

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
Tuesday, February 19, 2002**

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, Administrative Assistant to BOCC (Recorder)

CALL TO ORDER

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

ADDITIONS/DELETIONS TO AGENDA

Commissioner Anderson moved, seconded by Commissioner Raley, to accept the agenda as amended (to add Item #6 –Board and Committee appointments to the County Administrator's list). 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

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve the minutes of the Commissioners' meeting of Tuesday, February 12, 2002, as corrected. Motion carried.

BLACK HISTORY MONTH RECOGNITION

Students from Great Mills High School appeared before the Board to read their contest-winning essays on Black History.

DEPARTMENT OF PLANNING AND ZONING

Comprehensive Plan

County staff present were Jon Grimm, Peggy Childs and John B. Norris, III.

Prior to discussion on the Comprehensive Plan Amendments, Commissioner Guazzo asked to make a statement. Referring to questions asked at a recent National Association of Retired Federal Employees meeting and a letter from Ken Hastings published in The Enterprise, Ms. Guazzo said the commissioners are not communicating with the public as well as they need to. She said Mr. Hastings is one of a group of six citizens who watch the commissioners, and it was clear from his letter that he is concerned that the commissioners are not following their public mandate of listening to the citizens. Ms. Guazzo said this group is valuable and she is grateful for their input, but she believes they have been influenced by one or two members of the community who are trying to turn things around for political reasons, and they need to understand what the commissioners are trying to do.

Commissioner Guazzo said one of the goals and objectives of the 1999 Comprehensive Plan was to reduce density in the rural area by 50% and she related the process followed by the commissioners on the road to reaching the 1:5 density proposal, with input from staff, from the Development Review Forum and e-mails from county citizens. She said there are other significant issues that the commissioners have passed

regarding environmental issues, stormwater management and protection of sensitive areas, and the commissioners need to communicate these better to citizens and environmental groups that help the commissioners keep on top of environmental matters.

Commissioner Randall agreed, and asked Mr. Grimm to develop a 1 or 2 page document listing the issues Ms. Guazzo was talking about to notify the public as we go to public hearing on the Zoning Ordinance; i.e., how the commissioners are implementing the goals and objectives of the Comprehensive Plan regarding density in the RPD. Mr. Grimm replied he will be glad to do this, but the document will be longer than two pages because the goals are significant and include items not only in the regulatory realm but capital improvements, tax policy, and other public policies as well. He added that one of the purposes of the public information meetings is to make sure the public understands how the goals and objectives are being implemented.

Comprehensive Plan Amendments

A joint public hearing on the proposed Comp Plan Amendments was held by the County Commissioners and Planning Commission on July 17, 2001. In December 2001 the Planning Commission transmitted their recommendations on the amendments by Planning Commission Resolution under Mr. Grimm's memorandum of February 8, 2002. A second transmittal by Mr. Grimm dated February 15, 2002 contained a summary of the recommended changes to the public hearing draft. The recommendations come forward with Mr. Grimm's comments that the recommended Plan accomplishes the objectives set out by the Board and contains an 8th Vision for adequate public facilities which was added to the State Planning Enabling Statute. Mr. Grimm responded to Commissioner Raley that he and Mr. Norris have reviewed the document and see nothing in the recommended document that conflicts with the proposed Zoning Ordinance.

Following questions and discussion with staff, the commissioners stated their intention to move forward with adopting the recommended plan, but to schedule a work session following the Zoning Ordinance and Budget process, to provide a list of items for further review and discussion, including the following:

- Discuss with DECD Director the possibility of decreasing percentage of work force who work out of county (27%) through economic development strategy. Include a stronger statement on work force development.
- Update acreage of land preserved through state and county programs.
- Commuting patterns on Page 17 – increase knowledge of north county residents on the rest of the county.
- Comp Plan should be updated earlier than every 6 years.
- Water/Aquifer study should be referenced in the Plan.
- Include critical area boundaries in town centers and village centers on maps.
- Affordable housing
- Sensitive areas
- MOP statement that private well and septic should be curtailed in service areas because that is not within "smart growth" principles.

Commissioner Guazzo moved to adopt the Comprehensive Plan as recommended by the Planning Commission in PC Resolution #01-03 forwarded under Mr. Grimm's memorandum dated 12/10/01. The motion was seconded by Mr. Mattingly. The motion passed by a vote of 5-0.

Another work session with the commissioners and staff will be scheduled following the Zoning Ordinance and Budget adoption process, at which time a list of these and additional items will be provided for further review by the Planning Commission.

Subdivision Regulations

Also present: George Erichsen, DPWT Director

As in the discussion on the Comprehensive Plan Amendment, the following items were identified for further work by staff and/or changes to the document:

- Add a requirement under Section 30.13, paralleling Zoning Ordinance requirements, that major subdivisions must cluster development on 50% of the parent parcel, although public utilities, except for sewage reserve areas, may require access through the remainder of the parcel.
- Add subparagraph c. under Section 30.14.5, that septic system drainfields cannot be located in sensitive areas.
- DPZ, DPWT and SCS to write language for Section 30.14 requiring overlot grading as part of subdivision approval process for new development plans as well as individual lots.
- DPZ, DPWT and the Acting county Attorney will provide language under Section 30.13 that existing lots or parcels of record in common ownership may be separate pieces of one parcel, but no new lots may be created with narrow "pipestem" connections to larger portions of the lot for sewage disposal purposes.

Discussion on the Subdivision Regulations will be brought back to the Commissioners on March 5th. Staff will provide the rewrite from today's meeting the Friday prior to March 5th, if not before.

The Road Ordinance discussion and Stormwater Management update with DPWT scheduled for today will also be held on March 5, 2002.

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas – February 26 and March 5, 2002
2. Budget Amendments

Present: Elaine Kramer

- a. Department of Public Works
Staff Development Public Works Adm. (\$500)
- b. County Administrator
Transfer of Funds to PIO due to reorganization (\$25,967)

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the Budget Amendments as presented. Motion carried.

3. Department of Public Works and Transportation

Present: George Erichsen, Director

- a) Public Works Agreement for Pepper Ridge, Phase 4, located in the Wildewood Subdivision, 8th Election District, with a completion date of January 1, 2003. A letter of credit has been provided by The First National Bank of St. Mary's in the amount of \$286,200.

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

- b) Adoption of FDR Boulevard and First colony Boulevard
- c) FDR Boulevard and First colony Boulevard Stop Signs

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the Resolutions adopting FDR Boulevard and First Colony Boulevard, and the Resolution designating Stop Streets on those Roads. Motion carried.

4. Community Health Advisory Committee
Request for approval of Bylaws

(Areas of discussion included the composition of the members and what the representation should be. The Commissioners deferred action until a representative of the Committee can be present.)

5. Office of Community Services
 - a. Grant Award/Modification from Md Highway Safety Office (\$92,900)

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

- b. Grant Agreement for HotSpot Communities Initiative, Phase II
(State: \$53,092; \$51,277 – County)

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

6. **Boards and Committees
Appointments**

Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve and sign letters of appointment. Motion carried.

Appointments are as follows:

Commission on Aging

Patricia A. Myers

Terms to Expire

6/30/04

Recreation and Parks Board

Robert R. Richardson

12/31/2004

(Karen Burke took following portion.)

COUNTY COMMISSIONERS' TIME

Commissioner Raley

- Agriculture Commission and Tri-County Council will sponsor a seminar on agricultural tourism March 4, 2002, starting at 7:00 p.m. at the JC facility in Waldorf. Anyone interested in bed and breakfast facilities or farm tours, etc. are welcome.
- Last week at the public forum, one issue brought before the Board again was the Willow Woods development. A house is currently being built on lot 47 – one of the trouble spots. *It is recommended that staff closely monitor the progress of the developer, Mr. Brooke, to make certain the homeowners concerns are addressed.*
- Received a copy of a letter from an individual experiencing problems with MDIA regarding inspections on his home. The MDIA contract is coming up for renewal on March 1, 2002. *It is recommended that staff look into the renewal of the contract – make certain renewal is not automatic in light of these problems - and report to the Board how that contract affects this individual and whether the contract is or is not worthy of renewal and why.* Commissioner Anderson agreed. Commissioner President Randall asked Elaine Kramer if there was a process in place to measure performance on all the County's contracts. Ms. Kramer explained that there are two aspects to the process: (1) Procurement and, (2) Permits & Inspections. Finance relies heavily on Permits and Inspections to monitor contractor performance but will investigate this issue.

Commissioner President Randall

- Thanks to the Chamber of Commerce for their first annual Valentine's Day Dance on February 15, 2002. Thanks to Gary Bell, Chamber President, and his colleagues for a wonderful event!
- Attended the Sheriff's department ribbon cutting ceremony for their auxiliary office in St. Mary's Square, Lexington Park. An ideal location for community policing. Another office is anticipated for the north end of the County as well.

Commissioner Mattingly

- Represented the Board at the Mechanicsville Optimists Club 20th anniversary celebration. It's the second oldest club in the County. There were 300+ attendees. Congratulations to Lydia Wood, President, and her colleagues for a wonderful event!
- Attended the hospital groundbreaking ceremony.
- There are bills currently in Annapolis of concern to nursing centers statewide. Thanks to Delegates Wood and Bohanan and Senator Dyson for taking their time to sit down with members of the nursing home board and the administrator. They will take our concerns back to Annapolis and help us with this legislation.

Commissioner Anderson

- Congratulations to St. Mary's Hospital staff and the Sheriff's department for moving the community forward. Keep up the good work!

Commissioner Guazzo

- Attended the Chamber of Commerce Sweetheart Ball with Commissioner Randall and spouses. Thanks for a great time!
- Apologized for not attending the Mechanicsville Optimist's 20th anniversary celebration. Thanks for Commissioner Mattingly for representing the Board there!

**CAPITAL IMPROVEMENTS PROGRAM (CIP)
BUDGET DISCUSSION**

Present: Elaine Kramer, Director of Finance
CIP Focus Group: Brad Clements, Phil Rollins, George Erichsen,
Richard Rohrbach

The following issues will be addressed in the CIP meetings:

- **Key Assumptions regarding Debt Affordability**
 - Debt as a percent of assessed value – a 5% increase
 - Debt service as percent of budget - bond sales positive
 - Availability and use of the CIP reserve
- **Other Considerations**
 - No change to tax rates/impact fees
 - Reprioritizing, a key to balancing – take a close look at this
 - Equipment and furniture – for major renovations (courthouse and annex costs may be removed from operating budget and put into the capital project budget, thereby maximizing cost efficiencies by bulk-purchasing)
 - Eliminating duplications between the operating budgets for equipment/repairs/maintenance and the CIP projects
- **FY2002 – budget and 5 year plan**
 - Baseline – an adopted long-term plan based upon consideration of debt affordability
 - Focus – requested changes/revision to the plan require justification/review

- **Process to Date**

- Use a focus group with a series of meetings/staff work sessions that started in September and will continue through February

County Office Space Needs - Richard Rohrbach

- ✓ Discussed Phase 1 funding to provide a new water line for Governmental Center, relocating the Red Cross, Courts and Attorney's offices and renovate Annex for Sheriff, etc.
- ✓ Discussed Phase 2 including the renovation of the lower level and adding a new meeting room and support space in the Governmental Center. All finance functions will remain on the same floor. There will be approximately 2500 square feet added to each floor.

Commissioner Raley stated the meeting room renovations should be the #1 priority! It's extremely important to have space for public meetings.

- ✓ Discussed Phase 3 including renovating archives, election board, etc. and moving IT.
- ✓ Discussed Phase 4 including demolishing building 4 and possibly making a parking lot, move tenants into Lexington Park Library and renovating Leonardtown Library.

Commissioner President Randall recommended this property be used for an additional future building site vs a parking lot.

- ✓ Discussed Phase 5 including creating a meeting room in the County Office Annex.
- ✓ Discussed Phase 6 expanding Building Services Maintenance shops, etc.
- ✓ Discussed Phase 7 expansion for Health Department needs.

Commissioner Mattingly stated he thought it would be to the County's advantage to bid out the projects for renovations or building instead of using only one architect. The 5% construction management fee is a concern. Would it be advisable to hire a construction management person – in either a contractual or merit position - who would manage County projects? Please investigate both issues and report back to the Board.

Commissioner Mattingly moved, seconded by Commissioner Raley to accept and adopt the revised proposed space plan – with the recommendations noted . Motion carried.

Concerns to be addressed included the parking issue (whether the Building No. 4 space should be used for additional parking or for a building site); the addition to the Governmental Center building for a meeting room (location will determine whether it would be one-story or more levels); and construction management.

CAPITAL PROJECTS HIGHLIGHTS

Public Facilities – Richard Rohrbach

Capital Projects Issues	Status/Board Recommendation
Demolition of Lex Pk Family Center	- Use as Fire Dept drill before destruct - Check into that building being an old African-American USO in the 2 nd World War; document and process
Courthouse humidity issue	Pending legal action
Naval Air Museum	Pending legislative action
Building & Maintenance - why added funding?	Anticipated routine maintenance only
Detention Center	Contingent upon grant funding
Shooting Range	MOU pending with Navy Base It was recommended that an investigation into the status of the MOU be conducted with the Naval Ops and Sheriff's office.

Land Conservation/Marine/Highways/Solid Waste – George Erichsen

Capital Project Issues	Status/Board Recommendations
Murray Road Revetment	Project done September 2002
Patuxent Beach Road Revetment	Obtained federal funding
Church Cove Taxing District	Moved back to 04
Thomas Road Revetment	Moved up to 03; 100% county funded
Rodo Beach Taxing District	Moved out to 04; appeal process is in progress
Hurry Road	Get permits straightened out before beginning
Convenience Center Site Assessments	1. Remediation, 2. Re-request St. Andrew's wall expansion 3. Thousands of tires found at Oakville
St. Andrew's Landfill Area C/Future Expansions/Closures	1. Finalize plan area C 2. Maintain permit 3. Get area C ready to bid
Lexington Park/Tulagi Place	High expense was due to acquisition of property

Recreation & Facilities Development/Parks Acquisition & Development/Public Land Acquisition & Development – Phil Rollins

Capital Project Issues	Status/Board Recommendation
St. Clements Island Museum	Defer to 04; moving funds 03 to 04 and projecting increased expenditure
Piney Point Lighthouse Museum & Park	Defer to 04; increased expenditure
Mgt. Brent Community Space	Defer to 04; 30% funded by County
Nicolet Park Expansion	Increased expenditures; evaluated for level of development via Master plan
Elms Beach Park Expansion	Park is leased from State; Increased costs anticipated
Cecil Park Improvements	Will request the Board increase funding in 06
Chaptico/2nd District/Myrtle Point/Colton's Point Parks	Increased costs on all parks
7 th District Park Improvements	Increased costs; BMX raceway 07 if master plan supports it Commissioner Guazzo recommended the monies be removed for the BMX raceway and used for an indoor sports facility. An indoor facility is needed in the north end of the county and soccer fields have been promised for years. Also recommend one project be finished before moving onto a new one.
Abell's Wharf/Wicomico Shores Public Landing/Fox Harbor Landing	Increased costs on all facilities. Abell's is a priority and requires land acquisition. Mr. Rollins recommended State funds be encumbered now to get monies from Open Space. <i>The Board requested that Mr. Rollins bring a completed application for their approval at his earliest opportunity.</i>

Commissioner President Randall recommended Finance bring to the next work session one piece of paper with line item costs and who is funding them (state, county, federal) and from there, determine how to proceed and what the bottom line will be.

Commissioner Anderson requested the Board consider the Drayden School House. A parking area is needed and the property owners across the road will work with the County on this issue. However, funds are needed now to finish by fall. There are unexpended monies in site improvements at St. Clements Island left over from FY 02. Mr. Rollins estimates the cost to be \$43,000 for the parking. *Mr. Rollins will bring a cost estimate to the Board for consideration.*

Commissioner's Anderson and Randall both declared that indoor recreation should be an important issue and request the Parks & Recreation Board – through Mr. Rollins - look at this issue for future planning.

Public Schools – Brad Clements

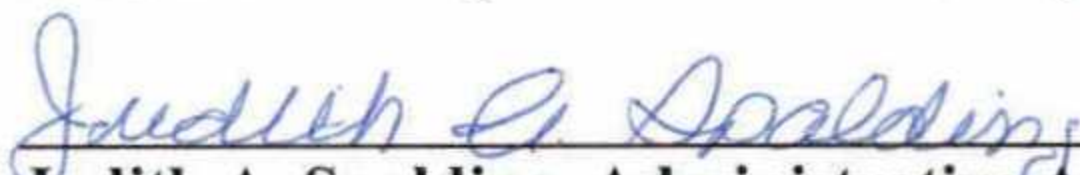
Reviewed the list of School Projects (including Leonardtown High School stadium lighting; Lexington Park Elementary School gym; Banneker School; and Margaret Brent.

After review Commissioner Randall suggested that Mr. Clements look at the FY 05 projects and see if any can be deferred until FY 06.

ADJOURNMENT

The meeting adjourned at

**Minutes Approved by the
Board of County Commissioners on 3/5/02**


**Judith A. Spalding, Administrative Assistant
to the Board of County Commissioners**