

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
February 22, 2000**

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Alfred A. Lacer, 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 Mattingly moved, seconded by Commissioner Raley, to accept the agenda as presented. 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.

(Kate Mauck took the following portions of the minutes.)

AMERICAN RED CROSS BRIEFING AND PROCLAMATION

Present: Jack Dushesne, Executive Director, St. Mary's County Chapter of The American Red Cross

Mr. Dushesne gave a brief overview of the history of the American Red Cross in St. Mary's County. He stated that the Red Cross works out of two facilities: Building 404 at the Naval Air Station and Room 605 in the St. Mary's County Health Department. The Navy plans to relocate them to a new space, and the Red Cross has asked for additional expanded space in Leonardtown. They continue to receive cooperation from all levels of government as well as from the citizens of St. Mary's County. Mr. Dushesne read a Report on the Activities and Accomplishments of the St. Mary's County Chapter of the American Red Cross, which outlined the following items:

- Armed Forces Emergency Services
- Blood Services
- Disaster Assistance
- Health and Safety Services
- Work on Project Impact (which includes a series of committees/task forces on various topics).

During discussion the Commissioners suggested that the plea for a bone marrow transplant for a child in the community be placed on the St. Mary's County Public Service Channel 12. In addition, Mr. Dushesne stated that the blood bank levels in the County are doing well at this particular time.

After the briefing by Mr. Duschene, several other members of the Board of the St. Mary's County Chapter of the American Red Cross were introduced followed by a presentation of a Proclamation from the Board of County Commissioners recognizing the month of March as Red Cross Month.

PROPOSED ACQUISITION OF DRAYDEN SCHOOLHOUSE PROJECT

Present: Mike Humphries, Recreation and Parks, Museum Division
Elmer Brown, President, Unified Committee for Afro-American Contributions
Frank Sowell
Viola Gardner
Mary Ann Chasen, Christmas in April

Mr. Humphries presented a model of the Drayden Schoolhouse, which is an African-American one-room schoolhouse in Drayden, Maryland. The Board of County Commissioners was being asked to consider accepting the schoolhouse as a gift from Charles and Penny Crawford to the County. It was requested that it be placed under the Museum Division of St. Mary's County, and be kept in its natural setting. It was further requested that the African-American Alliance work in conjunction with the Museum Division to oversee the restoration and interpretation of the building.

Mary Ann Chasen was present as a representative of Christmas in April. Because of the large number of citizens requesting to work on this project, some have had to be turned away. A large contingency of individuals wishing to back their commitment to this project was present at this meeting. Petitions with signatures requesting the Commissioners to accept the donation of this property as an Afro-American Historical site were presented to the Board.

The building is in good condition, and an overview of the history of the construction of the building was made. It first began as a school in 1898, and then became a private residence in the 1940's. Significant funding will probably come from the State for this project, and the Commissioners pointed out that both the Comprehensive Plan and the draft of the Historic Preservation Plan call for the preservation of historic sites in St. Mary's County. The historical and educational value of this project was discussed at length.

After discussion Commissioner Anderson moved, seconded by Commissioner Mattingly, that the Board of County Commissioners accepts the gift of Charles and Penny Crawford of the African-American Schoolhouse for restoration and incorporation into the Museum Division. Motion carried.

PRESENTATION OF GIFT TO CHRISTMAS IN APRIL

Present: Bob Wynn, DYNCORP Representative
Mary Ann Chasen, Christmas in April
Elmer Brown, Member, Board of Directors, Christmas in April

Mr. Wynn, on behalf of DYNCORP employees and management, presented a check in the amount of \$2,500 to assist Christmas in April in their continued endeavor to assist the citizens and community of St. Mary's County.

Presentation of Proclamation

The Commissioners presented a Proclamation recognizing the month of February as African-American History Month.

VISIT BY NATIONAL ASSOCIATION OF COUNTIES PRESIDENT

Present: George Forrest, Deputy County Administrator
Dr. C. Vernon Gray

Mr. Forrest introduced Dr. Gray to the Board of County Commissioners as the President of the National Association of Counties (NACO), a member of the Howard County County Council, as well as being a prestigious member of several other organizations. Dr. Gray stated that NACO is 65 years old and has representation

covering 3000 counties in the United States. It is primarily a lobbying organization, working on behalf of county citizens.

Dr. Gray outlined five issues that are of primary importance for NACO at the present time:

- Economic development – trying to help counties that are not doing very well. There are three upcoming Economic Development Forums in the coming months.
- Technology – linking counties and global development must be done in order to move forward.
- Telecommunications – important topics in this area include rural areas and their lack of cable, getting counties connected, and the problems with collection of Internet sales taxes.
- Airport Improvement Bill – NACO is currently lobbying Congress in the attempt to get this approved. Money would then go to counties to assist in their development of airports.
- Sustainable Development/Growth – an extremely important issue, and if it is not addressed, it will happen anyway, but with negative consequences. Dr. Gray applauded the Board of County Commissioners for addressing this issue.

The Commissioners expressed their gratitude for the time and effort that Dr. Gray expends as he represents the State of Maryland for NACO. After answering questions about the services provided by NACO and issues involving Internet sales taxes, Dr. Gray invited the Board of County Commissioners to NACO's Legislative Conference in Washington D.C., which will occur March 3-7th. He also stated that NACO's National Conference would be in Charlotte, North Carolina sometime during the month of July of this year.

ECONOMIC IMPACT FEE DISCUSSION

Present: Jeannett Cudmore, Acting Finance Director
Sonny Burch, Member, Impact Fee Task Force
Leonard Greess, Member, Impact Fee Task Force

Ms. Cudmore presented the Board of County Commissioners with detailed information drafted by the Finance Department concerning the proposed change to the Economic Impact Fee. She outlined documentation previously presented to the Board of County Commissioners on December 14th, and information in a January 10th Impact Fee Report with its findings and recommendations. Ms. Cudmore also provided a copy of information listing current tax rates and projected revenues. She stated that the impact fee currently funds three areas: Schools, Roads, and Recreation and Parks.

Preliminary calculations outlined the impact fee total be changed to \$6,360, which was an update from a 1993 study. Revenue estimates are currently \$1,859,800, and at the current rate of \$2,000 for impact fees, for every \$500 incremental increase of the fee, there would be a corresponding revenue increase of \$464,000. Fiscal Year 2000 actual revenue fees were outlined. Continuing to collect the current amount of impact fees imposed will result in a severe loss, and if collections continue as at the current rate for the first six months of this fiscal year, it would be difficult to fund certain requests in the budget.

Impact Fee Task Force Members stated that their recommendation was to go forward with an increase in the fee of anywhere up to \$6,360. Discussion took place concerning total projects requested, sister counties and their impact fees and the transfer tax and where it fits into the picture. The impact fee currently is imposed only on residential housing, not on businesses. Commissioners asked Ms. Cudmore to check into a statement made by one of the Impact Fee Task Force Members having to do with the possibility that Anne Arundel County charges impact fees on non-residential

development properties. Ms. Cudmore assured the Board of County Commissioners that she would check into this matter and come back with an answer.

Commissioner Mattingly commented that transfer taxes amount to an average of \$2,860. If the current impact fee of \$2,000 was increased by \$1500, we would reach the recommended \$6,360.

The amount of \$6,360 is the break-even point, and will only potentially meet expenses based on new development. Discussion also took place concerning County debt, services provided by the County, and the affect of impact fees on construction in the County. Commissioner Anderson asked for statistics on the impact of what raising impact fees has had on local construction industries. Additionally, Commissioner Randall asked that the Director of Economic Development provide input from his department on the impact of economic development due to the raising of the impact fee.

The Board of County Commissioners expressed concern that a consensus be arrived at so that the Finance Department can move forward with budget planning. Commissioner Raley stated that his proposal would be to impose a fee of up to \$4,000 during the first year, then up to \$5,000 the second year, with consideration to be given to exempt the first two lots for individuals who have properties they wish to convey to their children. The fee in this case should be collected when the plat goes to record. He also stated his feeling that funding by this fee be temporarily suspended for Recreation and replaced by Solid Waste. Commissioner Randall indicated that this issue needs to be resolved quickly and directed that next week's agenda be amended to include further discussion of the impact fee.

1:30 P.M.

**PUBLIC HEARING
DISPOSITION OF PROPERTY
SOUTHERN MARYLAND HIGHER EDUCATION CENTER**

Present: James S. Stirling, Director, Office of Capital Projects
Patrick Murphy, Acting County Attorney
Dr. Mel Powell, Executive Director, So. MD Higher Education Center

The purpose of the public hearing was to discuss the proposed conveyance of the Southern Maryland Higher Education Center (SMHEC) property, to include the real estate and the improvements, from the Board of County Commissioners to the Board of Governors of the SMHEC. Newspaper publication certification was provided, as well as a draft deed and a copy of the plat. The property to be conveyed includes 24 acres, as well as the existing building. Approximately $\frac{3}{4}$ of an acre would be retained by the Board of County Commissioners to be utilized in the future widening of Airport View Road. Commissioner Guazzo pointed out this $\frac{3}{4}$ of an acre did not appear on the deed. Mr. Stirling stated that he would have the deed changed to reflect the non-conveyance of the $\frac{3}{4}$ acre.

Commissioner Randall opened the floor for public comment. There was no one present to speak on this subject; therefore, the public hearing was closed. Commissioner Randall stated that the official record would remain open for ten days for public comment, after which, this item would be placed back on the agenda.

Dr. Mel Powell provided an overview of the current programs and facilities available at the SMHEC. He outlined what degree programs are available, as well as providing an explanation of services provided to local industries and citizens for daytime usage. Dr. Powell provided drawings illustrating the current building as well as the new building to be constructed. The approved design for the second classroom building is a 36,000 square foot building to be located South of the current building. It will include an additional 161 parking spaces. It will be 100% State funded, as it is in the Governor's budget – it is a State building, going on State land. Access onto Cottonwood Parkway was discussed.

In addition, Dr. Powell stated that there is a ten-year plan for three additional buildings, to make a total of five buildings after project completion. He addressed design questions and layouts of the buildings. Dr. Powell stated that groundbreaking will hopefully occur in November of this year, with a possible opening of the building to occur in the fall of 2001.

(Judith Spalding took the minutes from this point forward.)

PUBLIC HEARING

DEPARTMENT OF PLANNING AND ZONING

AMENDMENT TO COMPREHENSIVE PLAN

HISTORIC PRESERVATION PLAN – “PAINTING A SELF-POTRTRAIT”

Present: Jon Grimm, Director, DPZ
Kirk Ranzetta, Historic Planner
Mary Hayden, Planner
Dr. Roy Guyther, Chair
Other Members of the HPC

The Commissioners conducted a public hearing to supplement and amend the St. Mary's County Comprehensive Plan. Sections 2.3.2 and 2.3.3 for the purpose of adopting “Painting a Self Portrait? A Historic Preservation Plan for St. Mary's County” in accordance with Article 66B of the Maryland Annotated Code.

The Plan, funded through a Maryland Historical Trust non-capital grant, lays out the goals and strategies for preserving the County's historic resources and has been endorsed by both the Historic Preservation Commission and the Planning Commission.

During the presentation staff reported on the goals and strategies: (1) continue survey, research, education and public outreach activities; (2) continue preservation planning and review; (3) pursue financial and regulatory incentives to attract applicants to the Local Historic Districts Program; (4) formally adopt design guidelines for local historic districts; (5) pursue local easement and grant programming; (6) encourage identification and preservation of archaeological sites; (7) promote heritage tourism, greenways, and scenic roadways; and (8) outline criteria for public acquisition and maintenance of historic sites.

After discussion by the County Commissioners, the public hearing was opened for public comment.

Clare Whitbeck – Stated she supported the plan and requested the Commissioners to consider putting a member of the HPC on the Technical Evaluation Committee.

The public hearing was closed; the record will remain open ten days for written comments after which discussion will be scheduled on a future Commissioners' agenda.

APPROVAL OF MINUTES

February 1, 2000

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve the minutes of the Commissioners' meeting of Tuesday, February 1, 2000, as previously amended. Motion carried.

February 8, 2000

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, February 8, 2000, as presented. Motion carried.

February 15, 2000

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve the minutes of the Commissioners' meeting of Tuesday, February 15, 2000, as amended. Motion carried.

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas for March 7, 2000 and March 14, 2000

(During discussion of the draft agendas, the Commissioners agreed to add items to the February 29 agenda in addition to the scheduled FY 2001 budget work sessions. The added items include: impact fee discussion and an Executive Session on Boards and Committees.)

2. **Grant Documents – Housing Authority**

Also present: Dennis Nicholson, Director, Housing Authority

- a. Rental Allowance Program (RAP)

- Grant Application for Fiscal Year 2000 (State Funding - \$53,210)
- RAP Grant Agreement and RAP Addendum

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the Rental Allowance Program Grant Documents. Motion carried.

- b. Maryland Community Development Block Grant – Family Support Center

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the CDBG Grant document. Motion carried.

(The Commissioners requested staff to draft a letter to support to the Legislators for the funding bills in the Maryland General Assembly.)

3. **St. Mary's Public Schools**

Present: Rhodessa Millham, Director, Dept. of Instruction, Public Schools
Min Leong, Student Services, “

(Request to include State Grants in the amount of \$31,057 for Fine Arts Grant; \$10,000 for Disproportionate Representation in Special Education; and \$17,500 for After School Program at Esperanza Middle School)

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the letter to Bd/Ed approving inclusion of the grant in the FY 2000 budget.

4. **Recreation and Parks**

Memorandum of Understanding between Local Management Board and St. Mary's County

Present: Phil Rollins, Director, Recreation and Parks
Julia Bates, LMB
Min Leong, “
Recreation and Parks Staff

As a follow up to discussion in October 1999, Mr. Rollins advised that the Memorandum of Understanding was revised based on comments from the County Commissioners. The document has also been condensed; however, the quarterly report has not been included, but will be in the future. The state is reviewing the requirement for the quarterly report because of the burden it puts on the counties for the small amount of funds received. *The Commissioners requested Mr. Leong to draft a letter for the*

Commissioners' signatures in support of eliminating the requirement for quarterly reporting.

After discussion Commissioner Raley moved, seconded by Commissioner Guazzo, to approve and authorize Commissioner Randall to sign the Memorandum as presented. Motion carried.

5. **Office of Capital Projects
SMECO Easement Agreement – Seventh District Park**

Present: Jim Stirling, Director, Office of Capital Projects

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

6. **Department of Human Resources
Manual for Personnel Policies and Procedures – Chapter 11
(Health Insurance Benefits)**

Present: Melvin McClintock, Director, DHR
Dee Kramer, Benefits Coordinator

(Current policy allows new employees to become eligible for health insurance benefits on the first day of the fourth month of employment; a new proposal to change this policy would be to make health insurance benefits available to new employees on the first day of the month following employment. There would be no financial impact and the change would have a positive impact on recruiting.)

Commissioner Raley moved, seconded by Commissioner Guazzo, to approve the change in the Manual for Personnel Policies and Procedures (Chapter 11 – Health Insurance Benefits) to make health insurance benefits available to new employees on the first day of the month following employment, effective March 1, 2000. Motion carried.

7. **Economic Development Commission**
(Letter from EDC to Board of Public Works in Support of St. Mary's Technical Center renovation and expansion project)

The Commissioners gave their concurrence for the EDC to send the letter of support to the Board of Public Works.

8. **Census Project Update**

Mr. Lacer reported that he has met with staff and officials from the U.S. Census for the State of Maryland. He stated that in 1990 census St. Mary's Countians were undercounted by 1600, which means a loss of \$1,000 per person per year (a loss of \$16M of state and federal aid for ten years). There will be additional meetings with the Public Information Office, Department of Planning and Zoning and other agencies to plan for this very important count.

Other areas of discussion included that there could be problems with the new addresses and also that there was a need for canvassers and an ad soliciting for canvassers should be placed on Channel 12.

COUNTY COMMISSIONERS' TIME

African American School House

Commissioner Anderson thanked the other Commissioners for their support for acceptance of the African American School House located in Drayden and stated that it was an indication of commitment to the historical and cultural heritage of the community.

Community College Board of Southern Maryland

Commissioner Anderson referred to Senator Dyson's request for recommendations to the new Community College Board of Southern Maryland and suggested that this be added to the Boards and Committees Executive Session on Tuesday, February 29.

4-H Youth Development Program

Commissioner Mattingly reported that he attended the referenced program at which Jean Dean, Director, Cooperative Extension, was recognized for her 30 years of service to the 4-H program. She was also presented with a County Seal and congratulated upon her retirement.

MACo Legislative Committee Report

Commissioner Randall reported on the MACo Legislative Committee's activities. She stated that the main issue of discussion was the septic system bill (SB21/HB283). It was MACo's opinion that a septic system bill was going to happen this year. Amendments were offered including a grant for enhancement of existing systems instead of a tax credit; that requiring sewer line systems to relieve failing septic systems only where it would not violate local ordinances (other recommendations included that it not be excessive cost; that administrative funding costs be provided; and to strike *areas of special concern* and just look at failing septic systems).

In addition MACo intends to oppose the prevailing wage bill.

FY 2001 Budget

Commissioner Raley referred to the editorial in *The Enterprise* which inferred that the County was "flush with money and that the money keeps rolling in." Commissioner Raley stated he took exception to the editorial pointing out that the Board of County Commissioners is very concerned about the needs of the County and the amount of money to meet those needs. By way of visual aids, Commissioner Raley explained the following:

- the undesignated fund balance from FY 2000 (\$11.5M),
- that a minimum of 5% had to be set aside as required by bond rating agencies;
- the "rainy day" fund; interest on bond payments; the proposed 2.5% increase for teachers and perhaps the same increase for County employees;
- anticipated increase in revenues at \$4-\$6M;
- that since 1993 budget surpluses has been used to fund the next year's budget;
- FY 2001 budget concerns include the fact that it cost \$88,000 to put a Sheriff's deputy on the road and the Sheriff has requested a significant increase; the County has an aging fleet of vehicles.

Commissioner Raley concluded his presentation stating that the County is not "rolling in money" and further that there should be a policy for setting aside the 5% required by bond rating agencies into a reserved account.

ADJOURNMENT

The meeting adjourned at 4:15 p.m.

FY 2001 Budget Review

At this time the Commissioners and Finance Department conducted a budget review of the Department of Recreation and Parks.

Minutes Approved by the

Board of County Commissioners on 3/7/00


Judith A. Spalding, Recorder