

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
Tuesday, May 28, 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)
Kaaren Burke, Senior Adm. Coordinator (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 Guazzo, to accept the agenda as presented. Motion carried.

APPROVAL OF CHECK REGISTER

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

APPROVAL OF MINUTES

Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve the minutes of the Commissioners' meeting of Tuesday, May 21, 2002, as corrected. Motion carried.

Commissioner Anderson moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, May 14, 2002, which had been deferred last week in order to get corrections to the FY '03 budget discussion from the Finance Office. Motion carried.

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas – June 4 and 11, 2002
2. Department of Public Works and Transportation (*George Erichsen*)
 - a) Public Works Agreement for the Bay Ridge Estates Subdivision, Section 4, 8th Election District, with a completion date of April 1, 2003. A letter of credit has been provided by The First National Bank of St. Mary's in the amount of \$343,600.

Commissioner Mattingly moved, seconded by Commissioner Guazzo, to approve and authorize Commissioner Randall to sign the Public Works Agreement for Bay Ridge Estates. Motion carried 4-0-1, with Commissioner Raley abstaining.

- b) Public Works Agreement Addendum for the Southwoods PUD Subdivision, Section 1, 8th Election District, extending the completion date to March 1, 2003. The bond provided by the Developers Surety and Indemnity Company in the amount of \$361,800 remains as posted.

- c) Public Works Agreement Addendum for the Southwoods PUD Subdivision, Section 5C, 8th Election District, extending the completion date to March 1, 2003. The bond provided by the Developers Surety and Indemnity Company in the amount of \$341,200 remains as posted.
- d) Public Works Agreement Addendum for Hidden Acres Subdivision, Section 1, 8th Election District, extending the completion date to March 1, 2003. The bond provided by the Frontier Insurance Company in the amount of \$68,400 remains as posted.

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

- 3. Employment Contracts
 - a. Director, Department of Economic and Community Development
 - b. Director, Department of Recreation and Parks
 - c. Public Information Officer

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

- 4. Budget Amendment (*Jon Grimm*)
Department of Planning and Zoning
(to cover cost of an on-going customer service training program (\$2,000))

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

- 5. Department of Recreation and Parks (*Phil Rollins*)
Addendum to Gymnastics Center Lease Agreement
Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the Addendum. Motion carried.

- 6. St. Mary's County Public Schools – Categorical Transfers

Present: Elaine Kramer, County Director of Finance
Dan Carney, Finance Officer, Public Schools

Increase: Administration - \$45,000; Pupil Personnel Services - \$7,000;
Special Education - \$54,000

Decrease: Instructional Salaries - \$54,000; Health - \$7,000; Transportation -\$45,000

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the letter to the Board of Education approving the categorical transfers. Motion carried.

- 7. Grant documents
 - a. Marcey Halfway House – Grant Modification (*Larry Harvey*)
FY '02 Budget Modification (Federal: \$156,875; State: \$52,287)

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

- b. St. Mary's County Housing Authority (*Dennis Nicholson*)
Emergency Shelter Grant Application (\$50,000)

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

- c. Department of Planning and Zoning (*Jon Grimm*)
Chesapeake Bay Critical Area Grant – (State - \$46,000; County - \$46,000)

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

**FISCAL YEAR 2003 BUDGET
(DISCUSSION AND SIGNING)**

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

Mrs. Kramer reviewed the FY 2003 Budget Summary which included Revenue Sources (Taxes, Shared Revenue, Licenses and permits, service charges, fines and forfeitures, state and federal grants, other revenue and funding sources); Expenditure Summary by Department, Agency, non-county agency contributions, and other budget costs.

Commissioner Guazzo indicated that she was still troubled about using the "Rainy Day Fund" to balance the budget and stated that she would like to put it back at the level the Commissioners had started with (\$750,000).

Therefore, Commissioner Guazzo moved, seconded by Commissioner Raley, that if supplemental state funds become available to replace the \$145,000 of the "Rainy Day Fund" to bring it to the rate established by the Board in Fiscal Year 2002--\$750,000. Motion failed two to three with Commissioners Randall, Anderson and Mattingly voting against.

During discussion of the motion, Commissioner Mattingly stated he could not support the motion because he did not want to limit it just to the "Rainy Day Fund" but for the fund balance in order to replace the "Pay/Go" funds as well.

Commissioner Randall stated she agreed with the commitment for the "Rainy Day Fund" and "Pay/Go" to be priorities of the budget, if and when there were supplemental funds; however, her top priority was the Housing Needs Assessment funds of \$35,000. In order to move forward with the housing initiative.

Commissioner Mattingly moved, seconded by Commissioner Anderson, to redirect \$35,000 out of the Department of Public Works operating budget to fund the Housing Needs Assessment putting it at the top of the priority list and then restore those funds back to DPW. Motion carried three to two with Commissioners Raley and Guazzo voting against.

Commissioner Anderson moved, seconded by Commissioner Mattingly, to sign and approve the Fiscal Year 2003 Operating and Capital Budget; Ordinance No. 2002-13 – FY 2003 Appropriation Ordinance; and Ordinance No. 2002-14 – the Revenue Tax Ordinance. Motion carried four to one with Commissioner Guazzo voting against stating that she could not support the budget without an actual commitment to restoring the "Rainy Day Fund" at the FY '02 level.

Commissioner Raley stated that with regard to the Rainy Day Fund that should additional funds become available he was going to be adamant that it be put back in that Fund; secondly, with regard to the Needs Assessment, that he does not support that; however, he stated that he voted to approve the FY '03 budget because approving the budget and the land use regulations are the two of the most important actions of the Board. It concerned him that the interest the Board pays has increased, but because of the good things in the past, that amount could have been more had not the County received an increase in its bond rating.

Commissioner Anderson pointed out that it has been a difficult year fiscally, but the budget is fiscally responsible giving the current fiscal conditions and in his opinion continues to maintain and, when needed, enhances the programs and projects that the County provides to the community, including two critical components—the Affordable Housing Needs Assessment and the senior tax initiative,

Commissioner Randall stated that she supported the FY '03 budget particularly with the addition of the Housing Needs Assessment. With revenues down, she stated that she believed that it was a well-balanced approach for the FY '03 budget. She advised that education was a priority, employees were given a COLA, made no changes to the health benefits, addressed correctional officer needs, gave pay parity for Sheriff's Office, gave senior citizens property tax relief, provided funding to continue to feed our senior citizens, and continued with the revitalization of Lexington Park.

Commissioner Mattingly moved, seconded by Commissioner Raley, that should supplemental funds become available that the first priorities be to review and replace the "Rainy Day Fund" and to review and replace as much of the "Pay Go" as possible. Motion unanimously carried.

LUCKY ONES (RELOCATION OF CLINIC)

Present: Joan Aniniew, President
Dawn Camp, Volunteer

Statistics

- Rescued, fostered, altered and adopted to new homes 2,000 cats/kittens and 975 dogs/puppies in 2001
- Over 35,000 spays and neuters performed since 1993
- Over 11,000 dogs, cats, puppies, and kittens rescued and placed for adoption since 1993

Current Status/Needs

- Have outgrown current trailer facility requiring dogs/cats being boarded in private homes of volunteers
- Lucky Ones plans to build the clinic with no County financial support
- 5-10 acres with appropriate zoning and existing utilities would be desired
- Require an appropriate building with operating rooms, etc. and a parking area

The consensus at the table was favorable to the overall concept. *The Commissioners recommended the following actions be taken:*

- *Contact the Board President of Calvert County and get on their agenda soon to get their concurrence to move forward*
- *Walk the desired property*
- *Obtain a percolation test of the area*
- *Get a firm proposal together and return to the Board of the three counties with details and figures*
- *That the Commissioners prefer a long-term lease in dealing with the Tri-County Animal Shelter rather than purchasing the property.*

SOLID WASTE ADVISORY COMMITTEE ANNUAL REPORT

Present: Clare Whitbeck, Chair
Daniel Ichiniowski
Dudley Lindsley

The Solid Waste Advisory Committee (SWAC) has worked hard to reach the following goals and offers various programs to SMC citizens:

- There are now improved inspections for sludge applications. In 1999, there was 30,000 tons of sludge applied which is 4 truckloads of sludge per day every day of the year. In 2001, there were 40,000 tons.
- The MD. Health Department has trained additional sludge inspectors.
- SWAC has increased public awareness of recycling by:
 - Participating in Earth Day activities
 - Developing the *Pesticide Container Recycling Program* brochure
 - *SMC Recycling 2002* reuse directory, and
 - *Recycling & Solid Waste Services DPW&T* brochure
 - Recycling of inkjet printer cartridges plastic mailing envelopes offered
- An E-Cycling event will be held on June 15, 2002 at the Fairgrounds (bring your monitors, disc drives, printers, etc.).
- The Darth Vader compost container for yard waste will be sold again - watch for announcement in the fall!
- 5 tires can be disposed at St. Andrews at one time.
- A tire amnesty day will be announced for more than 5 tires.
- Whitegoods – refrigerators, stove, etc. cost only \$5 per ½ ton pickup load
- The Environmental Club at Leonardtown High School has begun a paper-recycling program.
- The Public School system will begin a pilot recycling program in the fall.
- After three years of hard work SWAC has completed the Comprehensive Waste and Recycling Plan which was approved by the state.

Members of SWAC thanked the Board of County Commissioners for their support and wanted everyone to know these facts:

- 16,364 tons of waste were deposited last year – an increase of 10% - at the convenience centers. It costs SMC \$44/ton to deposit waste in Virginia's landfill.
- The County has an MOU with Calvert to continue to use their facility for 18 years.
- In the event of a disaster, there is a MOU in place with Charles County to use their landfill at a cost.

Recycling is efficient, cost effective, and environmentally smart for St. Mary's County.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

Present: John Savich, Director, DECD
 Dennis Nicholson, Executive Director, SMC Housing Authority
 Kenton Drury, Interstate Business Corporation (IBC)

Last week, the SMC Housing Authority received two awards of excellence from the Maryland Association of Housing and Redevelopment Agencies. These were for excellence in public housing management and for Section 8 program management.

Westbury Landing Apartments (Letter of Support; Request for Public Hearing)

Housing tax credits offset construction costs allowing lower rents. This particular project is a public/private partnership involving site control, infrastructure, connectivity, access to transportation and services, etc. The application for this proposal is due to the State by June 10, 2002.

The project has 100 rental units with recreational facilities. There are 4 units per building, 16 units are 3 bdrm/2 bath and 84 units are 2 bdrm/2bath types. All are ADA accessible. The rents would be from \$600-800+ per month, utilities are not paid. An income of \$28,000-\$39,000 required per year - encompassing teachers, police, government, and service sector employees.

IBC requires a deferral of the impact fee which is \$450,000. Otherwise, the State will not approve the application. The development cost is \$12 million (the sale of equity

tax credits is \$7 million - financing at \$4.5 million - and the deferral impact fee is \$.5 million). All costs need to be paid within ten years so they become capitalized costs that so one could take the credit on that capitalized cost.

After discussion the Commissioners agreed not to sign the letter of support at this time.

Board's Recommendations:

- *Integrate affordable housing in multiple developments; disperse low income housing!*
- *No "clumping" of low income housing*
- *Trend toward homeownership vs. straight rental*
- *In the Zoning Ordinance, to increase home ownership*
- *Proposal must meet the goals of the County Commissioners*
- *It is acceptable for IBC to make another presentation to include the following:*
 - *Present additional information about IBC.*
 - *Provide a list of references.*
 - *What other communities has IBC developed? What is the current status of these developments? Have any been sold?*

Tourism Development for FY03

Present: Carolyn Laray, Tourism Development Coordinator
Diane Gleissner, Senior Office Specialist

The Division of Tourism is charged with increasing the economic impact of travel and tourism in the County while preserving its heritage and natural environment. Strategic goals and defining characteristics of FY03 include partnership developments, product leverage, growing an internal audience/infrastructure, integrating with state and federal initiatives, supporting local public and private sector industry efforts, and increasing administrative efficiency and cost effectiveness.

Tourism Focus (State and/or Local)

- Obtain certification as a Maryland Heritage Area Authority. Once certified, programs proposed will receive priority attention and perhaps State funding.
- Development, Marketing, Industry Support
- Administrative/Organizational tools based on improved tracking and data collection
- Committee-related activities to serve the tourism industry
- Develop an African American tourism marketing plan
- Light houses and civil war activities
- Star Spangled Banner/War of 1812
- Nature/Outdoor trails
- National Historic Register Travel Itinerary – web-based itinerary under the National Park Service Program
- Industry support building on an established cooperative effort with the Chamber of Commerce
- Cooperative advertising with county entities and obtaining state subsidies
- Packaging weekend trips to those living within 100 miles of SMC. This summer includes:
 - 6/14-6/16/02 Father's Day Weekend with River Concert, Soap Box Derby, AMA Motorcross Nationals
 - 7/12- 7/14/02 Potomac River Jazz and Seafood Festival, MD International Raceway event
 - 8/23-8/25/02 End of Summer activity on the Governmental Center with MD International Raceway event

Public and private sector partnership support initiatives are now underway ensuring, to the greatest extent possible, linking of resources and ensuring that projects meet overall goals. Some of these projects are:

- Tudor Hall, Port of Leonardtown, museum upgrades and theater rehabilitation
- Bikeways and recreational trails development
- Farmers' Market
- Wine Festival at Sotterley
- PAX River Naval Museum and many more partnerships.....

Board's Recommendations:

Please include the following in the public/private sector partnership initiatives:

- *Greenwell State Park, including the Manor House, which has full ADA accessibility*
- *Charter fishing is full of promise. Address the confusing laws between MD and VA, Chesapeake and the Potomac, regarding fishing season legal disparities, etc.*
- *Golf is another great activity that needs marketing*
- *Hands-on oystering and crabbing – Agricultural tourism is important to the region*
- *Ghost walk and Civil War Camp and lighthouse at Pt. Lookout*
- *Gastronomic tours at various restaurants preparing SMC local produce*

COMMISSIONERS' TIME

Commissioner Mattingly

Congratulations Graduates and Good Luck! The Commissioners recently attended the graduation of the College of Southern Maryland. Thirty-six percent of the graduating class came from St. Mary's County.

Commissioner Anderson

A volunteer for the Lexington Park Head Start Program came into the office last week. In a recent burglary, their computer equipment and office supplies were stolen. If there are any businesses or individuals who would like to help them out, that would be great.

Ed Forsman from Smartco responded to his call and supplied Head Start with computers and other equipment. Thanks Ed and Smartco for your assistance!!

EXECUTIVE SESSION

Commissioner Anderson moved, seconded by Commissioner Guazzo, to meet in Executive Session to discuss a matter of Property Acquisition and Personnel, as provided for in Article 24, Section 4-210(a)11 and Section 4-210(a)1, respectively. Motion carried.

Property Acquisition

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
John B. Norris, III, County Attorney
Joyce Malone, Paralegal
Janet Parks, Property Manager
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)11

Time Held: 4:12 p.m. – 4:30 p.m.

Action Taken: The Commissioners discussed the FEMA/MEMA property located in Great Mills and gave direction to staff.

Personnel

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Delores Lacey, Events Coordinator
Judith A. Spalding, Recorder

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

Time Held: 4:30 p.m. – 5:00 p.m.

Action Taken: The Commissioners discussed appointments to the Regional Tourism Committee and gave direction to staff.

ADJOURNMENT

The meeting adjourned at 5:00 p.m.

Minutes Approved by the
Board of County Commissioners on 6/4/02
Judith A. Spalding
Judith A. Spalding, Administrative Assistant
to the Board of County Commissioners