

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
Tuesday, July 25, 2000**

Present: Commissioner Vice-President Thomas A. Mattingly, Sr.
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Daniel H. Raley
Alfred A. Lacer, County Administrator
Judith A. Spalding, Recorder

(Commissioner President Julie B. Randall was not present.)

CALL TO ORDER

The meeting was called to order at 10:05 a.m.

ADDITIONS/DELETIONS TO AGENDA

Commissioner Guazzo moved, seconded by Commissioner Raley, to accept the agenda as presented. Motion carried.

APPROVAL OF CHECK REGISTER

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

**MASS TRANSIT ADMINISTRATION
FUTURE OF TRANSIT PRESENTATION**

Present: Ronald Freeland, Administrator, MTA
Simon Taylor
Sam Triandos

The referenced representatives of the Mass Transit Administration appeared before the Board to discuss the future of transit services in Maryland.

Highlights of the presentation included:

- ❖ That MTA is working on becoming an agency.
- ❖ Purpose of MTA is to provide transportation services to help with mobility and to help the economy and environment.
- ❖ Goal is to double ridership for Washington/Baltimore area; and to triple ridership in more rural areas (Western Maryland, Eastern Shore, and Southern Maryland)
- ❖ In its planning efforts, MTA will anticipate needs, plan for them, and make sure they become part of the overall transportation plan of Maryland; MTA will work with jurisdictions to help develop a vision for transportation.
- ❖ Transportation system in Maryland includes 800 buses, light rail system, subway system, MARC train services.
- ❖ MTA subsidizes commuter routes to Baltimore and Washington, D.C. (which includes the 905 route from St. Mary's to Washington.
- ❖ MTA's vision of what is needed in Southern Maryland is a commuter rail system as opposed to light rail.

- ❖ That the 905 commuter bus service from St. Mary's County is included in MTA success stories.

Comments/questions from the Commissioners included:

- ❖ Because of increased ridership and increased traffic, the County needs to look at ways of handling transportation needs.
- ❖ Ownership of rails/cars (it is a public/private partnership).
- ❖ How the State is doing in the fare recovery requirements (MTA is in the 45% range of fare recovery and is striving for a 50% range).
- ❖ Whether MTA has considered a shuttle service to BWI and Reagan National (MTA officials will take this suggestion back for consideration).
- ❖ Issue of expansion of Navy Base and more traffic coming into the County because of decisions not to relocate in the County.
- ❖ Expression of appreciation for the way MTA has worked with county staff.

ST TRANSPORTATION SERVICES EMERGENCY PREPAREDNESS REPORT

Present: Jim Siciliano, General Manager, Env. Health & Safety, St Services
James A. Buce, Director of Operations, “
Dillon Rockman, “

The referenced individuals appeared before the Board to discuss ST Transportation Services at the Piney Point location and its preparedness should there be an oil spill similar to the PEPCO spill at Chalk Point.

Highlights of the presentation included:

- ❖ The background of the company, which purchased the Piney Point Plant in 1995 as part of Steuart Petroleum's divesture of its petroleum assets.
- ❖ The plant, consisting of 400 acres, stores 5.5M barrels, mainly petroleum products, and is the largest storage facility in Maryland.
- ❖ Most products arrive by vessels and are distributed by vessel, truck or pipeline.
- ❖ There are 25 employees at the Piney Point terminal, and they are trained in responding to emergencies and OSHA requirements; in addition there is support staff in Dallas, as well as contractors.
- ❖ Other areas of preparedness: agreement with 3M for absorbent boom materials; safety drill exercises held twice a year where boom is deployed to ensure equipment is operational; response plan includes Coast Guard and EPA requirements; high level alarms on equipment tanks.

Comments from the Commissioners included:

- ❖ Responsibility for maintenance the pipelines from Piney Point to the power plants (PEPCO owns the lines and is responsible for maintenance; ST maintains and operates the equipment (pumps and valves).
- ❖ Relationship between PEPCO and ST during oil spill (ST has been working with PEPCO since the incident; Maryland Department of Transportation issued corrective order to ST and PEPCO).
- ❖ Lessons learned from recent PEPCO oil spill.

- ❖ The amount of #6 oil that goes to Morgantown and how much to Chalk Point.

In conclusion Mr. Sicliano invited the Commissioners to visit the Piney Point Plant for a tour.

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas for August 1 and August 8, 2000
2. Budget Amendment No. 2001-01 – County Commissioners
(To provide funding for additional mosquito control spraying - \$13,000)

(Areas of discussion included how need for spraying was determined; increased rainfall; and how funds would be allocated and used)

After discussion Commissioner Anderson moved, seconded by Commissioner Raley, to approve and authorize Commissioner Vice-President Mattingly to sign the Budget Amendment as presented. Motion carried three to one with Commissioner Guazzo voting against because it was a quality of life issue and not a health issue.

3. **Department of Public Works**

Present: George Erichsen, Director, DPW

- a. Easement Agreement from MGD, LLC for the maintenance, repair and upkeep of signs and landscaping on Spriggs Court and Bateman Court located off Joy Chapel Road in the Willowbrook Subdivision, 6th Election District.

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Vice-President Mattingly to sign the Easement Agreement as presented. Motion carried.

- b. Inter-Governmental Agreement between BOCC and Dept. of Social Services for extended STS Transportation services (Evening/Weekend Transportation Services for SMC Dept. of Social Services).

Commissioner Raley moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Vice-President Mattingly to sign the Agreement as presented. Motion carried.

4. **Department of Recreation and Parks**

Present: Phil Rollins, Director

- a. Contract of Purchase and Sale for land in Chaptico for County Park (purchase of 250 acres in the amount of \$350,000 (Program Open Space Funds) with a 60-day period to allow time for an environmental study).

Areas of discussion included: that the recently adopted Recreation and Parks Master Plan, as well as the previous Recreation and Parks Master Plan, identified this area as an area in need of a park; whether storm water management ponds could be made into lakes.

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve and authorize Commissioner Vice-President Mattingly to sign the Contract of Purchase as presented. Motion carried.

- b. Easement Agreement for irrigation line at Wicomico Shores Golf Course

(Golf Course Drive is being extended and as part of that work the irrigation line that goes across Golf Course Drive needs to be relocated. In

order to accomplish this, the County needs to cross a private lot (Lot #29) and the property owners have agreed to allow a permanent easement.

Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve and authorize Commissioner Vice-President Mattingly to sign the Easement Agreement as presented. Motion carried.

5. Boards and Commissions
Letters of Appointment

Commissioner Guazzo moved, seconded by Commissioner Raley, and motion carried, to approve and sign letters of appointment to the following individuals:

<u>Agriculture, Seafood and Forestry Commission</u>	<u>Terms to Expire</u>
Mary Della Ripley	12/31/2003
<u>Community Health Advisory Committee</u>	
Kathy O'Brien	12/31/2002
<u>Economic Development Commission</u>	
John A. "Jack" Candela	06/30/2003
Carolyn Huff	06/30/2003

COUNTY COMMISSIONERS' TIME

Commuter Service at Airport

Commissioner Anderson suggested that the Commissioners solicit support of the Tri-County Council to draft a letter to Maryland Aviation Administration indicating that St. Mary's County should be a participant in the commuter service study. Support should also be solicited from other groups who have a vested interest. The Commissioners gave their concurrence.

Water Appropriation Permits

Commissioner Anderson referred to the notifications from the Maryland Department of Environment relative to water appropriation permits that have been granted for wells to serve First Colony, Wildewood, and Myrtle Point. He suggested that the Commissioners request MDE (and Health Department and MetComm) to provide an update on the status of the aquifer studies and a briefing on the water appropriation process (well approval and water usage approval).

The Commissioners agreed to task the Commission on Environment to gather information and have a report presented to the Commissioners at one time.

Commission on Education Finance, Equity and Excellence

Commissioner Anderson reported that he had attended the public hearing in Hagerstown conducted by the referenced Committee. Another hearing will be held on the Eastern Shore. Some of the issues being expressed through public testimony include transportation funding; special education funding; giving counties greater leeway in funding; the gap between performance of African-American students and white students.

Annual Reunion

Commissioner Anderson referred to the gathering of people from Kentucky and Ohio for the Annual Reunion of Marylanders who left St. Mary's County after the Civil War. A reception was held on Friday, July 21.

Retirement Reception for Capt. Roberts

Commissioner Mattingly advised that he attended the retirement reception for Capt. Paul Roberts and that the Change of Command Ceremony at which Capt. Roberts will be relieved by Capt. Patrick J. Hovatter.

First Annual Fishing Tournament

Commissioner Raley reminded the public about the August 26 Fishing Tournament.

Sheetz Grand Opening

Commissioner Raley stated he attended the Sheetz grand opening on Route 235.

First National Bank of St. Mary's

Commissioner Mattingly advised that the First National Bank of St. Mary's had its grand opening of its renovated offices in Leonardtown.

(When the Commissioners returned to the meeting after their lunch break, Commissioner Anderson was not present.)

**LETTER OF INTENT
NAVAL AIR TEST AND EVALUATION MUSEUM**

As a follow up to previous discussions, Mr. Lacer presented the Letter of Intent between St. Mary's County and Maryland State Highway Administration the acquisition of properties in connection with the relocation of the Naval Air Test and Evaluation Museum on Route 235.

Commissioner Raley moved, seconded by Commissioner Guazzo, to authorize Commissioner Vice-President Mattingly to sign the Letter of Intent as presented. Motion carried.

APPROVAL OF MINUTES

Commissioner Raley moved, seconded by Commissioner Guazzo, to approve the minutes of the First Colony portion of the Commissioners' meeting of Tuesday, July 11, 2000, as presented. Motion carried.

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Thursday, July 13, 2000, as presented. Motion carried.

Commissioner Guazzo moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, July 18, 2000, as presented. Motion carried.

(Commissioner Anderson returned to the meeting.)

MILLENIUM COMMISSION UPDATE

Present: Ann Marie Abell
Ingrid Swann
Ramon Veras
Joe Donnack

The referenced members of the Millenium Commission appeared before the Board to provide an update on the Commission's activities. The presentation included an overview of the Millennium events and celebrations, those that have already been held and those planned for the remainder of the year (Christmas in April, Freedom Fest Fireworks, La Familia Millennia Fiesta, ADA Tenth Anniversary, St. Clements Island

25th Anniversary, Chesapeake Bay Speaker, Sensory Garden, Time Capsule, Voices of the Millennium, and New Year's Celebration).

Ms. Abell described the concept of the Commission's operations (preserve the environment, celebrate freedom, cherish our heritage, and embrace the future), and the funding donated by the Commission for various events (fireworks for Freedom Fest, ADA picnic, La Familia Millennia, St. Clements Island Museum 25th Anniversary, and Christmas in April) and indicated expenditures to date total \$23,000; estimated future expenditures total \$17,000.

Ms. Swann briefed the Board on the plans and funding sources for the Millennium Garden, which will be an attractive, low maintenance garden located on the Governmental Center grounds.

Mr. Veras explained the plans for La Familia in presenting the El Millennium Fiesta, to be held August 12 at the College of Southern Maryland.

In closing Ms. Abell gave an overview of current actions by the Commission (revising estimates, refining actions plans, drafting action plans for upcoming events, coordinating with PIO for publicity, and scheduling of next BOCC update).

SOUTHERN MARYLAND WOOD TREATMENT PLANT SUPERFUND PROJECT UPDATE

Present: Ralph Guenther, Chair, So. Md. Wood Treatment Plan Task Force

Mr. Guenther appeared before the Board to provide an update on the Southern Maryland Wood Treatment Plant Superfund Project in Hollywood.

Highlights of his presentation included:

- ❖ History of the site (the facility used wood preservatives; EPA took control of the property in 1985 and proposed incineration of the contaminated soil; a community group opposed this remedy; the County formed the Task force in 1991; and subsequently Thermal Desorption was selected in 1995).
- ❖ The Thermal Desorption units were started in 1998 and have continued to operate since then.
- ❖ Three incidents have occurred at the facility (brush pile fire unrelated to the operation; hydrogen peroxide foamed over in the water treatment plant; and a minor explosion in some of the piping).
- ❖ There are six pit sites identified for cleanup and the projected completion of the cleanup is September with a demobilization and removal of equipment scheduled for November.
- ❖ Monitoring efforts after the cleanup are still being development.
- ❖ The Task Force is not aware of any plans for the site once the cleanup has been completed and has no recommendations concerning the site.
- ❖ The State of Maryland will officially take possession of the site.

After his presentation, the Commissioners thanked Mr. Guenther for all his work and efforts on the Task Force and requested to be kept updated on the project.

PUBLIC HEARING SHERIFF'S DEPARTMENT RETIREMENT PLAN

Present: Mac McClintock, Director, Department of Human Resources
Dee Kramer, Benefits Coordinator

Mary Claire Chesshire, Attorney, Whiteford, Taylor & Preston
Thomas Lowman, Bolton Offut Donovan, Inc., Actuary

The Commissioners conducted a public hearing on proposed changes to the Sheriff's Department Retirement Plan.

The notice of public hearing was advertised in *The Enterprise* on July 14 and 19, 2000.

Mr. Lacer indicated that the changes bring the plan documents up to date with regard to organizational structure; and addresses various benefit changes that are being proposed for the Commissioners' consideration. He pointed out that although the Trustees administer, manage, and make recommendations for changes, the Commissioners have the ultimate authority for any decisions on the Plan.

Mr. Lacer advised that there may be an additional proposed amendment, which the Board of Trustees will be considering over the next few months, and if a consensus is reached, it will come to the Board through another public hearing.

Highlights of the recommended changes include:

- ❖ Elimination of the 20% reduction to a participant's monthly benefits once reaching the age of 62;
- ❖ Provision of credit for pre-employment military service on an incremental basis (one year of credited service for each four years of employment up to a total of five years maximum credit);
- ❖ That the line of duty disability benefits be categorized as "catastrophic" and "non-catastrophic."

The hearing was opened for public comment:

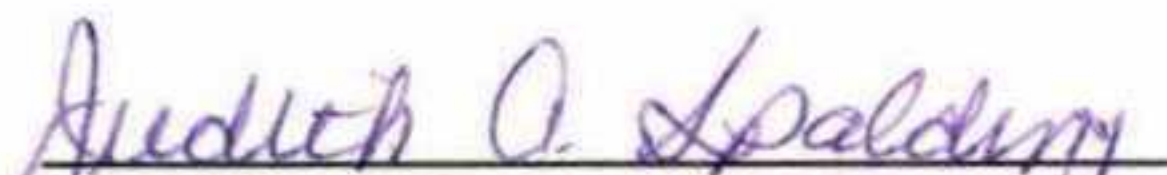
Charles Miedzinski – Stated he retired in 1997 on disability and was told that he had to be retired a year before he could get a Cost-of-Living raise. The Department of Human Resources will meet with Mr. Miedzinski to discuss his particular situation.

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

ADJOURNMENT

The meeting adjourned at 3:22 p.m.

Minutes Approved by the
Board of County Commissioners on 8/4/00



Judith A. Spalding, Recorder