

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
April 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
Alfred A. Lacer, County Administrator
Judith A. Spalding, Recorder

(Commissioner Guazzo was not present at the beginning of the meeting.)

(Commissioner Anderson was not present at the beginning of the meeting because he was giving a briefing to the Calvert County Commissioners on the Workforce Development Program.)

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 (to add an executive session on property acquisition). Motion carried.

(Commissioner Guazzo entered the meeting at 10:10 a.m.)

APPROVAL OF CHECK REGISTER

During review of the bills Commissioner Raley suggested withholding the final payment for the Channel 7 Promotion Campaign until its commitment to the County has been completed.

Commissioner Raley moved, seconded by Commissioner Mattingly, to authorize Commissioner President Randall to sign the Check Register and further to withhold payment for the Channel 7 project. Motion carried.

**PUBLIC HEARING
AGRICULTURAL LAND PRESERVATION DISTRICTS**

Present: Donna Sasscer, Agricultural Seafood Specialist

The Commissioners conducted a public hearing on the following Agricultural Land Preservation Districts:

ALPD #00-150-00002 – Jane and Philip Hayden	ALPD #00-150-00007 – Wm. Mattingly
ALPD #00-150-00003 – Helen Guy Estates	ALPD #00-150-00008 – F. Elliott Burch
ALPD #00-150-00004 – Linda Long	ALPD #00-150-00009 – F. Elliott Burch
ALPD #00-150-00005 – Jim Moore	ALPD #00-150-00010 – James B. Montfort
ALPD #00-150-00006 – Trueman Montfort	ALPD #00-150-00012 – Edward Kennett

Ms. Sasscer read the Notice of Public Hearing and explained each of the referenced ALPD requests.

Areas of discussion by the Commissioners included:

- ❖ That properties with less than 100 acres were contiguous to other properties in order to satisfy the 100-acre requirement.
- ❖ Funding issues (transfer tax funds and potentially tobacco settlement funds).

The hearing was opened for comments from the audience.

Mr. "Bubby" Norris, representing the Farm Bureau, suggested that the Commissioners do as much as possible to preserve agricultural land in the County.

Hearing no further comments, the public hearing was closed.

Commissioner Mattingly moved, seconded by Commissioner Guazzo, to approve the Agricultural Land Preservation District Applications as presented. Motion carried.

**DEPARTMENT OF NATURAL RESOURCES
PEOPLE LOVING AND NURTURING TREES (P.L.A.N.T.)
COMMENDATIONS**

Present: Shannon Wolf, DNR
Matt Stine, DNR
Commendation Recipients

The referenced representatives from DNR recognized community award winners for Maryland's *People Loving and Nurturing Trees* and the Board of County Commissioners presented Proclamations to the recipients representing the following community groups: Patuxent River Naval Air Station; Town of Leonardtown; Hollywood Elementary School; Mill Point Shores Improvement Association; Longview Beach Community Association; Beach Management Corporation (Golden Beach); and Camp Maria Retreat Center.

PROCLAMATION – NATIONAL IMMUNIZATION WEEK

The Commissioners issued a Proclamation designating the week of April 5 – 12, 2000 as National Immunization Week in St. Mary's County.

APPROVAL OF MINUTES

Tuesday, April 4, 2000

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, April 4, as presented. Motion carried.

Tuesday, April 11, 2000

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

DEPARTMENT OF HUMAN RESOURCES

Present: Melvin McClintock, Director
Evelyn Wood, Assistant Director

The Commissioners presented Length of Service Award pins to the following individuals:

15 Years of Service

Jimmy Adkins	Mary Farmer	Glenn Norris
Sandra Bean	Wayne Herbert	Robert Norris, Jr.
William Buckler, Jr.	John Hewitt, Jr.	Joseph Payne, Jr.
Louis Burris	Charles Hudson	Stephen Quade, Jr.
Joseph Clarke, Jr.	George Jarboe	Mary Russell
Frances Copsey	Charles Malone	Kenneth Sothoron
Steven Doolan	Paulo Martinez	John Vallandingham
James Gass	Michael Merican	Richard Wood

20 Years of Service

Lillian Buckler
 David Gray
 Sandra Johnson
 Jannette Norris
 Phillip Shire
 Evelyn Wood

25 Years of Service

Mary Hickson
 Elinor Mattingly
 Cynthia Pilkerton
 Mary Toney
 Richard Voorhaar

45 Years of Service

Virginia Johnson

**OFFICE OF COMMUNITY SERVICES
 "MARYLAND YOU ARE BEAUTIFUL" KICKOFF**

Present: Cynthia Brown, Director

Ms. Brown appeared before the Board to announce the kickoff of the "Maryland You Are Beautiful" Program. She explained that the program is a statewide initiative where citizens in every county submit names of local volunteers who have made contributions to their community. All volunteers nominated will be recognized at a September Commissioners' meeting, with one individual being selected as the county's representative to attend the ceremony in November hosted by the Governor's Office.

**LOCAL MANAGEMENT BOARD
 MONTH OF THE YOUNG CHILD PRESENTATION**

Present: Julia Bates, Acting Director, Local Management Board
 Debbie Kole, Spring Ridge Middle School
 Alexis Williams
 Becky Stevens

The referenced individuals appeared before the Board to present "paper dolls" representing children in the community. Middle School students dressed and decorated the dolls and wrote a story about each. Ms. Bates requested the Commissioners to display the dolls for a month after which they will be displayed at Child Welfare Day.

In closing, Ms. Kole informed the Commissioners about a Spaghetti Dinner to be held April 27 at Spring Ridge Middle School with the proceeds to go toward sending the 21st Century Prodigy Extended Day Destination ImagiNation State Championship Team to Iowa State University for the Global Finals in May.

COUNTY COMMISSIONERS (1ST SESSION)

First Colony Project

Commissioner Guazzo reported that she visited the First Colony project site and noticed a curbed and tarred surface road area crossing the railroad right-of-way which connects to the "Red Barn" shop; thereby giving another access from Route 235. The developer has indicated that it was an old easement across the right-of-way and First Colony wanted to claim it. She stated that as a PUD the project already has identified access on Route 235 and Route 4. Mr. Grimm is pursuing this and will report his findings.

PEPCO Oil Spill

With regard to the recent oil spill at Chalk Point, Commissioner Guazzo indicated that she has heard a number of concerns from the other side of the county, which also has a pipeline to the Morgantown Power Plant under the waters of County. She questioned whether oil was being pushed through this line and whether the line had been inspected before another break occurs.

(Later in the meeting, Deputy Administrator George Forrest reported that the Morgantown pipeline has been shut down and will not be reopened until it has passed inspection.)

Commissioner Randall suggested that the May 9 public forum focus on the oil spill situation and have representatives from PEPCO and county staff present to provide a status report.

Commissioner Mattingly stated that in order to get a tri-county focus on this, the Tri-County Council is interested in setting up a meeting with the three counties so that all would be going in the same direction with the same initiatives.

Leonardtwn Wharf

Commissioner Mattingly advised that he has been working for some months with the owner of the Leonardtown Wharf property because of the need for public access to the water. He stated that the property could provide a quality boat facility and a community park, and indicated that staff has been working with the property owner to come up with a purchase agreement. Commissioner Mattingly pointed out that this would have a positive economic impact on the Town as well as the County.

(Commissioner Anderson entered the meeting.)

PROPOSED ORDINANCE – ZONING ORDINANCE TEXT AMENDMENT COMMUNICATION TOWERS

Present: Jon Grimm, Director, DPZ
Jim Stirling, Director, OCP
Patrick Murphy, Acting County Attorney
Phil Cooper, Director, Emergency Communications
Paul Wible, Director, Emergency Management

As a follow up to the April 4 Public Hearing, Mr. Grimm and Mr. Stirling reviewed the changes to the draft Ordinance which reflected the requests by the Commissioners and testimony from the public.

Areas of discussion included: placement of private towers in the critical area, the need to minimize the impact on critical areas; that a specific number of towers for the County's communication system should not be designated in case there was a need for additional towers; the fall radius; site requirements for underground mechanical equipment; that the word "view" is too broad of a term; and non-commercial location restrictions (RNC Zone).

Staff was directed to make the requested changes, and it will be placed back on the agenda on April 25.

RECOGNITION OF JIM HALEY

The Commissioners presented Jim Haley, who will be leaving county government to take a job at St. Mary's College, with a gift and a Commendation which had a County Seal.

PEPCO OIL SPILL UPDATE

Present: George Forrest, Deputy County Administrator
Paul Wible, Director, EMA

Mr. Forrest provided a chronology of events regarding the PEPCO oil spill at Chalk Point, reviewed steps that have been taken in the clean up process, and indicated that the oil has spread as far south as Hollywood Shores. He reported on the number of animals that have been killed to date (256); that there is a shellfish advisory for the bay and "no shellfishing" in the river; and the condition of the marshy areas.

During his presentation Mr. Forrest made the following recommendations:

- That the Commissioners hold a public meeting (suggested date: May 9);
- That the Commissioners should take a tour of the impacted areas;
- That the Commissioners should send a letter to PEPCO requesting the establishment of a informational site in St. Mary's County, preferably the Charlotte Hall area;
- To task staff to look at bringing in environmental expertise to discuss how to negotiate with PEPCO;
- To task staff to have Mr. Wible and a Health Department representative to get together with appropriate agencies to go over plans;
- That the Commissioners issue a public statement on the spill.

Mr. Lacer recommended that the Commissioners authorize the County Attorney's Office to obtain legal services on environmental matters.

After discussion the Commissioners gave concurrence with the referenced recommendations.

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas for April 25 and May 2, 2000
2. **Budget Amendments**
 - a. No. 2000-37- EMA (\$4000)
(Overtime for Animal Control after hour calls)
 - b. No. 2000-39 - Recreation and Parks (\$14,026)
(To cover cost of stormwater drainage, asphalt overlay, etc. at Chaptico Wharf)

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign Budget Amendment No. 2000-37 and No. 2000-39. Motion carried.

3. **Grant Documents**
 - a. **Office on Aging**

Also present: Gene Carter, Director

FY 2001 Memorandum of Understanding between MDHMH and St. Mary's County (State Funding - \$78,437)

Commissioner Raley moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the MOU as presented. Motion carried.

- b. **Office on Aging - Notification of Grant Award**
Title III Federal Grants
(Total Federal Funding - \$166,964)

Also present: Gene Carter, Director

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the Notification of Grant Award. Motion carried.

- c. **Recreation and Parks – St. Clement’s Island-Potomac River Museum**
Maryland Historical Trust Grant Agreement (State \$15,500; Inkind: \$3,534;
Donation: \$6,000)

Also present: Phil Rollins, Director

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

- d. **Housing Authority**
CDBG – Funding Certification

Also present: Dennis Nicholson, Executive Director

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

4. **St. Mary’s College of Maryland - Scholarships**

Action: For BOCC to decide on timing of appropriation

The Commissioners reviewed a memorandum from St. Mary’s College dated April 12 regarding an appropriation from the County in the amount of \$6,000 for scholarship grants for St. Mary’s County residents applying to St. Mary’s College of Maryland. Mr. Lacer advised that the College is requesting certification of the funding in the FY 2001 budget in order for it to be used in the upcoming school year.

Mr. Lacer suggested that he establish a committee from his office to make recommendations to St. Mary’s College.

Discussion ensued regarding: that three individuals with a need would be selected to receive \$2,000 each; the timing of the funding; whether the request should go through the normal budget process; other agencies that may request promised funding; and whether to take it out of FY 2000 Reserve.

After discussion Commissioner Mattingly moved, seconded by Commissioner Randall, to request the Administrator and Finance Office to prepare a budget amendment to allocate \$6,000 from the fund balance of FY 2000 . Motion carried.

5. **Employment Contract (Risk Manager)**

Commissioner Mattingly moved, seconded by Commissioner Guazzo, to approve and authorize Commissioner Randall to sign the Employment Contract for Mary C. O’Brien, Risk Manager, as presented. Motion carried.

6. **Letter of Appointment – Wicomico River Commission**

Commissioner Mattingly moved, seconded by Commissioner Guazzo, to approve and sign the letter of appointment to James Sean Moore as presented. Motion carried.

7. **Reorganization of Central Services Presentation**

Mr. Lacer referred to his April 18 memorandum in which he set forth a proposal for the reassignment of divisions within Central Services

1. Transportation will be assigned to the Department of Public Works. The Transportation Supervisor will report to the Director of Public Works. Mailroom operations and personnel will remain with the division of Transportation.
2. Procurement will be transferred to the Department of Finance. The Procurement Supervisor will report to the Director of Finance.

3. Building Services will be transferred to the Department of Capital Projects. The Building Services Supervisor will report to the Director of Capital Projects.
4. Airport Operations will be transferred to the Department of Capital Projects and the Airport Business Manager will report to the Director of Capital Projects.
5. The Copy Center will transfer to the Department of Finance and will report to the Director of Finance.

Under the category of Administrative and Fiscal Support:

- a) The Fiscal Support Specialist II will be assigned within the Transportation division and transfer with said Division.
- b) The Fiscal Support Specialist I will be assigned within the Building Services division and transfer with said Division.
- c) The Administrative Coordinator will be assigned to Finance for the balance of this fiscal year with long-term assignment to be subsequently decided.

Elimination of the Director position and Fiscal Support Supervisor, which is currently vacant, will save about \$137,000 in payroll as per Finance's estimate.

Mr. Stirling will act as Procurement Officer on a transitional/temporary basis while a plan to place that function permanently within Finance is finalized.

A resolution for signature authority on County contracts will be presented at the April 25 Board of County Commissioners' meeting for action.

After discussion Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve the reorganization proposal as presented. Motion carried.

DEPARTMENT OF RECREATION AND PARKS ADA TRANSITION REPORT

Present: Phil Rollins, Director

Mr. Rollins appeared before the Board to present and request approval of the Parks ADA Transition Plan, which had been briefed to the Board on March 28 as part of an overview on ADA accessibility. He reviewed the plans for improvements to parks and public landings to make them accessible and reported that: park staff did an inventory of parks and facilities to determine any deficiencies and that improvements to parks; the upgrades have been recommended by the Inclusion Study Group and the Recreation and Parks Board; and facilities have been included R&P's Capital Budget. He stated that if the Plan is adopted and capital projects approved, the County will have committed \$900,000 over a four-year period to upgrade and make the facilities accessible.

After discussion Commissioner Mattingly moved, seconded by Commissioner Guazzo, to approve the Recreation and Parks ADA Transition Plan. Motion carried.

At the end of the discussion Commissioner Randall inquired as to the status of the Therapeutic Specialist position. Mr. Rollins responded that there was a candidate who rejected the offer and therefore the position has not yet been filled.

COUNTY COMMISSIONERS' TIME (2ND SESSION)

Workforce Development Board

Commissioner Anderson reported that the Governor has agreed to sign the *hold harmless clause* which will result in an additional \$408,419 which is more than what had been expected had he not signed this clause. The total funding is now in the amount of \$688,858 (\$235,858 to be used for adult programs; and \$453,000 for other programs).

Traffic Issues

Commissioner Anderson brought two traffic issues to the Board's attention: Timing of the traffic Light at Routes 4 and 235; and that sidewalks and crosswalk should be considered by the State at the new light at intersection in Great Mills. She requested the County Administrator to direct the Department of Public Works to contact the State regarding these issues.

Ferry Service Meeting

Commissioner Anderson referred to the voice mail message from George Forrest regarding an upcoming preliminary meeting to discuss future of the ferry service proposal. Although the Commissioners are not required to attend, the Board requested that Mr. Forrest attend on their behalf.

EXECUTIVE SESSION

Commissioner Mattingly moved, seconded by Commissioner Anderson, 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
Alfred Lacer, County Administrator
Judith A. Spalding, Recorder

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

Time Held: 4:20 p.m. – 4:50 p.m.

Action Taken: The Commissioners discussed 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
Alfred Lacer, County Administrator
Judith A. Spalding, Recorder

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

Time Held: 4:50 p.m. – 4:55 p.m.

Action Taken: The Commissioners discussed a personnel issue.

ADJOURNMENT

The meeting adjourned at 4:55 p.m.

7:00 p.m.

PUBLIC HEARING

**FISCAL YEAR 2001 RECOMMENDED BUDGET
(Held at Great Mills High School Auditorium)**

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Al Lacer, County Administrator
L. Jeannett Cudmore, Acting Director of Finance
Kate Mauck, Recorder

Mr. Lacer moderated the Public Hearing, introducing the Board of County Commissioners, Finance Director, and members present from the Board of Education. Ms. Cudmore gave a presentation on the FY2001 proposed budget.

Also Present: Dr. Patricia M. Richardson, Superintendent of Schools
Elaine Kramer, Budget and Finance Director for Schools
John K. Parlett, Jr., Chairman, Board of Education
Stephen Kracinovich, Vice Chairman, Board of Education
Joanie Farrar, Member, Board of Education
Michael L. Hewitt, Member, Board of Education
Mary M. Washington, Member, Board of Education
John H. Dixon, Jr., Student Member, Board of Education

Dr. Richardson gave a presentation on achievements made by teachers and students in the St. Mary's County School System. Ms. Kramer outlined the School Budgetary requests.

The Commissioners conducted a public hearing on the Board of Education portion of the Fiscal Year 2001 Recommended Budget. The hearing was opened for comments from the audience.

The following individuals spoke in support of full funding of the Board of Education's requested budget from the County: Karl Pence, Joseph Young, Jennifer Barnes, Emily Jackson, Tina Mattingly, Kathy Allen, Deborah Dennie, Aldrian Niverba, Paul Kram, Laura Cameron, Jeanne Cook, Mark Sanders, Lewis Rochester Jr., Leslie Funk, Lori Werrel, Marcia Harris, Rockesha Harris, Anne Kurtz, John Williams, Kelly Ehman, John Weiner, Charlene Taylor, Karla DeSelms, Charles Purcell, Alice Willingham, Joey Watkins, Kim Zifnick, Elfreda Mathis, Debbie Reese, Jeff Koehler, Scott Strandburg, Sherry Guy, David Miller, Kevin Penwell, Pat Davidson, Jeff Hagen, Cassie Cheseldine, J.W. St. Clair, Sherri St. Clair, Frank Bueventura, Janice Walthour, Jessica Dugan, Shelia Dietz, Clare Whitbeck, Dan Shannon, Fred Madenwald, Lila Hofmeister, Sheriff Richard Voorhaar (also to fully fund the Sheriff's Department), Mary Ann Chasen, Dennis Hubscher, Nace Bowman, Patricia Dambrozon, Jon Dixon Sr.

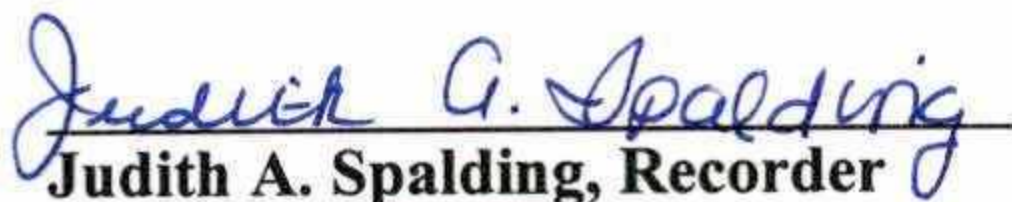
The following individuals or bus drivers spoke specifically to the bus driver issue in the requested budget from the County: Mary Edwards, Paula Clements, Phyllis Welsh, Marcia Harris, Cheryl Jones, Donna Bradburn, Don Ervin, Debra Donnelly, Thomas Bell Jr.

The following individuals spoke in support of full funding of the Board of Education's requested budget, also stating that they would support a tax increase if it was necessary: Cynthia Cartwright and Merv Hampton.

ADJOURNMENT

The meeting adjourned at 11:18 p.m.

Minutes Approved by the
Board of County Commissioners on 4/25/00


Judith A. Spalding, Recorder