

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
Tuesday May 7, 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
Kaaren Burke, Senior Administrative Coordinator (Recorder)

CALL TO ORDER

The meeting was called to order at 10:08 a.m.

ADDITIONS/DELETIONS TO AGENDA

Commissioner Raley moved, seconded by Commissioner Anderson, 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 Raley moved, seconded by Commissioner Mattingly, to approve the minutes of the Commissioners' meeting of Tuesday April 30, 2002, as corrected. Motion carried.

COMMENDATION

CHOPTICON HIGH SCHOOL BASKETBALL TEAM

The Commissioners presented a Commendation to the Head Coach, Mr. Richard O'Donnell, and the 2001-2002 boys' varsity basketball team for outstanding and praiseworthy accomplishments in becoming the MPSAA Triple A South Regional Champions. The team was highly commended on their sportsmanship and for bringing positive credit to St. Mary's County.

PROCLAMATIONS

The Commissioners presented proclamations for National Nurses Week, National Nursing Assistants Week, and National Nursing Home Week to the staff of St. Mary's Nursing Center. The Nursing Center was recently declared "deficiency free." Special recognition was given Ms. Henrietta Long, a resident who is 103 years old and still healthy.

CHAMBER OF COMMERCE – TRADE FAIR 2002

Present: Bill Scarafia, Executive Director, Chamber of Commerce
Gary Bell, President, Board of Directors, Chamber of Commerce
George A. Hayden, Member

The Trade Fair 2002 will take place May 18-19, 2002, 9:00 a.m. to 4:00 p.m. at the County Fairgrounds. Some of the activities will include: the Washington Red Skins cheerleaders will be there to sign autographs and you may also purchase merchandise, there will be a child car safety seat program, a silent auction, horse show, 4-H displays, a blood drive, children activities, many vendors will be selling wares, and much more. The Trade Fair this year is not only a business showcase but a community event.

Mr. Scarafia's contributions to the Chamber and the Agriculture Committee have been greatly appreciated and a special thanks was extended to him.

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator
Elaine Kramer, Director of Finance

1. Draft Agendas – May 14 and 21, 2002

- *Add an executive session for personnel issues to the May 21, 2002 agenda to be held after the budget work session.*
- *Recommend public hearings be held on May 28, on the relocation/participation plans for affordable housing.*
- *Wrap up the budget on May 21, 2002.*

2. Department of Public Works (*George Erichsen*)

- a) Public Works Agreement for the Kingston Subdivision, Phase 3, 3rd Election District, with a completion date of March 1, 2004. A letter of credit has been provided by Maryland Bank & Trust Company in the amount of \$161,200.
- b) Public Works Agreement Addendum for the Patuxent Corporate Center, 8th Election District, extending the completion date to April 1, 2002. The letter of credit provided by Maryland Bank & Trust Company in the amount of \$68,400 remains as posted.
- c) Public Works Agreement Addendum for the Meadow Lake Subdivision, 8th Election District, extending the completion date to April 1, 2002. The letter of credit provided by Maryland Bank & Trust Company in the amount of \$145,800 has been reduced to \$34,200.
- d) Public Works Agreement Addendum for the Greenbrier Subdivision, Section 2, 8th Election District, extending the completion date to April 1, 2002. The letter of credit provided by The First National Bank of St. Mary's in the amount of \$152,000 remains as posted.

Commissioner Raley moved, and Commissioner Mattingly seconded the motion to approve and sign the DPW items a through d. Motion carried.

3. Boards and Committees
Letters of Appointment

Commissioner Mattingly moved, and Commissioner Anderson seconded the motion to approve and sign a letter of appointment for Leo E. Carroll to the Agriculture, Seafood and Forestry Commission. Motion carried.

4. Director of Finance (*Elaine Kramer*)
Resolution Reallocating Bond Proceeds of the 1999 Bond Issue

Commissioner Anderson moved, and Commissioner Raley seconded the motion to sign the Resolution reallocating bond proceeds from the 1999 Bond Issue. Motion carried.

5. Budget Amendments (*Elaine Kramer*)

- a. Department of Public Works (*George Erichsen*)
(reverse excess budgeted Water Quality Loan not expended - \$337,482)

Commissioner Raley moved, and Commissioner Mattingly seconded to approve and authorize Commissioner Randall to sign the budget amendment. By doing so, it will relieve the budget and the actual amount expended and move forward with closing the water quality loan and begin debt service payments. Motion carried.

- b. DECD (*John Savich*)
(Additional funds received for rollover of SM Travel and Tourism Committee - \$24,090)

Commissioner Raley moved, and Commissioner Anderson seconded to approve and authorize Commissioner Randal to sign the budget amendment. No change in net activity. Motion carried.

- c. State's Attorneys Office (*Pamela F. Soffos*)
(Cooperative Reimbursement Child Support Incentive Funds not anticipated (\$7,350))

Commissioner Anderson moved, and Commissioner Raley seconded the motion to approve and authorize Commissioner Randall to sign the amendment which will transfer unused appropriation for grants and allocate it back to the department to match the increase in federal revenue. Motion carried.

- d. Facilities Management (*Richard Rohrbaugh*)
For Lexington Park Library furniture this fiscal year (\$810,000)

Richard Rohrbaugh stated that the Library Board will order equipment under their process and Facilities Management will order the furniture and equipment under their own process. Funds will be easier to account for and equipment needs are fulfilled.

Commissioner Mattingly moved, and Commissioner Raley seconded the motion to approve and authorize Commissioner Randall to sign the budget amendment moving 02 unexpended funds for the Navy Museum to the Library account for 03. Motion carried.

- e. Emergency Communications (*Phil Cooper*)
To provide sufficient funding to cover salaries and fringe benefits for balance 02 (\$42,500)

Mr. Cooper explained that temporary part-time individuals are used to fill in for sick or vacationing employees, and those in training. There will be a continuing need for temporary part-time staff. Also there are vacancies in the permanent ranks.

Commissioner Mattingly moved, and Commissioner Anderson seconded the motion to approve and authorize Commissioner Randall to sign the budget amendment to fund salaries as requested. Motion carried.

6. Department of Recreation and Parks (*Phil Rollins*)
Residential Lease Agreement for Wicomico Shores Public Landing

Commissioner Mattingly moved, and Commissioner Anderson seconded the motion to approve and authorize Commissioner Randall to sign the lease agreement. Motion carried.

7. Grant Documents

- a. Recreation and Parks (*Phil Rollins*)
Teen Center Summer Program – Twilight Camp Super Summer Program
(State: \$51,565.85)

Commissioner Anderson moved, and Commissioner Mattingly seconded the motion to approve and authorize Commissioner Randall to sign the inter-governmental agreement document. Motion carried.

- b. Emergency Management Agency (Grant Agreement and Budget Amendment)
(*Paul Wible*)
State Domestic Preparedness Equipment Program (State - \$67,169.64)

The Sheriff confiscated a trailer in a drug raid and has donated it to the EMA and the fire rescue services. It was a savings of \$20,000+ to the County.

Commissioner Mattingly moved, and Commissioner Guazzo seconded the motion to approve and authorize Commissioner Randall to sign the EMA grant and budget amendment. Motion carried.

- c. Office of Community Services (*Cynthia Brown; Joe Donick*)
Grant Modification and Budget Amendment for Highway Safety Program
(Federal - \$5,900)

Commissioner Anderson moved and Commissioner Mattingly seconded the motion to approve and authorize Commissioner Randall to sign the grant modification and budget amendment for this program. Motion carried.

8. Lexington Park Plan (*Robin Finnacom*)

a. Resolution and Grant Application - Lexington Park Enterprise Zone Feasibility Study

The state will fund \$58,000, however matching funds of \$25,000 will be required as a match from the County should the grant be awarded. The \$25,000 has not been identified in 02. Ms. Finnacom informed the Board that the grant application has internal approval at the state level.

Commissioner Guazzo moved, and Commissioner Mattingly seconded the motion to table this request for grant application approval for two weeks (or after the budget process is completed). Commissioners Randall and Anderson voted against. Motion carried three to two.

b. Streetscape/Lexington Park Property Improvement Program (3 Grant Agreements)
(John Lore - \$5,730.21; Steven Alan Decker - \$4,992; Michael Homa - \$5,000)

Commissioner Mattingly moved and Commissioner Anderson seconded the motion to approve and authorize Commissioner Randall to sign the grant agreements. Motion carried.

ETHICS COMMISSION – ANNUAL REPORT

Present: Dr. Martha Neal, Chair
David Deaderick, Member

Items covered in this power point presentation included the following:

- What constitutes a conflict of interest
- What a Financial Disclosure Statement is and who must complete one
- How the Ethics Commission operates overall

NATIONAL TOURISM WEEK PRESENTATION

Present: John Savich, Director DECD
Carolyn Laray, Tourism Manager, DECD
Martin Sullivan, HSTM; Henry Bonner, Naval Air Museum; Michael Whitson, Sotterley; Kim Cullins Marketing Specialist Museum Division; Marlene Bell, SMC Historical Society; Gary Nelson, TTW Group; A. and J. Richards, SMC Fair; John Walters, Chamber of Commerce Travel & Tourism Committee; George L'Heureux, Chairman Blessing of the Fleet; Donna Bounes, Proprietor Longpoint Cottage; Cindy Salvo, Pt. Lookout Marina; Keith Frere, Superintendent Pt. Lookout; Royce Miller/Bryan Starnier, Maryland International Raceway; and Nancy Dick, Proprietor St. Michael's Manor, representatives from Cecil's Old Mill.

Facts about Tourism in Maryland

- 18 million people visited Maryland in 2000.
- \$50.5 million is spent by travelers to St. Mary's County
- \$18.09 million in payroll is generated by local tourism
- \$3 million in local tax receipts and \$2.35 million in state tax receipts are due to tourism
- \$905 more in taxes would be paid by each U.S. household without tax revenue generated by tourism.
- Tourism is vital to the economic well-being of St. Mary's County
- Exciting new developments are being planned or are currently underway

National Tourism Week is from May 4-12, 2002.

ROAD NAME CHANGE S

Present: Jeffrey Jackman, DPZ

- Happyland Road
Commissioner Anderson moved and Commissioner Mattingly seconded the motion to retain the name of Happyland Road. Motion carried.
- Peaches Hide Away
The Menards' submitted materials to be considered, however, Legal determined they did not have property on the road. The latest recorded plat stipulates seven properties on the road. Commissioner President Randall asked if an agreement had been worked between the property owners and Mr. Jackman responded nothing conclusive had been determined.
Commissioner Mattingly moved and Commissioner Guazzo seconded the motion to retain the name of Peaches Hide Away. Motion carried.
- Timothy Thompson Lane
Commissioner Guazzo moved and Commissioner Anderson seconded the motion to change the name to Evans-Buckler Lane. Motion carried.
- Mattapani Boulevard
Commissioner Raley moved and Commissioner Guazzo seconded the motion to change the name to Carver School Boulevard. Motion carried.

ZONING ORDINANCE; SUBDIVISION REGULATIONS; ROAD ORDINANCE; STORMWATER MANAGEMENT/SEDIMENTATION CONTROL/GRADING ORDINANCE (DISCUSSION AND ADOPTION)

Present: Jon Grimm, Director DPZ
John Groeger, DPW&T
John Norris, County Attorney

Zoning Ordinance

Commissioner Guazzo moved and Commissioner Mattingly seconded that the Comprehensive Zoning Ordinance adopted August 1, 1990, Ordinance 90-11, as amended, and the official zoning maps incorporated therein by reference be appealed, and except Section 38-2 of the Zoning Regulations, Ordinance 90-11, to remain in effect and shall control over contradictory provisions in the Zoning Ordinance until repealed by the Commissioners upon a finding by the Chesapeake Bay Critical Area Commission that the amended Critical Area Program complies with the requirements of law and regulation. to become effective May 13, 2002. Motion carried three to two, with Commissioners Anderson and Randall voting against.

Discussion: Commissioner Anderson stated he would not vote in favor because the Ordinance does not adequately address sprawl or the environment, and a mandatory inclusionary zoning should have been added to the Ordinance. We need to assure there is no damage to our water quality and natural habitat.

Commissioner President Randall will not vote for this Ordinance due to the RPD density. Other than the density issue, a lot of hard work went into this document and with the public's participation the final result is a better document. The Ordinance does go a long way towards proper land use management in the County. Motion passed.

Commissioner Guazzo stated that ten years of work went into this document and although the density issue is understood, the other portions of the Ordinance far exceed the previous one.

Commissioner Raley stated that whether you like the final product or not the fact of the matter is, when they took office, these documents were on the table. It's been a time-consuming process to get through. Closure is necessary at this time. These are "living documents" that change as the County changes. The Board has gotten through the process and everyone is ready to move on.

Subdivision Ordinance

Commissioner Anderson moved and Commissioner Guazzo seconded the motion to adopt the St. Mary's County Subdivision Ordinance with an effective date of May 13, 2002. Motion carried.

Road Ordinance

Commissioner Anderson moved and Commissioner Guazzo seconded the motion to adopt the St. Mary's County Road Ordinance and to authorize Commissioner Randall to sign the "plates" within the Manual of Design and Construction Standards. The effective date of the Ordinance will be May 13, 2002. Motion carried.

Of note, the last complete overhaul of the Road Ordinance took place in 1976!

Stormwater Management/Grading/Erosion/Sediment Control

Commissioner Anderson moved and Commissioner Guazzo seconded the motion to adopt the SWM/Grading/Erosion/Sediment Control Ordinance with an effective date of May 13, 2002. Motion carried.

Of note, the Sedimentation Controls Ordinance was last adopted in 1971!

COMMISSIONERS' TIME

Commissioner Raley

- Through the efforts of Donna Sasscer, DECD, and others, the California Farmer's Market will relocate to the parking lot of the old Loews' building on Saturdays only starting May 11 through October 26 at 9:00 a.m. to 1:00 p.m.
- Thanks to the Knights of Columbus for inviting him to their Charity Ball.

Commissioner Anderson

- The State school system had a Harvest for The Hungry – Kids Helping Kids drive. It was a 3-week service learning project that provided opportunities to our youth to learn about the issue of hunger. Leonardtown High School was number one in the State!
- In Leonardtown the 7th Annual Leonardtown Criterion Bike Race sponsored by the PAX Vela group was held. Some of the best bike riders in the region participated.

Commissioner Mattingly

- Attended an Oriole's game with several other County employees, representatives from the governor's office, stadium authority, Leonardtown, and the Tudor Hall housing project staff. It was a good time to socialize and get to know each other. The Tudor Hall staff indicated there would be a groundbreaking in the latter part of June 2002 which is excellent news for the County!

Commissioner President Randall

- Thanks to all the County departments: DPW&T, Recreation and Parks, PIO, Emergency Management, fire rescue squads, and of course the sheriff's office and the deputies that went to Charles County's aid following the tornado. Commissioner President Murray called to thank our County for all the assistance rendered. Jeannett Cudmore of Finance, delivered food to the victims collected by our own departments and agencies.

EXECUTIVE SESSION

Commissioner Anderson moved, seconded by Commissioner Raley to meet in Executive Session to discuss a matter of Personnel, as provided for in Article 24, 4-210(a)1, respectively. Motion carried.

Personnel

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

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

Time Held: 11:45 a.m. – 12:30 p.m.

Action Taken: The Commissioners discussed three personnel items and gave direction to staff.

BUDGET WORK SESSION – FY 2003

Present: Elaine Kramer, Director of Finance
Jeannett Cudmore, Deputy Director of Finance

Budget increases included in recommended budget:

- Employee merit/step increases (excludes BofE)
- COLA
- Debt service
- Capital Programs
- Health for employees (separate from retirees)
- Volunteer Fire & Rescue via MOU

◇ *Totaling about \$2.4 million in increases*

Proposed Project Changes:

- Lexington Park Library
- Navy Museum
- SCM – humidity project; Phases 2 and 3
- St. Andrew's Maintenance
- Tudor Hall Phase 2
- MEMA grant/Mansfield property
- Land conservation (ALPD/PDR programs)
- Recreation and Parks (POS \$, grants, Chaptico Park Phase 1)
- Carver Elementary moves up to open 1/06

The bottom line is to use what monies are there and see what the net impact will be on the County.

Overall Recommendations by the Board:

Regarding the MEMA grant-Mansfield property: *It was recommended the State be addressed on this issue. The additional costs were never intended to be borne by this County. Go back to the State for clarification before moving forward for Board approval.*

Rodo Beach: *It was recommended that Mr. Groeger, DPW&T, develop options and cost estimates for the Board to consider.*

CIP Budget: *Chaptico Park Phase 1 funded at \$300,000 in 04; MEMA additional monies to be zeroed out; add funds for building maintenance in 07 and 08; move Rodo Beach from 04 to 03; move up the bathrooms in Piney Point.*

Ms. Kramer will incorporate what was discussed today and return with it by the end of May. There is tentatively a Capital Budget.

Operating Budget

Human Resources – (Randy Shultz, Director)

- Health benefits were budgeted at a 10% increase for FY '03, but Blue Cross came in at 23-24% increase. Employees will ultimately pick up some of the additional costs or accept reduced benefit coverage if the County cannot fund the increase.
- Presently, the County is at 100% in network service and 80% out of network service.
 - If that coverage was 90/70, it would change the overall increase from \$23.7M to \$18.85M
 - Bottom line is \$450,000 is needed over and above the recommended budget. It may be possible to reduce that figure from alternative accumulations (similar to reserves) and reduce it further.

It was recommended Ms. Kramer develop a memo delineating how SMC competes in its benefits package in comparison with Charles and Calvert Counties. It's an important part of attracting and retaining good employees.

- In working with Mr. Phil Cooper, Director of Emergency Communications, on his budget request for additional staffing, *the following is recommended to the Board:*
 - Using the National Fire Protection Association standards and formulas, there should be a minimum staffing of
 - 24 FTE including 4 dispatchers; 1 supervisor or no less than 5 per shift; if below 5, must call in temporary staff – current staffing is 20 FTEs
 - hire 2 additional FTE; supplement by using temporary part time employees to cover balance
 - Add \$140,000 in the temporary part time account allowing almost 11,000 additional hours and could also result in an eligibility list to fill vacancies as they occur
- Working with the Sheriff's office to address the serious vacancy problem in the Department of Corrections. Charles County will provide a 7% salary increase in 7/1/02 and another 2% in 1/01/03. SMC starting salary is competitive but will fall back in 7/02. *Recommendations for the upcoming year will be:*
 - A double step be given on anniversary dates
 - Provide credit for officers who have experience in other jurisdictions
 - Provide credit for those who are certified
 - Start an employee referral bonus program of \$500 on hire and \$500 after one year of completed service
 - Approach recruiting using marketing techniques; look at younger people coming out of school

It was recommended a breakdown on the costs related to provide the two-step increase for correction officers and correction officers 1st class be prepared and brought back to the Board. Also, prepare a memo for the Board responding to Officer Merican's letter.

Regarding the Detention Center overtime issue, look at the request from Sheriff Voorhaar regarding \$66,000 in additional overtime. Let the Board know how filling the vacancies will reduce the amount of overtime. How much overtime has been paid over last year and this year?

Topics to Cover Before Next Budget Session

1. Senior property tax relief estimate using State criteria (*give Commissioner President Randall a copy of the State's program*)
 - a. Who qualifies?
 - b. How big is the pie?
 - c. What is needed from the Board?
2. The Board promised \$1500 to the Lexington Park Lions' Soapbox but they never acted upon it. Find the letter and review their request.
3. Health insurance
 - Get close to the budgeted 10% increase

Conclusion: The Board needs to develop their own list of priorities and email them to Elaine Kramer as soon as possible.

ADJOURNMENT

The meeting adjourned at 6:10 p.m.

**Minutes Approved by the
Board of County Commissioners on 5/28/02**

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