

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Governmental Center  
May 23, 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 G. Forrest, Deputy County Administrator  
Judith A. Spalding, Recorder

**ELMS PROPERTY ANNIVERSARY CELEBRATION**

The anniversary celebration scheduled this morning at Elms property site was cancelled because of inclement weather and condition of the site. It has been rescheduled to Tuesday, June 13.

**CALL TO ORDER**

The meeting was called to order at 1:05 p.m.

**ADDITIONS/DELETIONS TO AGENDA**

**Commissioner Anderson moved, seconded by Commissioner Mattingly, to accept the agenda as presented. Motion carried.**

**APPROVAL OF CHECK REGISTER**

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

**APPROVAL OF MINUTES (May 9, 2000)**

**Commissioner Raley moved, seconded by Commissioner Anderson, to approve the minutes of the Commissioners' meeting of Tuesday, May 9, 2000, as presented. Motion carried.**

**LENGTH OF SERVICE AWARD (45 YEARS)  
VIRGINIA JOHNSON**

**Present:** Virginia Johnson  
Evelyn Wood, Assistant Director, Dept. of Human Resources

Ms. Wood presented Virginia Johnson with a gift certificate for Blair's in recognition of her 45 years of service. The Commissioners presented a gift (gold watch) to Virginia Johnson, who has retired after 45 years of service to St. Mary's County Government in the Treasurer's Office.

**PROCLAMATION/COMMENDATION**

The Commissioners presented the following Proclamation and Commendation:

- \* Commendation to Barbara Garrison for Successful Completion of Army Corps Vista Assignment in the Office of Community Services.
- \* Proclamation for Small Business Development Center Network Day



**COUNTY ADMINISTRATOR**

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas for May 30 and June 6, 2000
2. **Grant Document - Office On Aging Corporation for National Service**  
(Federal Funding \$41,984.00; County funds \$24,470 In-kind \$1,819)

Also present: Gene Carter, Director, OOA

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

3. **Office of Capital Projects**

(Ground-water level monitoring agreement between the Maryland Geological Survey, Resource Assessment Service, Maryland Department of Natural Resources and the Board of County Commissioners for St. Mary's County, Maryland.)

Also present: Jim Stirling, Director, OCP  
Tom Russell, Deputy Director, MetComm

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

4. **Department of Public Works**

- a. Public Works Agreement for Clearfields of Breton Bay Subdivision, 3<sup>rd</sup> Election District, with a completion date of June 1, 2001. A bond in the amount of \$97,500 has been provided by the Developers Surety and Indemnity Insurance Company.
- b. Public Works Agreement Addendum for Meadow Lake Subdivision, 8<sup>th</sup> Election District, extending the completion date to April 1, 2001. The letter of credit posted by the Maryland Bank & Trust Company in the amount of \$585,200 is being reduced to \$300,000.
- c. Public Works Agreement Addendum for Porto Bello Estates Subdivision, 2<sup>nd</sup> Election District, extending the completion date to April 1, 2001. The letter of credit posted by Bank of America in the amount of \$95,000 is being reduced to \$69,000.
- d. Public Works Agreement Addendum for Richneck Subdivision, Section 2, 6<sup>th</sup> Election District, extending the completion date to May 1, 2001. The letter of credit posted by the First National Bank of St. Mary's in the amount of \$55,000 remains as posted.
- e. Public Works Agreement Addendum for Willowbrook Subdivision, 6<sup>th</sup> Election District, extending the completion date to April 1, 2001. The letter of credit posted by the First National Bank of St. Mary's in the amount of \$50,000 remains as posted.

**Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign the DPW documents. Motion carried.**



5. **Discussion of scheduling a joint hearing on the U.L.D.C.**

Also present: Jon Grimm, Director, DPZ

Mr. Grimm reviewed the current Unified Land Development Code time schedule and received input from the Board regarding suggested changes to the schedule. Mr. Grimm indicated he would make the necessary changes and get back to the Board.

**COUNTY COMMISSIONERS' TIME**

**Trade Fair**

Commissioner Anderson reported that he attended the Chamber of Commerce's Trade Fair held this past weekend and stated that it was well attended.

**VFW Groundbreaking**

Commissioner Mattingly advised that he attended the VFW groundbreaking for replacement of the building, which had been destroyed by fire.

**Tobacco Settlement Meeting**

Commissioner Raley advised that the Tri-County Council Tobacco Settlement Subcommittee is reviewing grant applications, and that the committee is urging farmers to turn in the survey that will be distributed shortly. The survey is part of the process by which TCC must go through in order to meet State requirements.

**Oil Spill Meeting**

The Commissioners reminded the viewing audience that there will be an oil spill meeting this evening at 7 p.m. at the Calvert County fairgrounds.

**Census**

Commissioner Randall requested an update on the 2000 Census, particularly how St. Mary's County has responded. The County Administrator advised that he will have a report for next week's meeting.

**FISCAL YEAR 2001 BUDGET  
SETTING OF TAX RATES**

Present: Jeannett Cudmore, Acting Director of Finance  
Marty Jones, Budget Analyst  
Brad Clements, School Facilities Supervisor

**Board of Education Capital Budget**

County staff reviewed with the Commissioners revenues and expenditures for the Fiscal Year 2001 budget. During discussion the Commissioners agreed to the following regarding the Board of Education Capital Budget:

- To keep Lexington Park Elementary School;
- To delete Town Creek Gymnasium;
- To keep building consolidation.

**Ordinance No. 2000-15  
Property Tax Rate**

**Commissioner Anderson moved, seconded by Commissioner Mattingly, to adopt the tax rate as follows:**



**Property Tax Rate: \$2.27**

*(Later in the meeting the Commissioners executed Ordinance No. 2000-15 setting the property tax rate at \$2.27 per \$100 of assessed valuation.)*

**Income Tax Rate: 3.1% (that this amount be set preliminarily until formal adoption after the 6/6/2000 public hearing)**

**No Solid Waste Fee (that it continue to be funded through the General Fund)**

**Motion carried three to two with Commissioners Raley and Guazzo voting against.**

Discussion on the motion included:

- ❖ Commissioner Raley voted against the motion stating that a tax increase should not be considered until all options have been explored and he did not believe that this has occurred;
- ❖ Commissioner Guazzo voted against the motion stating that all revenue sources should be examined before taking the step to raise taxes;
- ❖ Commissioner Mattingly supported the motion because he believed it was necessary in order to reduce the county's bond debt, which has occurred because of using reserves to fund budgets in the past.
- ❖ Commissioner Anderson stated that it was incumbent upon the Commissioners to raise taxes only as a last resort, and that he believed that this was a last resort. (He further noted the need for the Commissioners to request staff to recommend a supplemental amendment to the home owners' property tax credit (level of credit and to consider including exemption by age as well as income).
- ❖ Commissioner Randall expressed concerns for the County's fiscal stability, stating that it was the County's number one priority; stating that revenues are not being generated to meet expenditures; stated that leaving no contingency funds would not be financially prudent.

After the decision on the tax rate, Commissioner Randall clarified the rate in terms of revenue: 19¢ additional in property tax (\$4.1M in FY 2001 and \$4.6M in FY 2002); 3.1% in income tax, which would not take effect until January 1, 2001 (provides \$700,000 in FY 01 and \$1.4M in FY 02); this would result in \$5.4M to maintain bond rating and \$3M in the undesignated reserve account for contingencies.

**Impact Fee**

Commissioner Guazzo moved to set the Impact Fee at \$5800 to be collected at the time of building permit issuance with an exception for the first two lots in a minor subdivision for lots that go to blood or legally adopted children or grandchildren. Motion died for lack of a second.

Commissioner Anderson moved to set the Impact Fee at \$6,000, with an exception for the first two lots in a minor subdivision for lots that go to blood or legally adopted children or grandchildren and that it be reviewed every two years. Motion died for lack of a second.

Commissioner Raley moved, seconded by Commissioner Guazzo, to set the Impact Fee at \$5,800, with an exception for the first three lots in a minor subdivision for lots that go to blood or legally adopted children or grandchildren and that it be reviewed every two years. Motion failed two to three with Commissioners Raley, Mattingly and Randall voting against.



Commissioner Raley moved, seconded by Commissioner Randall, to set the Impact Fee at \$5,200, with an exception for the first three lots in a minor subdivision for lots that go to blood or legally adopted children or grandchildren and that it be reviewed on a yearly basis. Motion failed two to three with Commissioners Anderson, Mattingly, and Guazzo voting against.

Commissioner Mattingly moved, seconded by Commissioner Raley, to set the Impact Fee at \$4,500, with an exception for the first three lots in a minor subdivision for lots that go to blood or legally adopted children or grandchildren and that it be reviewed on a yearly basis. Motion failed one to four with Commissioners Anderson, Guazzo, Randall, and Raley voting against.

Commissioner Anderson moved, seconded by Commissioner Guazzo, to set the Impact Fee at \$5,800, with an exception for the first three lots in a minor subdivision for lots that go to blood or legally adopted children or grandchildren and that it be reviewed on a yearly basis. Motion failed two to three with Commissioners Randall, Mattingly, and Raley voting against.

**Commissioner Mattingly moved, seconded by Commissioner Raley, to set the Impact Fee at \$4,500, with an exception for the first three lots in a minor subdivision for lots that go to blood or legally adopted children or grandchildren and that it be reviewed on a yearly basis. Motion carried three to two with Commissioners Anderson and Guazzo voting against.**  
(Commissioner Anderson voted against stating that he did not believe this was a compromise; Commissioner Guazzo voted against stating that she did not believe that this would provide adequate funds for infrastructure.)

#### Allocation of Impact Fee Revenues

**Commissioner Guazzo moved, seconded by Commissioner Raley, to allocate the \$4500 Impact Fee revenues as follows (to be effective June 1, 2000):**

- 75% to public schools
- 10% to roads
- 15% to parks

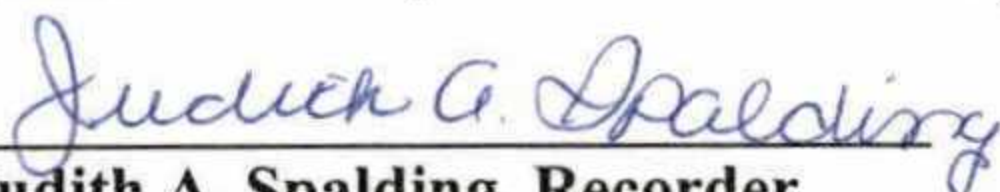
#### **JUNE 6, 2000 AGENDA (ENVIRONMENTAL FEE PUBLIC HEARING)**

**Commissioner Mattingly moved, seconded by Commissioner Raley, to cancel the public hearing on solid waste (environmental fees) scheduled for June 6. Motion carried four to one with Commissioner Guazzo voting against.**

#### **ADJOURNMENT**

The meeting adjourned at 5:40 p.m.

**Minutes Approved by the  
Board of County Commissioners on 05/30/00**

  
**Judith A. Spalding, Recorder**