

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
Tuesday August 27, 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 10:12 a.m.

ADDITIONS/DELETIONS TO AGENDA

Commissioner Mattingly moved, seconded by Commissioner Raley, 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 Anderson moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday August 20, 2002, as corrected. Motion carried.

JOINT MEETING WITH BOARD OF EDUCATION REGARDING STATE FUNDING FOR LOCAL EDUCATION

Present: The Board of County Commissioners was joined by:
Stephen Kracinovich (Chairman, SMC Board of Education)
Cathy Allen (Vice Chairman, SMC Board of Education)
John Parlett, Jr. (Member, Board of Education)
Mary M. Washington (Member, Board of Education)
Delegate John F. Wood, Jr. (Maryland General Assembly)
Al Lacer (County Administrator)
Dr. Patricia Richardson (Superintendent of Schools)
Dan Carney (Director of Finance-SMCPS)
Elaine Kramer (Director of Finance, SMC)

County Administrator Alfred A. Lacer introduced the substantive briefing provided by Elaine Kramer and Dan Carney on State funding for SMC public schools and the implications of the Bridge to Excellence Act (BTE). The briefing addressed the new funding commitments made by the State, together with the new education programming that SMC is expected to put in place over the next 5-6 years, the funding formula and what it means to SMC, and what needs to be monitored at the State level to ensure implementation occurs over the next six years. A binder was provided to the meeting participants as a resource for the briefing as well as future activity related to this issue. Included in the binder were: a markup copy of the Bill, info from MACO and MSDE and the final report of the Thornton Commission. Highlights of the briefing and discussions follow:

The BTE made major changes to the State's public education funding formula. It is based on the recommendations of the Thornton Commission, which was established by the Governor to study equity and adequacy of education from the State to localities throughout Maryland. The BTE enhances State funding for education with a goal to

achieve adequacy and 50% State funding phased in from 2004-2008. The BTE relates to 2003. 2004-2008 are the full implementation years of the Thornton Commission. Some of the implications and issues surrounding the BTE include:

- By 2008, school systems must provide full-day kindergarten programs for all students, which will be implemented on a phased-in basis, and pre-K programs for all eligible students. Recognizing that the legislation, including the kindergarten mandate, will have effects on school construction needs, a study of capital needs and issues is also required.
- Twenty-seven existing State education aid programs are eliminated or phased out, with the funding for the programs replaced by enhanced funding for four programs: the Foundation, Compensatory Education, Special Education, and Limited English Proficiency. These programs have been brought into the unrestricted fund allowing school systems the ultimate flexibility in allocating resources.
- The funding methodology is considered reasonable: if it is executed as it is purported, no one is disadvantaged. The assumptions are debatable (e.g., FARMS [Free and Reduced Meals Program] and special education numbers), but for the most part they are self-correcting. When the true data is placed into the formulas, the share coming to SMC will increase.
- The BTE requires the State to fund retirement at 100% for all state-funded programs. Retirement is the only program of any significance that is not wealth or enrollment adjusted.

Dr. Richardson provided the following summary of the briefing and discussions:

- The Thornton Commission was a landmark, well-intentioned effort on the part of our legislators to improve public school funding and address adequacy issues.
- While we do not see FARMS population or special education population decreasing, the funding formula is self-correcting and will be based on real numbers.
- We must address the new mandates, some of which are costly. Full day kindergarten is the right thing to do. SMC had already begun the process of implementing full day K. Under the new mandate, however, many of our resources will need to go towards implementing universal full day K, and other priorities will need to be adjusted. Ideally, we want to reach full implementation within three years in fairness to our students and their families.
- State and local funding must improve simultaneously, if we are to continue student achievement advancement. We will need to continue to rely on the continuing support of our State legislators and our County Commissioners so that education remains a top priority.

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 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
George G. Forrest, Deputy County Administrator
John Norris, County Attorney
George Erichsen, Director, Dept. of Public Works and Transportation
Robin Finnacom, Lexington Park Plan
Jon Grimm, Director, Dept. of Planning and Zoning
John Savich, Director, Dept. of Economic Community Development
Donna Gebicke, Recorder

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

Time Held: 1:40 p.m. – 2:05 p.m.

Action Taken: The Commissioners discussed a litigation 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
Alfred A. Lacer, County Administrator
Donna Gebicke, Recorder

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

Time Held: 2:05 p.m. – 2:10 p.m.

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

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agendas: September 3 (no meeting September 10) and September 17, 2002
2. Grant Agreements/Applications
 - a. Department of Recreation and Parks/Museum Division (*Phil Rollins, Mike Humphries, Museum Director*)
Approve and sign Grant Agreement and Budget amendment for MD Historical Trust FY2003 General Operating Support (\$5,527)

Commissioner Mattingly moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to sign the grant agreement and budget amendment for MD Historical Trust FY03 General Operating Support. Motion carried.

- b. Walden/Sierra (*Dr. Kathleen O'Brien*)
Sign renewal of inter-governmental agreement with Dept. of Human Resources and BOCC to continue services to victims of domestic violence

(\$84,897 DY03)

Commissioner Anderson moved, Seconded by Commissioner Mattingly, to authorize Commissioner Randall to sign the inter-governmental agreement with the Dept of Human Resources and BOCC to continue services. Motion carried.

- c. Housing Authority (*Dennis Nicholson, Exec. Director; Cynthia Phillips, Program Manager*)
Sign rental allowance program grant application and grant agreement for FY 2003 (\$53,992)

Commissioner Anderson moved, seconded by Commissioner Mattingly, to authorize Commissioner Randall to sign the grant application and rental agreement for FY03. Motion carried.

3. Budget Amendment

- a. Circuit Court (*Bill Tench, Court Administrator; Lillian Himmelheber, Law Librarian*)
Accept grant award for Law Library and sign budget amendment (\$15,000)

Commissioner Mattingly moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to sign the grant award and budget amendment for the Law Library. Motion carried.

- b. Finance/Recreation and Parks (*Elaine Kramer, Phil Rollins, and Bill Ball*)
Sign budget amendment for transfer of funds from the Park Improvements Capital Account to the Abell's Wharf Project (\$9,700)

Commissioner Mattingly moved, seconded by Commissioner Anderson to authorize Commissioner Randall to sign the budget amendment transfer from Park Improvements to Abell's Wharf project. Motion carried.

4. Department of Public Works and Transportation (George Erichsen)

- a. Approve and sign FY 2002 Grant Agreement for Job Access Reverse Commute (\$70,000)

Commissioner Anderson moved, seconded by Commissioner Mattingly, to authorize Commissioner Randall to sign the FY02 grant agreement for Job Access Reverse Commute. Motion carried.

- b. Resolution accepting Woody Court located in the Woods Subdivision, Section 3, 5th Election District, and resolutions for a stop sign and 25 mph speed limit.

Commissioner Anderson moved, seconded by Commissioner Guazzo, to sign the resolution for a stop sign and 25 mph speed limit on Woody Court in the Woods subdivision. Motion carried.

- c. Public Works Agreement for Meadow Lake Subdivision, Phase 3, 8th Election District, with a completion date of July 1, 2003. A letter of credit has been provided by the Maryland Bank & Trust Company in the amount of \$433,700.
- d. Public Works Agreement for Brooks Cluster Subdivision, 3rd Election District, with a completion date of June 1, 2003. A letter of credit has been provided by the Bank of America in the amount of \$184,500.
- e. Public Works Agreement Addendum for Meadow Lake Subdivision, Phases 2 & 3, 8th Election District, extending the completion date to July 1, 2003. The letter of credit provided by the Maryland Bank & Trust Company in the amount of \$364,300 has been reduced to \$224,000.

- f. Public Works Agreement Addendum for Hickory Hills PUD Subdivision, Phase 3D, 8th Election District, extending the completion date to August 1, 2003. The letter of credit provided by the Bank of America in the amount of \$196,200 remains as posted.
- g. Public Works Agreement Addendum for Cedar Cove Subdivision, Section 5 (Swash Bay), 8th Election District, extending the completion date to August 1, 2003. The letter of credit provided by the Bank of America in the amount of \$45,000 remains as posted.
- h. Public Works Agreement Addendum for Willow Woods Subdivision, Section 1, 8th Election District, extending the completion date to August 1, 2003. The letter of credit provided by The First National Bank of St. Mary's in the amount of \$530,000 remains as posted.
- i. Public Works Agreement Addendum for Forest Lake Subdivision, Section 2, 6th Election District, extending the completion date to August 1, 2003. The bond provided by The Frontier Insurance Company in the amount of \$43,700 remains as posted.

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to sign the Public Works Agreements as detailed in items 4. c. through i. Motion carried.

5. Facilities Department

- a. Approve and sign SMECO easement for Great Mills High School athletic field storage building (*Janet Parks*)

Commissioner Mattingly moved, seconded by Commissioner Raley to authorize Commissioner Randall to sign the SMECO easement request. Motion carried.

COMMUNITY HEALTH ADVISORY COMMITTEE BRIEFING

Present: Dr. Icenhower, Health Officer
Mary Lee Harliss, Health Department

The purpose of the Community Health Advisory Committee (CHAC) is to determine current and future health needs of the county and to attempt to resolve both present and projected problems. During the past year, the CHAC has met quarterly under the chairmanship of Dr. Marcel Brooks. At these meetings, experts representing various county organizations have offered presentations addressing medical concerns. From these discussions it was concluded that the following areas of medical care should be addressed: terrorist threats; the national shortage of paramedical and nursing staff; hypertension prevention; diet and exercise programs needed for our school children to counter the increase of diabetes and obesity; how the high cost of prescription drugs that the working poor and our senior citizens can be countered; sludge inspections that are underway; soil percolation tests suspension/current drought concerns; an increase in asthma in our schools; and early detection testing for cancer – SMC's number two cause of death.

There are no significant comparison statistics available on cancer deaths or infant mortality for MD counties. From a report dated 1994, cancer deaths in SMC appeared to be on par with other counties. Statistics are currently being reassessed by Ms. Harliss but the data available is out of date. A report will be forthcoming in a few months.

It was recommended Dr. Icenhower discuss with the County Attorney submitting the requirement to immediately till/ disk tobacco fertilizer into the ground to lessen the impact of the odor as part of the Legislative Package, or by adoption of requirements as a Department of Agriculture policy.

It was recommended Dr. Icenhower return to the Board in the near future with a report on mental health issues in Saint Mary's County.

ADJOURNMENT

Commissioner Mattingly moved, seconded by Commissioner Anderson to adjourn the meeting. Motion carried.

The meeting adjourned at 3:30 p.m.

**Minutes Approved by the
Board of County Commissioners on 9/3/02**

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