

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
Tuesday, July 23, 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
Donna Gebicke, Administrative Assistant to BOCC (Recorder)

CALL TO ORDER

The meeting was called to order at 10:15 a.m.

ADDITIONS/DELETIONS TO AGENDA

Commissioner Mattingly moved, seconded by Commissioner Anderson, to accept the agenda as amended (to add Litigation authority Article 24, Section 4-210(a)8]to the Executive Session). Motion carried.

APPROVAL OF CHECK REGISTER

Commissioner Mattingly moved, seconded by Commissioner Anderson, 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, July 16, 2002, as corrected. Motion carried.

SOUTHERN MARYLAND WORKS – UPDATE ON WORKFORCE DEVELOPMENT

Present: Ellen Flowers-Fields, Executive Director, Southern Maryland Works, Inc.
Roland "Mike" Colina, Sr. Chair, Southern Maryland Works Investment Board

Ellen Flowers-Fields presented an overview of the Workforce Investment System and the role of Southern Maryland Works, Inc. (SMW) in the development of this system. SMW is a non-profit established in July 1, 2001, as the administrative entity for the local Workforce Investment Board. Ms. Fields serves as Executive Director, Mike Colina is chair and Commissioner Joe Anderson is appointed by the Governor as the chief, locally elected official. SMC's mission is to support a thriving Southern Maryland economy by addressing the workforce investment needs of employers and job seekers. SMC provides innovative approaches to workforce development, employment training opportunities, employer services, supportive services to the customer, resource development and a regional focus.

A regional 10-month evaluation took place that culminated with a Regional Workforce Summit on May 15, 2002. Twelve implications came out of the Summit, including the most prevalent: to look closely at curriculum development and the skills of incumbent workforce to ensure a life-long learning process and to encourage business leaders to participate in the process. New SMC initiatives to address workforce needs include:

- MetroTech - \$20.2 million dollar employer driven initiative supporting the technology workforce. SMW is a leader in terms of training dollars spent and number of people placed in jobs.
- One-Stop Services
 - Provides customized training and business services to employers.
 - Provides employment and training assistance to unemployed, dislocated, and incumbent worker populations.
 - Provides support services, assessments, and interagency referrals including those for the disabled population and youth.

Commissioner Anderson thanked Elaine Kramer, George Forrest, Al Lacer, John Norris and John Savich for their assistance with the transition of SMC to a non-profit organization. Mike Colina and Ellen Flowers-Fields were commended for the excellent work they are doing.

It was requested that Ms. Flowers-Fields provide the following: a list of the 12 implications identified in the Summit meeting held in May, a copy of the Summit report, and a list of Board members so that the Commissioners can thank them for their work.

(At this time the Commissioners departed for a Tour of the Summer of Safety, Arts and Reading Camps Program)

COUNTY COMMISSIONERS' TIME

Commissioner Mattingly

- The Fair Board Association held a farm safety program last weekend that was attended by about 50 children. Compliments to the Farm Bureau, the Fair Board and others who made this important event possible.
- The Hollywood VFD Carnival starts July 25, 2002.

Commissioner Anderson

- Attended Captain Hovatter's farewell dinner from the Naval Air Station command last week and was pleased to learn that he will remain in the Southern Maryland community in the Dameron area.
- As a follow-up to Lexington Manor issues raised previously, Mr. Anderson was approached last weekend and asked when he was going to stop harassing the owners of Lexington Manor. Pressing the issue of Lexington Manor will cease when the owners of Lexington Manor start doing what they are bound to do by law. Photos are available that plainly depict illegal dumping and human rights violations. Lexington Manor has no place in Southern Maryland and should have been taken care of thirty years ago.

Commissioner Anderson requested that Permits & Inspections report to the Board on the following issues:

- *Report on how many houses were boarded up last week*
- *Issue a report to the Board each week on the progress being made to secure the buildings*

Commissioner Raley

- Congratulations to the Leonardtown VFD for another successful Carnival.
- Recently became a member of the Farm Bureau.

Commissioner Randall

- Was out of town and unable to attend Captain Hovatter's farewell but certainly wish him and his wife, Sherry, the best of luck.
- Sammy and Teresa Spalding's 50th wedding anniversary will be on July 25 in Hollywood. Warmest best wishes for many more years together.
- Agree with Commissioner Anderson's firm approach to Lexington Manor. County government, through Permits and Inspections, has enforcement ability. There is also a significant health issue at present from the dumping. Although Lexington Manor is privately owned property, regulations are in place that will improve the current situation.

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas: July 30, 2002 and August 6, 2002
August 6, 2002 National Night Out and should be mentioned on the agenda.
2. Employment Contract: Assistant County Attorney

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

3. Finance Department (*Elaine Kramer*)
Sign form and approve submission to MD Dept. of Education for excludable non-recurring costs (\$910,146)

Commissioner Mattingly moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to sign the form and approve submission to MD Dept of Ed. Motion carried.

4. Grant Agreements
 - a. Local Management Board (*Dr. Kathleen O'Brien*)
Approval of FY 2003 Community Partnership Agreement with MD State's Subcabinet for Children, Youth & Families (\$855,307)

Commissioner Anderson moved, seconded by Commissioner Raley, to approve the agreement to provide services to children and families. Motion carried.

Commissioner Randall requested Dr. O'Brien provide the Board with an update on the LMB in the fall, to include a report on the teen/youth center RFP.

- b. Health Department (*Dr. William Icenhower, Ann Rose*)
Review and approve FY03 Contractual Agreement with MDE and sign Budget Amendment (\$20,526) for supplemental monitoring of sewage sludge activities.

(This agreement will be reviewed at a later date.)
- c. Three Oaks Center (*Lanny Lancaster*)
Sign and approve Grant Agreement for Homeless Women Crisis Shelter Home Program (\$201,723)

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

5. Department of Public Works and Transportation (*George Erichsen*)
 - a. Resolution accepting King James Road, King James Boulevard, Cornwallis Court, Provincial Drive, Hamlet Court and Tidewater Court located in the St. James Subdivision, Sections 1 and 2, and the resolutions for stops signs and a 25 mph speed limit.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and sign the resolution. Motion carried.

- b. Claim Letter to The First National Bank of St. Mary's in the amount \$27,100 for Barnes Estates Subdivision, Grading Permit No. 96-03, SaTaV Corporation, located in the 3rd Election District.

Mr. Erichsen explained that the work has been completed and the permit will be released. No action is required by the Board.

- c. Public Works Agreement for Coombs Oaks Subdivision, Section 3, 6th Election District, with a completion date of September 1, 2003. A bond has been provided by the Developers Surety and Indemnity Company in the amount of \$53,000.
- d. Public Works Agreement for John Wayne Estates Subdivision, Section 3, 4th Election District, with a completion date of June 1, 2003. A letter of credit has been provided by The First National Bank of St. Mary's in the amount of \$391,000.
- e. Public Works Agreement Addendum for Hickory Hills North Subdivision, Section 2, 8th Election District, extending the completion date to July 1, 2003. The bond provided by the Travelers Casualty and Surety Company in the amount of \$34,000 remains as posted.
- f. Public Works Agreement Addendum for Rue Woods Subdivision, Section 1, 8th Election District, extending the completion date to July 1, 2003. The letter of credit provided by The First National Bank of St. Mary's in the amount of \$37,000 remains as posted.
- g. Public Works Agreement Addendum for Aberdeen Subdivision, Section 2, 2nd Election District, extending the completion date to July 1, 2003. The letter of credit provided by the Cedar Point Federal Credit Union in the amount of \$34,800 remains as posted.
- h. Public Works Agreement Addendum for Hickory Hills PUD Subdivision, Sections 3A & B, 8th Election District, extending the completion date to July 1, 2003. The letter of credit provided by the Bank of America in the amount of \$35,000 remains as posted.
- i. Public Works Agreement Addendum for Hickory Hills PUD Subdivision, Section 3C, 8th Election District, extending the completion date to July 1, 2003. The letter of credit provided by the Bank of America in the amount of \$52,000 remains as posted.

Commissioner Mattingly moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to approve and sign the public works agreements number 5.c through 5.i. Motion carried.

RECREATION AND PARKS – BMX TRACK STATUS

Present: Phil Rollins, Director Recreation and Parks
Janet Parks, Real Property Manager

Phil Rollins briefed the Commissioners on potential county properties for lease by the BMX group for their development of a BMX Bicycle Track. Recommended sites for consideration included:

- Hwy 235 and Hermanville Road (26 acres)
- Oakville Transfer Station (245 acres)
- St. Andrew's Landfill
- 7th District, Cecil, Dorsey, Nicolet and Chaptico Parks

The BMX Group ranked the properties based on factors such as: a minimum acreage of 5-10 acres; appropriate zoning; relatively flat land; central location; proximity to utilities; access to lodging/campgrounds; access to major highways; and compatibility with surrounding neighborhoods. As a result of the ranking process, the top two sites preferred by the BMX Group were the St. Andrews Landfill and Rt. 235 and Hermanville Road.

Following review and discussion by the Commissioners, President Randall requested Mr. Rollins pursue a feasibility study with traffic evaluation of the St. Andrews Landfill property and the airport property, which was suggested by Mr. Erichsen (DPW&T) as a potential site, and report back to the Board.

LIVABILITY CODE

Present: John Norris, County Attorney
Adam Knight, Code Official

John Norris and Adam Knight presented the Livability Code for review and adoption by the Board. The open period for public comment following the Public Hearing on this item closed with no negative testimony received.

Areas of discussion included concerns regarding the repair process, complaint process, and provisions for retaliatory evictions.

Commissioner Guazzo expressed concern regarding the availability of the Retaliatory Eviction provisions of the Maryland Code referenced in Section 236-6(A)(5) of the Livability Code to the typical user of the Livability Code. Staff indicated that it would, as a supplement, provide a copy of the statutory text in the copies of the Livability Code it makes available to the public and, further, that the Department of Permits and Inspections would regularly inquire of the County Attorney's Office to ensure that this supplement to the Livability Code is current.

Commissioner Mattingly requested that specific language be included in the Livability Code to provide for smoke detector systems for visually and hearing impaired occupants if occupants' physical conditions require them.

Commissioner Guazzo moved, seconded by Commissioner Mattingly to adopt the Livability Code as presented with the inclusion of a statement requiring property owners to provide smoke detector systems that meet the needs of visually and hearing impaired occupants when occupants physical conditions so require.

Commissioner Mattingly moved, seconded by Commissioner Anderson, to direct Permits and Inspections staff, with the assistance of the County Attorney, to draft a policy for presentation to the Board at its meeting on July 30, 2002, to allow for the identity of a complainant to be kept confidential, if so desired by the complainant.

Commissioner Anderson reiterated his request that Permits & Inspections submit a weekly report on the status of boarding up areas of Lexington Manor and what is being done to enforce the Livability Code.

FACILITIES MANAGEMENT: MEETING ROOM ADDITION AND SPACE NEEDS

Present: Richard Rohrbaugh, Director Facilities Management

Meeting Room

Richard Rohrbaugh presented two schematic designs for the Commissioners' review. Plan A, which was presented to the Commissioners on July 9, accommodates 152 people and meets all programmatic requirements. Cost estimates from the outside estimator places the cost in the range of \$1,417,000, which far exceeds the budget. Scheme B will accommodate 118 people and will meet most of the other requirements. The projected cost of Scheme B is \$1,179,900, which is still over the budget of \$900,000.

It was agreed by Commissioners' Randall, Raley, Guazzo, and Anderson (Commissioner Mattingly opposed) to proceed with Scheme B, keeping close to budget, without reducing audio/visual components.

Space Needs

Mr. Rohrbaugh presented Space Needs Program as projected from 1999, floor plans illustrating two possible schemes, and a comparison of square feet in each scheme. It was recommended that Scheme A be implemented as it most closely follows the Space Needs Program as projected. Additionally, the lower level offers the best humidity control as provided by existing dehumidifiers, which is a requirement of the Election Board. Scheme A would provide for: Elections Board, Human Resources, Copy Center, and Studio to be located on the lower level; DECD and County Attorney on the second floor; Finance/Procurement on the third floor; and Alcohol Beverage Board in Annex or 2nd floor next to lunch room.

The Commissioners directed staff to go forward with Scheme A as presented.

EXECUTIVE SESSIONS

Commissioner Anderson moved, seconded by Commissioner Raley, to meet in Executive Session to discuss matters of Litigation, Property Acquisition, and Personnel, as provided for in Article 24, Section 4-210(a)8, 4-210(a)11, and 4-210(a)1, respectively. Motion carried.

Litigation

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
Donna M. Gebicke, Recorder

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

Time Held: 4:25 p.m. – 5:10 p.m.

Action Taken: The Commissioners discussed a litigation matter and gave direction to staff.

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
Donna M. Gebicke, Recorder

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

Time Held: 5:10-5:20 p.m.

Action Taken: The Commissioners discussed a property acquisition matter 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
Donna M. Gebicke, Recorder

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

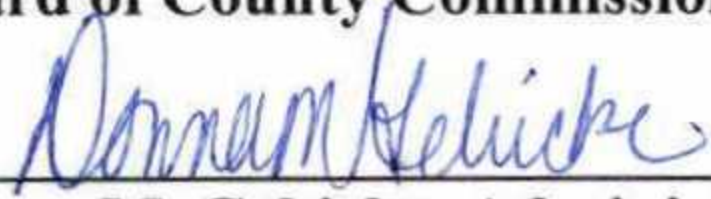
Time Held: 5:20 p.m. – 5:35 p.m.

Action Taken: The Commissioners discussed Ethics Commission appointments and gave direction to staff.

ADJOURNMENT

The meeting adjourned at 5:35 p.m.

**Minutes Approved by the
Board of County Commissioners on 7/30/02**



**Donna M. Gebicke, Administrative Assistant
to the Board of County Commissioners**