

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Governmental Center  
Tuesday, September 12, 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  
Kate Mauck, Recorder

**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 presented. Motion carried.**

**APPROVAL OF CHECK REGISTER**

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

**APPROVAL OF MINUTES**

**Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, September 5, 2000 as corrected. Motion carried.**

**PUBLIC HEARINGS – SUPPLEMENTAL APPROPRIATIONS  
OFFICE ON AGING**

**Present:** Elaine Kramer, Director of Finance  
Gene Carter, Director, Office on Aging  
Jennie Page, Deputy Director, Office on Aging

The St. Mary's Board of County Commissioners conducted public hearings on supplemental appropriations as follows:

- A. \$8,600 in Grant Funds from Maryland Department of Aging for Senior Group Assisted Homes and an administrative allowance for persons residing in Senior Group Assisted Homes;
- B. \$9,000 in Grant Funds from Maryland Department of Aging for financing acquisition of a new statistical reporting system, which has been adopted on a statewide basis; and
- C. \$2,489 in Grant Funds from Maryland Department of Aging for Senior Nutritional and Community Service Projects.

Hearing no comments, the public hearing was closed. The record will remain open for ten days for written comment, after which time, the Grant Documents will be placed on the agenda for consideration by the Board of County Commissioners.

**COMPREHENSIVE PLAN UPDATE  
SCOPE, SCHEDULE AND BUDGET**

**Present:** Jon Grimm, Director, Planning and Zoning



Mr. Grimm came before the Board of County Commissioners in order to provide them with an update and to seek guidance concerning the Scope, Schedule and Budget for the Comprehensive Plan Update that is a work in progress. Mr. Grimm outlined the following three components that must be included in any scope:

- Citizen participation process
- Updated demographic, socioeconomic and geographic data analysis
- Changes to conform to statute or COMAR requirements.

Mr. Grimm discussed four options available to the County on this process:

- Option 1 – Staff-only update to address the Board’s identified deficiencies or problem areas in the April 1999 Plan and to review and update the Plan against the current statutory requirements of Article 66B;
- Option 2 - Relies upon a successful grant award of \$10,000 from the Environmental Protection Agency Region Three Philadelphia Office. The grant would award the County a “pilot” GIS driven software program that uses readily available data to help answer growth and development sustainability questions. This data would then be used to evaluate alternative courses of action;
- Option 3 – Overall Sustainability Community Development Planning Program under development by Roger Stone and Bill Reed as a result of the \$10,000 “seed money” approved by the Board last year. Update by Mr. Stone and Mr. Reed will occur on September 19<sup>th</sup>; and
- Option 4 - Full Comprehensive Plan review and update.

Projected timeline and revenue/expenditures schedules were submitted for the Board of County Commissioners to consider. The budget requires further development.

The Board of County Commissioners expressed concerns about the various options and establishment of timelines and agreed that past planning processes and approaches had proven to be inadequate.

After much discussion, **Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve the Planning Department’s submittal of the Grant application to the Environmental Protection Agency for the Smart Growth Index. Motion carried.**

#### **COUNTY ADMINISTRATOR**

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas for September 19 and September 26, 2000
2. **Board of Education**  
Elementary Technology Education Grant (\$16,718)

Present: Rhodessa Millham, Director of Instruction

**Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President Randall to sign the Grant Award Document. Motion carried.**

3. **Department of Finance**  
Budget Amendment No. 2001-06  
Department of Public Works (\$7,125), Tire Recycling Support

Present: Elaine Kramer, Director of Finance

**Commissioner Mattingly moved, seconded by Commissioner Guazzo, to approve and authorize Commissioner President Randall to sign Budget Amendment No. 2001-06. Motion carried.**



4. **Metropolitan Commission**  
Patapsco Aquifer Study Memorandum of Understanding

**Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President Randall to sign the Patapsco Aquifer Study Memorandum of Understanding. Motion carried.**

5. **Recreation and Parks**  
Teen Center After-School Program Agreement with the Maryland Department of Human Resources (\$79,097)

Present: Phil Rollins, Director, Recreation and Parks  
Tyrone Harris, Special Facilities Manager

**Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve and authorize Commissioner President Randall to sign the Teen After-School Program Agreement. Motion carried.**

6. **Sheriff's Department Grants**  
Local Law Enforcement Block Grants Program Application (\$66,018)

Present: Sheriff Richard Voorhaar  
Lottie Bell, Fiscal Specialist, Sheriff's Department

Sheriff Voorhaar stated that the Grant Program requires \$6,602 in matching funds from the County, which would leave a net benefit of \$59,416. He was unsure as to the deadline for submitting the application for the Grant.

**Commissioner Mattingly moved, seconded by Commissioner Guazzo to approve and authorize Commissioner Randall to sign the Grant Application. The Sheriff's Department is to work with Finance to do a budget amendment so that the \$6,602 in matching funds comes from within the Sheriff's Department's budget. Motion carried.**

7. **Patuxent River Commission Resolution - Patuxent River Policy Plan**

**Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve and authorize the Board of County Commissioners to sign the Patuxent River Policy Plan Resolution. Motion carried.**

8. **Health Department**  
Hepatitis Update by Dr. Israel

Present: Dr. Ebenezer Israel, Health Officer  
Diana McKinney, R.N., Health Department

Dr. Israel provided an in-depth report concerning the 20 confirmed cases of hepatitis A within the Lexington Park restaurant community. The report outlined short-range plans on education, inspection, and vaccination procedures. Dr. Israel also outlined long-range plans, should an outbreak continue. The major topics discussed included hand washing methods taught and stressed in the restaurant workplace, and decisions concerning immunizations and the costs involved. Immunizations for restaurant personnel will occur on a voluntary basis at this point. Dr. Israel will come back before the Board of County Commissioners should he feel the need arises to mandate immunizations. The vaccine will be offered to restaurant workers at cost, which is approximately \$17 per person, plus a small administrative fee, and there are about 2,500 workers in the County's 118 restaurants.

9. **Boards and Committees**  
**Appointments**



The following individuals were nominated for appointment to Boards, Committees and Commissions:

<u>Board or Commission</u>	<u>Term Expiration</u>
<b><u>BOCA Code Appeals Board:</u></b>	
Patrick H. Mudd, Jr. – Reappointment	6/30/2005
<b><u>Commission for Women</u></b>	
C. Beth Roth – Reappointment	6/30/2004
<b><u>Historic Preservation Commission:</u></b>	
Margaret McCoy Padukiewicz	6/30/2003
<b><u>Library Board of Trustees</u></b>	
Janice Briscoe – Reappointment	6/30/2005
<b><u>Metropolitan Commission</u></b>	
Allen P. Perrie, Jr. – Reappointment	6/30/2003

**Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the appointments of the nominated individuals to Boards, Committees and Commissions and to sign letters of appointment. Motion carried.**

The St. Mary's Board of County Commissioners recessed for lunch and reconvened at 1:30 p.m.

*The following portion of the meeting was recorded by Peggy Childs:*

**PUBLIC HEARING – TEXT AMENDMENT TO ZONING ORDINANCE  
DEPARTMENT OF PLANNING AND ZONING  
(TO ADD SINGLE FAMILY DETACHED DWELLING AS A PERMITTED USE  
IN COMMERCIAL VILLAGE CENTER ZONE)**

Present: Jon Grimm, Director  
Peggy Childs, Recording Secretary

Also Present: John & Melissa Albertsen

This public hearing was scheduled in response to the Board's direction of 8/22/00 and is for hearing by this Board alone. It has not been presented to the Planning Commission so there is no recommendation from them. The legal ad was published in The Enterprise as required but neither posting or notice was required.

The text amendment is proposed in response to a letter from John and Peter Albertsen, whose property is contained within the Ridge Village Center. When Mr. Albertsen applied for a building permit for his house, he found that the residential use was not allowed under the Zoning Ordinance. Because the request is consistent with the ULDC proposal of Mixed Use Village Center zoning districts, staff recommends approval. If approved, the amendment would apply to *all* seven village centers. Any accessory uses allowed under a different table would also be allowed, as long as it was accessory to the permitted use, and commercial uses allowed in the CVC would not be precluded because of this amendment.

Commissioner Mattingly stated, because he had abstained when the amendment was discussed previously, he would do so again, but said he does not object to the substance of the request, only to the process. Commissioner Raley stated he had agreed with Commissioner Mattingly in the original discussion, but has chosen to use this tool to correct an existing situation.

Commissioner Randall opened the hearing to public comment. There were no comments and the public hearing was closed. The record will remain open for 10 days



for public comment, with decision to follow at a subsequent meeting. Staff has drafted an Ordinance and will provide it to the Law Department for review prior to signature by the Commissioners.

**DEPARTMENT OF PLANNING AND ZONING  
(ULDC – AIRSPACE PROTECTION DISCUSSION)**

Present: George Erichsen, Director, Department of Public Works  
Jon Grimm, Director, Planning and Zoning

As requested by the Board of August 1<sup>st</sup>, staff has provided additional information regarding protection of the County Airport. As stated in the memorandum dated 9/6/2000, the issues for discussion are: 1) How to protect the airport from encroaching development; 2) Compatible uses and zoning for surrounding properties; and 3) Prevention of obstructions which would penetrate FAR Part 77 imaginary surfaces.

Mr. Erichsen said staff is still going forward with the environmental assessment for the precision approach as soon as they get the consultant's proposal, and has received a proposal from Regenesys to look at the socioeconomic impact which will be incorporated in the assessment. A letter has been sent to the FAA asking if they would consider that a grant-eligible item, and at this time they seem to be indicating that they may.

The decision of whether or not to provide precision approaches and provide commuter aircraft service is still a question that must be answered, subsequent to the environmental assessment, Mr. Erichsen said, but, with the ULDC going forward, staff must provide recommendations based on existing conditions. Regardless of which option is chosen, Mr. Erichsen said the facilities adjacent to the runway will still be impacted. Responding to Mr. Raley's question on August 1<sup>st</sup>, he said it is possible to shift the runway 250 feet to eliminate the extension of the runway protection zone across Route 235.

Precision approaches would not be permitted as the runway exists today. Mr. Erichsen said there is an 8-fold increase in terms of overall dimensional space when you go from non-precision to precision approaches. Property acquisition is grant-reimbursable up to 95%, once the FAA approves, and may be retroactive. The following alternatives were presented:

- 1A -Existing 4,150 foot runway for non-precision approaches, with the ability to land larger, B2 commuter aircraft.
- 2A -Existing runway with a proposed extension to 5,035 feet, for non-precision approaches with larger commuter aircraft and 34:1 approach slopes.
- 3A -Extending runway and shifting it 250 feet to the west. This represents the 8-fold impact to adjoining properties but will allow full-commuter air service with precision approach.

Mr. Erichsen said his office recommends alternate 2A. He said he would argue that this is shortsighted, but at least it's a start. Mr. Grimm said this will meet the intent of the Comprehensive Plan and the current Airport Master Plan, and instead of treating AICUZ as a single entity at both the Naval Air Station and County Airport, it calls them out separately and distinctly. Section 40, as redrafted, relies upon the draft ULDC's calling out an Airport Environs Overlay, and AE sub-districts and sub-boundaries, height restrictions and lighting requirements.

Commissioner Guazzo suggested that Section 40.2.1.b be revised to read "... all new or improved /upgraded airport, airfield, or heliport operations."

**Commissioner Guazzo moved for staff to go to public hearing to accept Alternative 2A6 and to implement and adopt the proposed Section 40 in the existing Ordinance (Section 38.1 of the current Ordinance), and to move forward now with the draft language from the ULDC regarding AICUZ and the Airport Environmental Overlay, referencing Map 2A6 and FAA 77. Following further discussion, the motion was amended by Commissioner Guazzo that, under site development**



**standard 2.b.(1), applications for development in the approach surfaces of 2A6 be conditional uses, requiring approval by the Board of Appeals. The amendment was seconded by Commissioner Mattingly.**

**Section 40.1.2 references an overlay to ensure land use compatibility around existing or future public or private airports, airfields, or heliports. Commissioner Randall asked where "private" airports, airfields or heliports are described and how to get approval for such that this would apply to, from the standpoint of restricting the use of land for private enterprise? Mr. Grimm replied the way this is written it would be enabling and would allow for the Board to adopt such a regulation at such time as they deem it appropriate, but it does not affect an overlay for a private airstrip of any type.**

The Commissioners discussed other options to protect the approaches and to provide for public safety, including the acquisition of surrounding property. Mr. Grimm stated staff had provided a package of information to Mr. Stirling, before he left the county, and he would provide that information to the Board. Mr. Erichsen said Mr. Stirling's recommendation had been to purchase those areas in fee simple in lieu of requiring reduced density. Staff was directed to proceed with collecting data to support the county's position for reduced density surrounding the airport.

**Commissioner Randall called for the vote on the motion, which passed by a vote of 5-0.**

*The following portion of the meeting was recorded by Eleanor Abell:*

**ST. MARY'S COUNTY FAIR ASSOCIATION  
ST. MARY'S COUNTY FAIR**

Present: Mr. John Richards, St. Mary's County Fair Association

Mr. Richards presented Fair tee-shirts to the Commissioners. Fair logo artwork was done by Benjamin Harding of Margaret Brent Middle School. Mr. Richards presented an overview of the Fair as follows:

- Jerry Conjelko is leading the Esperanza Band in its 30<sup>th</sup> year.
- Bernard Johnson is not doing the speech contest due to health reasons.
- Acrobats from Keyna are returning this year.
- Livestock building has been completely renovated.
- Tee-shirt stand has been replaced.
- Route 235 displays the plywood cutout of the Fair sign.
- Free shuttle bus service to be provided to the Fair by St. Mary's Transit System as follows: Friday, September 22, 2000: Continuous free bus shuttle service from the Governmental Center to the Fair from 9:00 a.m. to 9:00 p.m. Saturday, September 23, 2000: Shuttle service runs the same as Friday with an additional shuttle available from Wildewood Center. Sunday, September 24, 2000: Service from the Governmental Center to the Fair runs from 10:00 a.m. to 4:00 p.m.

**COUNTY COMMISSIONERS' TIME**

**Salt and Pepper Group**

Commissioner Guazzo informed the Board that the Salt and Pepper Group meets on the second Wednesday of the month at 7:30 a.m. at Cedar Lane and discusses issues relevant to St. Mary's County along diversity and equality lines and noted that a picnic is held once a year. All citizens of any race and nationality of St. Mary's County are welcome to attend. In addition, the picnic was held last week at Elms Beach and all the Commissioners were in attendance.



**Southern Maryland Workforce Investment Board**

Commissioner Anderson indicated that the Southern Maryland Workforce Investment Board had their quarterly meeting Wednesday, September 13, 2000, at Department of Social Services in Calvert County. The group is making good progress in completing the transition from the JTPA to the WFIB and is getting various administrative requirements and financial obligations completed through St. Mary's County Government.

**Thornton Commission**

On Thursday, September 14, 2000, Commissioner Anderson will be attending the meeting on the Thornton Commission on Education Finance Equity, and Excellence. The Commission is getting very close to making some concrete recommendations which will go to public hearing in November for the legislature's consideration. Mr. Anderson will be keeping everyone posted on the important work as things come to decision.

**Commission on the Disabled**

Commissioner Randall announced that the County Commissioners and the Commission on the Disabled are sponsoring an Americans with Disabilities Act celebration of the 10<sup>th</sup> Anniversary this Friday, September 15, 2000 from 4:00 to 8:00 p.m. Linda Price has been watching the weather forecast. A decision to move the celebration to the Leonard Hall drill hall has been made in case of inclement weather.

The Board of County Commissioners departed the Governmental Center at 3:10 p.m. in order to attend the joint meeting with the Board of Education at Chopticon High School.

*The following portion of the meeting was recorded by Kate Mauck:*

**BOARD OF COUNTY COMMISSIONERS JOINT MEETING WITH BOARD OF EDUCATION AT CHOPTICON HIGH SCHOOL**

Present: Patricia Richardson, Superintendent of Schools  
John Parlett, Jr., Chairman, Board of Education  
Steve Kracinovich, Vice Chairman, Board of Education  
Joanie Farrar, Member, Board of Education  
Michael Hewitt, Member, Board of Education  
Mary Washington, Member, Board of Education  
Jeff Koehler, Student Member, Board of Education  
Lorraine Fulton, Deputy Superintendent  
Brad Clements, Chief Administrative Officer  
Paula Smith, Acting Director of Finance  
Deanna Nored, Director of Academic Support  
Kathleen Lyon, Acting Director of Student Services  
Bill Caplins, Director of Information Technology  
Brian Still, Supervisor of Construction/Design  
Kim Howe, Capital Projects Manager  
Rhodessa Millham, Director of Instruction

Also Present: Al Lacer, County Administrator  
Linda Price, Public Information Officer  
Kate Mauck, Recorder

The Board of County Commissioners met in a combined meeting with the Board of Education and their staff for the primary purpose of discussion and the sharing of information regarding the budget process. Mr. John Ryan, Principal of Great Mills High School, provided a tour of the facilities. Elaine Kramer, having worked closely with Paula Smith, provided a detailed budget timetable, outlining key revenue and expense



elements, as well as Capitol Improvement Projects for both County Government and Schools, assuming the year was FY2002.

Commissioner Raley requested that a different timeline be developed for different agencies within the County government. Commissioner Mattingly requested that a timeline spreadsheet be developed showing the dates (referred to as X's) that were immovable. Ms. Kramer stated that she should be able to develop a variation of the two requests that would illustrate immovable X's on a timeline.

Commissioner Randall stated that she was participating on the Inter-Agency State Rated Capacity Task Force, which is looking at what the State allows for elementary, middle and high school capacities. Elementary capacities had already been looked at, and the per foot capacity is anticipated to change from 90 to 95 square feet per student to somewhere between 105 to 115 feet per student. Commissioner Randall asked for the Board of Education to gather information from elementary teachers and staff in the County concerning what has changed as far as real estate, etc. that would effect the space needed per child. Mr. Clements discussed the current State formula that utilizes 105 square feet. He stated that the County built 108 square feet into the class size necessary in the 1990's.

Mr. Clements provided updates on the Lexington Park Elementary and Banneker-Loveville School construction and bidding process. Contract award analysis and cost concerns were discussed, as well as potential timelines for completion of the bidding processes and school renovation completion dates. The Board of County Commissioners volunteered to check with colleagues throughout the State, as well as MACO, to see if some financial relief can be provided to St. Mary's County Schools.

Commissioner Anderson provided an update on his work representing rural counties on the Commission on Education Finance, Equity and Excellence (otherwise known as the Thornton Commission). The Commission has met on an on-going basis since April and has been reviewing various aspects of state funding to public education. Commissioner Anderson outlined some of the recommendations and/or concerns of the Commission. He issued a request for representation at a Public Forum on this topic that will be held on November 8, 2000 at the College of Southern Maryland. All PTA members, Board of Education members, Budget Advisory Committee members, Board of County Commissioners, and anyone else that would have an interest in the issues are asked to represent St. Mary's County and to provide testimony about what is needed in rural Maryland.

Budget process improvements were discussed, and it was determined that another meeting between the Board of Education and the Board of County Commissioners would soon be established, so as to smooth out problems prior to the budget process starting for the next fiscal year. At that time, review and discussions will occur on the budget process and timeline recommendations presented by the County's Finance Department and the Budget and Finance Department of St. Mary's County Public Schools. It was noted that review of the timeline is a significant first step toward smoothing out the budget process difficulties.

Additionally, Commissioner Raley requested that information be brought to the next meeting concerning how the Governor's initiative on mandating an all-day kindergarten program in the future would impact funding and available space in St. Mary's County Public Schools.

The Board of County Commissioners departed from Chopticon High School at 5:50 p.m. in order to return to the Governmental Center to conduct their monthly public forum.

*The following portion of the meeting was recorded by Eleanor Abell:*

## **PUBLIC FORUM**

The Board of County Commissioners returned to the Governmental Center in order to conduct their monthly public forum. The meeting was reconvened at 6:41 p.m.



1. Ms. Pam Corber, Hollywood, MD, spoke in reference to concerns with the Airport Master Plan. Ms. Corber thanked the Commissioners for the continued cautious approach taken on the Airport Master Plan. Ms. Corber provided copies of correspondence from the Federal Aviation Administration Washington Airports District Office for the record. Ms. Corber applauded the Commissioners on their decision not to approve the first two proposals displacing families, businesses, and filling in wetlands in the area. Ms. Corber mentioned correspondence from Mr. Charles Lamb and comments included looking at the 20-year plan; area being too developed to update the Master Plan; many encroachments in the area; plans to enhance current facility (T-hangars); and the area not being conducive to this type of airport for this region.
2. Mr. Steve Corber, Hollywood, MD, spoke in reference to the Airport Master Plan. Mr. Corber agreed with the Commissioners that there was not enough information to make a decision. He feels the County should continue on the same plan and start with commuter services and find a suitable area other than the airport for future planning 20-30 years down the road.
3. Mr. David Triantos, Medley's Neck, MD, spoke in reference to:
  - Inviting the public to the Medley's Neck Civic Association meeting taking place on Thursday, September 14, 2000, at 7:00 p.m. at SMECO and encouraged citizens to attend.
  - Suggested the County look at a mini-monorail system to connect with Baltimore, Washington, and vicinity instead of air commuter service.
  - Invited the public to the Spirit of Water Festival on Saturday, September 16, 2000, from 1:00 to 5:00 p.m. at the Piney Point Lighthouse.
4. Ms. Claire Whitbeck spoke in reference to the following issues:
  - A new group called The Council will be at the Fair distributing information and recruiting members.
  - The Comprehensive Plan is to include an estimated 465,000 people of which there is a need to plan for in the County along with the existing water supply. Ms. Whitbeck asked when the Commissioners were going to change the Comprehensive Plan.

Ms. Linda Price, Public Information Officer, announced the following items:

The next Public Forum will be held on October 10, 2000 for the subject matter of cable access. She encouraged citizens to fax, e-mail, or write in their comments to St. Mary's County.

The 10<sup>th</sup> Anniversary Celebration of Americans with Disabilities picnic is being held on September 15, 2000 at the Drill Hall on the Governmental Center grounds. There will be food by the 7<sup>th</sup> District Optimist Club, games for the children, and Dr. Gaynell Coburn will be the motivational guest speaker and entertainer.

#### ADJOURNMENT

The public forum concluded at 7:02 p.m. and the meeting of the Board of County Commissioners was adjourned.

Minutes Approved by the  
Board of County Commissioners on 9/19/00

Kate Mauck  
Kate Mauck, Recorder

Eleanor Abell  
Eleanor Abell, Recorder