

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Governmental Center  
Tuesday, March 5, 2002**

**Present:** Commissioner Vice President Daniel H. Raley, Chair pro-tem  
Commissioner Joseph F. Anderson  
Commissioner Shelby P. Guazzo  
Commissioner Thomas A. Mattingly, Sr.  
Alfred A. Lacer, County Administrator  
Judith A. Spalding, Administrative Assistant to BOCC (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 Mattingly, to accept the agenda as amended (to add a Proclamation for Colon Cancer Awareness; and to add an executive session on Personnel (Boards and Committees). Motion carried.**

**APPROVAL OF CHECK REGISTER**

**Commissioner Mattingly moved, seconded by Commissioner Guazzo, to authorize Commissioner Vice President Raley to sign the Check Register (with the deferral of the payment of \$1,000 for TAM Training, until Commissioner Raley gets further information). Motion carried.**

**APPROVAL OF MINUTES**

**Commissioner Mattingly moved, seconded by Commissioner Guazzo, to approve the minutes of the Commissioners' meeting of Tuesday, February 19, 2002, as corrected on February 26, 2002. Motion carried.**

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve the minutes of the Commissioners' meeting of Tuesday, February 26, 2002, as corrected. Motion carried.**

**PROCLAMATIONS**

The Commissioners presented the following Proclamations:

- Designating the Month of March as American Red Cross Month  
*(During the presentation, members of the St. Mary's County Chapter of the American Red Cross presented the each of the County Commissioners and Paul Wible, Director, Emergency Management Agency, with Commendations in recognition of their support of the Red Cross.)*
- Designating the Month of March as Colon Cancer Awareness Month



## COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas – March 12 and 19, 2002 (and March 26)

*(During discussion of the draft agendas, the Commissioners agreed to end the March 19 meeting and the March 26 meeting at 3 p.m. in order to allow the Commissioners to attend a reception for the Governor in Annapolis sponsored by The Sotterley Foundation and a reception in Baltimore for Maryland's Top 100 Women, which Commissioner Randall is one, respectively. The agendas will be adjusted accordingly. The Public Forum will be rescheduled to March 19 and the Road Name Changes Public Hearing will be rescheduled in April.)*

2. St. Mary's Public Schools  
Acceptance of Grant Award in the BOE FY 2002 Budget
  - a. (Project SERV in the amount of \$42,000 from MSDE)

Present: Kathleen Lyon, Supervisor, Student Services

**Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and sign the letter to the Board of Education approving inclusion of the grant in the FY 02 Budget.**

- b. 2000 Team Nutrition Grant in the amount of \$2,000 from USDA/MSDE

**Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and sign the letter to BOE approving inclusion of the grant in the FY 02 Budget. Motion carried.**

3. Department of Public Works documents
  - a) Public Works Agreement for Southwoods PUD Subdivision, Phase 3, located in the 8<sup>th</sup> Election District, with a completion date of April 1, 2004. A bond has been provided by the Developers Surety and Indemnity Company in the amount of \$163,500.
  - b) Public Works Agreement Addendum for Pepper Ridge, Phase 1, located in the Wildewood Subdivision, 8<sup>th</sup> Election District, extending the completion date to February 1, 2003. The letter of credit provided by the Mercantile Safe Deposit & Trust Company in the amount of \$47,000 remains as posted.
  - c) Public Works Agreement Addendum for Westbury PUD Subdivision, Section 1, located in the 8<sup>th</sup> Election District, extending the completion date to March 1, 2003. The bond provided by the Gulf Insurance Company in the amount of \$176,000 remains as posted.
  - d) Public Works Agreement Addendum for Cedar Cove Subdivision, Section 4, located in the 8<sup>th</sup> Election District, extending the completion date to March 1, 2003. The letter of credit provided by the Maryland Bank & Trust Company in the amount of \$51,000 remains as posted.

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Raley to sign the Public Works documents as presented. Motion carried.**

4. County Administrator's Memorandum of February 26, 2002  
Housing Recommendations

Mr. Lacer reviewed his February 26, 2002 memorandum regarding the timing and process relative to housing recommendations. He pointed out that the memo sets forth the five points in consideration and a proposal for the timeline and process of these issues:



Livability Code: For staff to submit specific Ordinance language modification for consideration by the Board in early April; take to public hearing for adoption with a target date of July 1 for implementation.

Housing Authority: Priority should be given to fill existing vacancies, which is partially dependent on whether legislation on increasing membership from five to seven is enacted. When this is completed, the Housing Authority can begin the process to change its name, to execute a current joint powers agreement with the Commissioners, and to define the Authority's long-term relationship with county government, including organizational structure.

New Housing Department and Director of Housing: Staff is developing cost estimates for a new department to be considered by the Board in conjunction with other budgetary priorities, resulting in a decision by spring. This will also give an opportunity to consider various organizational and staffing options.

Needs Assessment: DECD is preparing a project outline for a needs assessment, which will give elements of the assessment and a timeline, along with budgetary implications. This will be presented to the Board in March.

Mandatory Inclusionary Zoning: Consideration of the inclusionary zoning should be done in context with zoning adoption process. Current Board direction has been for voluntary inclusionary zoning.

Lexington Manor Relocation Plan: County Attorney is coordinating completion of the Citizen Participation Plan and Relocation Assistance Plan, which will be submitted to the Commissioners in the spring for adoption. Development of relocation plans for Lexington Manor in conjunction with other agencies is being done by DECD and housing staff. *Mr. Lacer will assign senior staff to oversee and coordinate this project.*

**After discussion Commissioner Guazzo moved, seconded by Commissioner Mattingly, to accept the recommended process and timeline as contained in Mr. Lacer's February 26 memorandum, and to direct staff to proceed under those guidelines. Motion carried.**

5. St. Mary's County Housing Authority Proposed Legislation

Mr. Lacer advised that Delegate Wood forwarded to him draft of the proposed legislation to increase membership of the Housing Authority from five to seven members. Delegate Wood had inquired whether the Commissioners had any comments on the bill, and if it is acceptable, Mr. Lacer indicated that he would advise him to go forward with the legislation.

The Commissioners gave direction to inform Delegate Wood to go forward with the bill.

*(Raaren Burke took following portion.)*

**COUNTY COMMISSIONERS' TIME**

**Commissioner Mattingly**

- Represented the Board at the nursing home trustee's meeting. Modifications to the by-laws will be placed on the BOCC agenda soon.
- Attended a retirement luncheon for Jay McGrath from the Public Park Facilities Management with 28 years of county service. Jay was a model county employee. Congratulations to Jay for his service to the county and we wish him well in his retirement!
- Attended the Southern Maryland Reception in Annapolis with many local citizens. It was a good evening of networking with state officials and constituents and business people from Southern Maryland.



**Commissioner Anderson**

- On March 2, 2002 attended the Farm Bureau Annual Dinner with all the Commissioners. It was an opportunity to thank the men and women who put food on our tables.
- On February 28, 2002, attended the local Management Board meeting. The Management Board has sponsored a youth study group from every election district in the county. Information/recommendations from these groups will be consolidated into a report and presented to the BOCC. Thanks for taking the initiative and thanks to the youth and adults who have assisted in this endeavor!

*Would like to see the Board invite representatives from the group to present their recommendations personally before the Board, and would like to see a "youth summit" be organized in the next few months to focus on the needs of our young people in the community.*

**Commissioner Guazzo**

- Represented the Board, along with Commissioner Mattingly and Director of DECD, John Savich, at the annual reception sponsored by the Chamber of Commerce. Thanks to the Chamber for a very nice reception.
- The museums at St. Clements and Piney Point had their every ten-year accreditation this past week. Along with Phil Rollins, Director of Recreation and Parks, met with the people who wanted to know how much the governing body would support the museum. We assured them these museums were at the top of our list due to their historic importance, how they encompass our county's natural and historic resources. We should know in July of the outcome.
- The Guazzos' have been members of the Farm Bureau for many years and encourage everyone on the Board to become members. Ate Southern Maryland stuffed ham in Ridge and a good time was had by all. The new Farm Queen, Miss Watson, granddaughter of Louie Lyon, was elected. Congratulations Miss Watson!

**Commissioner Raley**

- The Farm Banquet was excellent!
- After having had the public meetings on the zoning ordinance, would like to thank our staff for organizing the meetings and thanks to all the citizens who made their thoughts known. This document is very important to everybody.
- Attended the Agriculture Commission meeting on March 4, 2002. The infrastructure committee presented proposals regarding viability grants. Any farmer within the five counties, who were interested in submitting a grant proposal to work with the College of Southern Maryland to develop marketing plans for their farms, would benefit with a \$20,000-30,000 grant. Only four applications were received but three were from St. Mary's County! All four applicants were approved. Commissioner Mattingly and I asked for the full Commission to have staff look into the budget and find money to make a one-time award to the 4H clubs in all five counties. The Commission agreed to do that.
- Congratulations to the basketball team at Choptican High School. It's ranked 6<sup>th</sup> in the top 20. They are 24-0 and are going to the Maryland AAA tournament.
- Happy Birthday to Commissioner Anderson!!



**EXECUTIVE SESSIONS**

**Commissioner Anderson moved, seconded by Commissioner Guazzo, to meet in Executive Session to discuss matters of Litigation and Personnel, as provided for in Article 24, Section 4-210(a)8 and 4-210(a)1, respectively. Motion carried.**

**Litigation**

**Present:** Commissioner Vice President Daniel H. Raley, Chair pro-tem  
 Commissioner Joseph F. Anderson  
 Commissioner Shelby P. Guazzo  
 Commissioner Thomas A. Mattingly, Sr.  
 Alfred A. Lacer, County Administrator  
 John Norris, Acting County Attorney  
 Jon Grimm, Director, DPZ (left at 12:10 p.m.)  
 Robin Finnacom, Director, Lexington Park Master Plan “  
 Kurt Fischer, Attorney “  
 Judith A. Spalding, Recorder

**Authority:** Article 24, Section 4-210(a)8

**Time Held:** 11:20 a.m. – 12:59 p.m.

**Action Taken:** Staff reviewed two settlement issues with the Board, and the Commissioners gave direction on how to proceed.

**Personnel**

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

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

**Time Held:** 12:50 p.m. 12:55 p.m.

**Action Taken:** The Commissioners discussed appointments to Boards and Committees and gave direction to staff.

**INFORMATION TECHNOLOGY DEPARTMENT OVERVIEW**

**Present:** Bob Kelly, Director of Information Technology

For informational purposes, Mr. Kelley presented an overview of the accomplishments and future plans of the IT department to the Board. Some of the areas discussed included:

- Network and Connectivity
- Completed GroupWise mail system county-wide on 600+ desktop and work stations
- Ongoing training provided; improving reporting process ongoing
- A dozen remote locations off-site connected via frame relay
- High speed connectivity being pursued
- Cable negotiations ongoing
- Working with Sheriff's department with required profile reporting to the federal government
- Working with other agencies to pursue cost savings on connectivity issues
- Web Pages
- Currently have a part-time webmaster monitoring 2600 pages on site and updates them daily
- Hope to obtain software that helps in distributing information by each department posting their own updates. The process now is manual and labor intensive. The cost of the software will be a line item in the 03 budget.



Commissioner Guazzo recommended that IT make a cost analysis of obtaining a full-time Webmaster vs burdening already busy department staff with updating the website.

Commissioner Anderson recommended control over the quality of the material being put on the website be monitored by the Public Information Office or another authority.

- GIS (Graphic Information System) now in its infancy
- There is a supervisor now on staff
- Centerline/Property/Orthos files are of primary importance
- Sharing of GIS data with other organizations imperative
- Accurate information is the number one goal
- In-House Training is ongoing with a "training the trainer" approach. In 03 the goals are core files update, finance, permits and inspections, web training, GIS, and conversions.
- HTE making progress in defining the requirements for Recreation and Park, Human Resources, Detention Center, Permits and Inspections and Community Services. Planning and Zoning modules will be available to the public sometime in the future

Responses to questions raised by the Commissioners included:

- Cell Phones: IT does the cost allocation to the departments for cell phones. However, IT does not determine the validity of the charges nor authorize purchase of cell phones. That is at the department level. Using one vendor is not feasible because of the multiple cell phone requirements. One size does not fit all.
- Palm Pilots: Department heads need to define who needs them and IT can define a standard for purchasing them.

Commissioner Raley stated the 911 communications project is a high priority to this Board and recommended IT support Mr. Cooper and Sheriff Voorhaar in this effort.

#### **NOTES ON SUBDIVISION ORDINANCE DISCUSSION**

All Commissioners were present except Commissioner Randall. DPZ staff present were Jon Grimm, Director, and Peggy Childs, Recording Secretary. Also present were John B. Norris, III, Acting County Attorney; Bruce Young, District Manager, Soil Conservation District; George Erichsen, Director, Department of Public Works and Transportation; and Robin Guyther, Department of Permits & Inspections.

#### **Subdivision Ordinance**

Provided under Mr. Grimm's memorandum of February 28, 2002 were changes reflecting the Commissioners changes of February 19, 2002. The following decisions resulted from today's discussion:

- Page 30-2, Lines 3-6 of 2/19 document – This language ***remains***, answering the commissioners' questions regarding allowing construction of roads and overlot grading before final subdivision approval is obtained. Except, in Line 6, change "Code" to "Ordinance." The language will read: "***Permits and Certificate of Occupancy***. No permits for grading, or for construction of buildings, roads, or stormwater management, and no Certificate of Occupancy shall be issued for any development within a subdivision until the final plat has been recorded and fees and bonds required by this Ordinance are paid."
- Page 30-5, Lines 14-19 of 2/19 document - Delete all language regarding a one year extension for Preliminary Plan approval. Section 4.b. will now read: "b. Approval of the Preliminary Plan shall be valid for a period not to exceed 2 years. Unless the final plat is submitted within the required time period, the Preliminary Plan approval shall be void."



- Page 30-21, Lines 22-23 of Jon Grimm's 2/28 memo - Add requirement for sewer as well as water. Language to read: "e.. No new subdivision may be approved in the Downtown Mixed Use District (DMX) unless the lots will be served by a community water and sewerage system."
- Page 30-14, Lines 22-26 of Jon Grimm's 2/28 memo - Leave as is.

Mr. Anderson asked whether our copy editor is reviewing this document to go to public hearing? Mr. Grimm replied that he could contact her about adding on to the contract but staff had carried forward the same construction in this document as in the Zoning Ordinance and he is comfortable with taking this document to public hearing. The Commissioners concurred.

Commissioner Raley asked whether this document includes the following changes: 1) mandatory clustering for major subdivisions on 50% of the parcel; 2) that there will be no allowance for sewage dedication in sensitive areas; and 3) have we made sure we have the same requirements for developers as we do for individual landowners regarding overlot grading at the development stage? Mr. Grimm replied that these three provisions are included in this document.

**Commissioner Guazzo moved to take the Subdivision Ordinance document, incorporating the items of Mr. Grimm's 2/28/02 memorandum and the changes made by the commissioners today, to public hearing, at a time when the other two ordinances (Road Ordinance and Erosion and Sediment Control) are ready. Seconded by Mr. Anderson and passed by 4-0.**

#### **PROPOSED CIP FY03 BUDGET WORK SESSION**

Present: Board of County Commissioners  
(Commissioner President Randall not present)  
Elaine Kramer, Director of Finance  
Jeannett Cudmore, Deputy Director Finance  
Al Lacer, County Administrator  
Phil Rollins, Director, Recreation and Parks  
George Erichsen, Director DPW&T  
Brad Clements, Chief Administrative Officer, St. Mary's Public Schools  
Judy Spalding, Assistant to BOCC  
Kaaren Burke, Recording Secretary

Elaine Kramer opened the session stating it was worth noting, when Finance went to the rating agencies last year, with the 2002 plan, that plan had us exceeding the debt service percentage. The combination of lowering the assumed growth in the operating budget and the multiple changes in the CIP shouldn't have been a surprise that we would be in excess of the 10% service level as seen last week. When you change the operating assumptions from 6% to 4% growth it will result in 1 to 3 years in excess of 10%.

Requests from the budget work session of February 25, 2002 were reviewed line item by line item.

- *Commissioner Anderson recommended that the improvements at Historic St. Mary's City could coincide with the Mattapan Road (page 3 item 25) project. George Erichsen will look into their schedule and report back to the Board.*
- *Commissioner Raley referred to big ticket items Nicolette Park, Chaptico Park and Elms Beach. Cannot afford all three in the timeframe indicated. Recommended something be deferred. The Commissioners reached a consensus to move out the Elms Beach project.*

To get the debt capacity calculations below 10% is addressed on the revised form dated 3-5-2002. Referencing page 3 of that handout, the following projects not originally in FY02 approved plan were discussed as follows:

- ✓ Fire & Rescue, Tourist Center, ECC Barriers, Chaptico Park phasing



Other project deferrals:

- ✓ Mechanicsville Road, PS ADA transition, Facilities Maintenance, Airport, Landfill, Carver Elementary
  - *Three of the four Commissioners agreed to keep the debt capacity calculation below 10%.*
  - *Tentative direction was given to Finance to move out the Nicolette Indoor Recreation Center and Elms Beach projects; and to keep the ECC Barriers and the landfill in.*

On Thursday, March 7, 2002, another work session will allow further examination of the debt capacity calculations.

**ADJOURNMENT**

The meeting adjourned at 6:00 p.m.

**Minutes Approved by the  
Board of County Commissioners on 3/12/02**

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