioners' property as well as adjacent properties along Great Mills Road.

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

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the Post Closing Agreement as identified in the January 14 memorandum from the County's Real Property Manager. Motion carried.

(Commissioner Guazzo requested a status report on the water system. Mr. Stirling will get a construction schedule for the water system.)

6. **Year 2000 Legislative Package Proposals**
(Position Decisions)

As a follow up to the December 14, 1999 public meeting on the legislative Proposals, the Commissioners acted on the proposals as follows:

Items Submitted by County Government:

#1 – Public Facilities Bonds (\$10M) – Commissioner Mattingly moved, seconded by Commissioner Guazzo, to support Item #1. Motion carried.

#2 – Nursing Center Appointment Process – Commissioner Guazzo moved, seconded by Commissioner Mattingly, to support Item #2. Motion carried.

Items Submitted by Alcoholic Beverage Board

#3 – (License Renewal of Applications;

#4 – License Fees – Commissioner Guazzo, moved, seconded by Commissioner Mattingly, to support Items #3 and #4. Motion carried.

Items Submitted by Public:

#5 - Forest Management Plan (elimination of fees) – Commissioner Mattingly moved, seconded by Commissioner Anderson, to take *No Position* on Item #5. Motion carried 4-0-1 with Commissioner Raley abstaining.

#6 – Recordation/Disclosure for sludge-bearing property – Commissioner Mattingly moved, seconded by Commissioner Guazzo, to take *No Position* on Item #6. Motion carried.

Staff was directed to forward the Commissioners' positions on the six legislative items.

UNIFIED LAND DEVELOPMENT CODE

Because of the inclement weather, the Commissioners agreed to cancel this evening's meeting with the Planning Commission on the Unified Land Development Code.

COUNTY COMMISSIONERS' TIME

Rescue Squad/Fire Department Installations

Commissioner Mattingly advised that he had an opportunity to attend Rescue Squad/Fire Department Installations at which a number of people were recognized for their volunteer service, including a memorial service for Joe Carroll, 7th District, who passed away in 1999.

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve the minutes of the Commissioners' meeting of Tuesday, January 11, 2000, as presented. Motion carried.

Commissioner Raley moved, seconded by Commissioner Anderson, to approve the minutes of the Special Meeting (Executive Session) of the board of County Commissioners' meeting of Tuesday, January 10, 2000, as presented. Motion carried.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, January 11, 2000, as presented. Motion carried.

EXECUTIVE SESSION

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

Personnel

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
George Forrest, Deputy County Administrator (attended from 5:45 - 7:15p.m.)
Jim Stirling, Director, OCP (attended from 6:00 - 6:15)

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

Time Held: 5:45 p.m. - 8:05 p.m.

Action Taken: The Commissioners discussed several personnel issues and gave direction to the staff.

ADJOURNMENT

The meeting adjourned at 8:05 p.m.

Minutes Approved by the
Board of County Commissioners on 1/28/00

Judith A. Spalding
Judith A. Spalding, Recorder