

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS**

August 4, 1992

Present: Carl M. Loffler, Jr., President
W. Edward Bailey, Commissioner
Robert T. Jarboe, Commissioner
John G. Lancaster, Commissioner
Barbara R. Thompson, Commissioner
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

CALL TO ORDER

The meeting was called to order at 9:05 a.m.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, July 28, 1992. Motion carried.

APPROVAL OF BILLS

Commissioner Bailey moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the Check Register as presented. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

- 1) **Homeless Service Program
Capital Grant Program Fiscal Year 1994**

The County Administrator presented correspondence dated July 29 from the Department of Human Resources requesting the Commissioners to select a contact person for the coordination of local of capital grants. Mr. Cox suggested that he be so designated.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to designate County Administrator Cox as St. Mary's County's contact person for the Homeless Service Program. Motion carried.

- 2) **Rental Allowance Program Grant Agreement**

The County Administrator presented correspondence dated July 27, 1992 from the Maryland Department of Housing and Community Development indicating that the Fiscal Year funding for the Rental Allowance Program Application has been approved in the amount of \$53,210.

Commissioner Jarboe moved, seconded by Commissioner Thompson, to approve and authorize Commissioner Loffler to sign the Grant Agreement as presented. Motion carried.

- 3) **St. Mary's County Health Department
Case Formula Underexpenditures**

The County Administrator presented correspondence dated July 27, 1992 from the St. Mary's County Health Department requesting approval to transfer to the Fiscal Year 1993 budget, \$124,000 of unused Case Formula Funds from Fiscal Year 1992. Because of the anticipated reduction in the amount of \$185,056 from the State, the Finance Director has recommended approval of this transfer.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the transfer of the Case Formula Funds in the amount of \$124,000 as requested. Motion carried.

- 4) **Appointment
Community College Advisory Board**

Commissioner Thompson moved, seconded by Commissioner Jarboe, to appoint Gay Boecker to the Community College Advisory Board for a term to expire June 30, 1997. Motion carried.

5) **Addenda to Public Works Agreements**

On behalf of the Department of Public Works, the County Administrator presented the following Addenda to Public Works Agreements for the Commissioners' consideration:

Summerwood, Section 1

Between William P. Gloster, III and Gretchen G. Gloster and Board of County Commissioners extending the deadline for completion of improvements to August 1, 1993; agreement is backed by a Letter of Credit with Potomac Savings Bank in the amount of \$308,600.

Cedar Cove, Section 5

Between Patuxent Development Inc., J. Laurence Millison and Board of County Commissioners extending the deadline for completion of improvements to August 1, 1993; agreement is backed by a Letter of Credit with Maryland National Bank in the amount of \$353,000.

Whaler's Creek Runn

Between Millison Enterprises, J. Laurence Millison and Board of County Commissioners extending the deadline for completion of improvements to August 1, 1993; agreement is backed by a Letter of Credit with Maryland National Bank in the amount of \$204,300.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Addenda as presented. Motion carried.

6) **Adult Day Care - Program Revenues**

As a follow up to the request by the Director of Office on Aging and Adult Day Care representatives to use program revenues, the County Administrator presented a memorandum recommending that the Commissioners delay a decision until August 25 in order to allow staff to explore alternatives, particularly the establishment of an enterprise fund.

The Commissioners gave their concurrence.

7) **Maryland Association of Counties
Americans with Disabilities Act**

The County Administrator presented correspondence dated July 23 from Maryland Association of Counties requesting the designation of two individuals to serve on an ADA Implementation Team in order to effect a demonstration project entitled "County Government as Leaders." Mr. Cox recommended that the Commissioner designate Cynthia Brown as the county employee representative as she is already the ADA Coordinator and Joan Broderick as the disabled representative.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to appoint Cynthia Brown and Joan Broderick as the County's ADA Implementation Team.

During discussion Commissioner Loffler pointed out that he has been receiving telephone calls from business people about ADA rules. Mr. Cox explained that the Commission for Disabled is planning a series of meetings to explain the Act and its requirements.

8) **Resolution No. 92-19
Wicomico Shores Special Taxing District**

As a follow up to previous discussions the County Administrator presented Resolution No. 92-19 relative to the Wicomico Shores Special Taxing District.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve and sign Resolution No. 92-19. Motion carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

(Commissioner Loffler did not participate.)

Commissioner Bailey moved, seconded by Commissioner Lancaster, to meet in Executive Session to discuss a matter of litigation. Motion carried. The Session was held from 9:30 a.m. to 9:40 a.m.

**THIOKOL CORPORATION
MECHANICSVILLE SITE STATUS REPORT**

Present: David Burroughs, Project Team Leader

Mr. Burroughs appeared before the Commissioners to present a status report on the Thiokol-Mechanicsville site at Route 234 and Friendship School Road. He explained that Thiokol is continuing its investigation of the 800-acre site and reported that the surface debris survey and the property boundary survey have been completed. Mr. Burroughs indicated that the magnetic and electromagnetic geophysical surveys have resulted in a determination that the south half of the property is clear of any reactive hazards; however, on the northern 300 acres, a number of readings have indicated additional investigation is needed. Appropriate steps will be taken to address any reactive or other hazardous items in a remediation plan. Security patrol service has been hired to deny access to trespassers, and fences will be installed around that area with appropriate "danger" signs.

Mr. Burroughs advised that a chemical study will be done after all hazards are identified at the site.

In closing Mr. Burroughs advised that he will keep the Commissioners and the public up to date on this project.

METROPOLITAN COMMISSION

Present: Larry Petty, Director

1) Project Status Report

Industrial Park/Air Park

As requested by the Commissioners, Mr. Petty presented a status report on the referenced projects. He distributed a list setting forth dates of public hearings, bond sale, awarding of contracts, modifications to contracts, submission of plans and designs, etc. A public hearing is scheduled for August 20 for presentation of a plan for installing a six-inch sewer forcemain from Wildewood Parkway to Airport View Drive, a pumping station and low pressure sewage collection system to serve the industrial park and an eight-inch water main to serve the undeveloped portions of the industrial park as well as the county airport. The contract is expected to be awarded in October with completion of the project by June/July of 1993.

During discussion Commissioner Loffler raised concern about delays in the projects pointing out that the airpark, industrial park, and airport are separate projects. Mr. Petty responded that the contract was modified to encompass all the requirements for the airport as an integral part of the project. Commissioner Loffler stressed the importance of communicating and working together in order to have the projects completed in a timely manner. He suggested that if there appears to be something causing delays that he advise the Commissioners. Mr. Petty advised that he would provide regular status reports to the Commissioners.

Tall Timbers, St. George Island, Airedele Road
Sewer Line Projects

Tall Timbers - Bid opening is scheduled for next week.

St. George Island - Prebid conference scheduled for next week and will then be bid two weeks later.

Airedele Road - Only remaining issue is acquisition of property; design is finished and has gone through MDE.

Mr. Petty will provide details of the project in writing to the Commissioners.

2) New Positions

In response to the Commissioners' request, Mr. Petty explained the positions requested in his July 20 correspondence.

Collections Clerk (Part-Time)

The position, a temporary fiscal clerk, has been working on accounts receivable for a year and a half. Because of the need for this effort and because of the good results, MetComm has requested that the position be made permanent.

Construction Division Laborer

A temporary laborer has been used over the past year, and it was determined that the work justified making the position permanent

Electrician

An operator's position was not filled in order to establish an electrician position. Electrical engineering contracts have been used at a cost of \$25,000 to \$30,000 per year.

Operations Secretary/Dispatch

The position has been tested on a temporary basis for the past year and responsibilities have expanded. The position has significantly improved the efficiency of the Operations Department.

After discussion Commissioner Jarboe moved, seconded by Commissioner Lancaster to approve the establishment of the referenced positions as requested. Motion carried.

LEONARD HALL BOARD OF TRUSTEES

Present: Dr. James Dabbs, President
Ellen Bailey, Secretary/Treasurer

1) Rental Payments

Dr. Dabbs requested permission from the Commissioners to change the method of rent payments from a quarterly basis to monthly payments of \$800.

The Commissioners indicated their concurrence, and Commissioner Loffler requested staff to prepare an amendment to the current lease, but indicated to the Leonard Hall representatives that they could proceed now with payments on a monthly basis.

2) Use of Drill Hall

Dr. Dabbs advised that the school has been looking into sources of revenue, and that he had been in discussions with Recreation and Parks staff concerning the use of the drill hall. He pointed out that the drill hall is under-utilized as the school only uses it one or two hours a day. Negotiations with Recreation and Parks came to an impasse because R&P wanted its use rent free. The school would allow R&P use of the drill hall for \$150 per month plus utilities on a six-month trial basis, and dates would be set aside for use by Leonard Hall.

County Administrator Cox pointed out that during negotiations with Leonard Hall and Recreation and Parks, it was concluded that the County should not be paying rent, but is willing to assume operating costs of the building and allow Leonard Hall use of the building on a negotiated basis.

Discussion ensued regarding guaranteeing the school's use for more than a year, capital improvements needed, and cost of utilities. The Commissioners requested Dr. Dabbs to submit a list of dates and times the school would need the drill hall, as well as utility costs. The Commissioners directed County Administrator Cox to work with the Leonard Hall Board of Trustees on this matter and return to the Commissioners with recommendations regarding a renegotiated lease. In addition the Commissioners indicated they would consider a renegotiated lease with the county assuming responsibility for utilities and maintenance depending on what the costs would be, and that it be on a trial basis.

During discussion Commissioner Lancaster indicated that he was opposed stating that the County should not subsidize private schools.

With regard to the Leonard Hall's request for rental payments, the Commissioners indicated they would not be in favor of paying rent to Leonard Hall for use of the drill hall.

**ST. MARY'S COUNTY FIRE BOARD
COUNTY FUNDING POLICIES FOR EMERGENCY SERVICES**

Present: Carl Scully, Chairman, Fire Board
Representatives from fire departments
Charles Wade, Director of Finance
Martha Jones, Budget Analyst

Mr. Scully appeared before the Commissioners to discuss the County's policy for disbursement of allocations to emergency services. Mr. Scully gave a brief history of past practices by the County which had changed

from lump sum payments to distribution by quarter and lump sum upon request and then by request with justification. He stated that in 1991 the policy changed to require that the request for lump sum payment must be submitted with justification and prior to the county's budget deliberations, and then in 1992 the policy changed that distribution would be on request by periodic letter.

County Administrator Cox explained that the requirement for request by periodic letter was not applicable to fire departments, but to outside-funded entities.

Other areas of concern addressed by Mr. Scully included:

Requirement for quarterly payments
(Mr. Cox explained this was done because of cash management system of the county for investments)

No input from emergency service providers on policy changes.

January budget instructions regarding lump sum payments were not clearly defined.

June cash flow requirements for quarterly payments were not clearly defined and impacted some companies.

Emergency service providers not being able to participate in county's capital revolving fund.
(Mr. Wade pointed out that because of arbitrage requirements, the county cannot operate a revolving fund on borrowed money.)

~~Standardized bills~~ ~~needed for profit assessment~~ of Length of Service Award checks. (Mr. Wade advised that the checks are included in the regular bill payment process; however, because the Finance Department was doing end-of-year entries, bills were not processed for two weeks in July.)

Included in Mr. Scully's presentation was a list of suggestions for working together with the County in meeting emergency service needs. Suggestions included: involving emergency services in policy change process, standardized financial reporting by emergency services, financial customer service representative (single point of contact within county government).

During his presentation Mr. Scully advised the Commissioners that the state-funded Section 508 funds are distributed to the county on a quarterly basis; however, emergency service providers receive the funds bi-annually. He stated that the departments would like to receive them when the County receives them. Mrs. Jones advised that the 508 funds cannot be distributed until a letter is received from the State indicating the funds can be disbursed. She pointed out, however, that this year the State did not send it to the county on a quarterly basis.

In conclusion the Commissioners indicated that improved communication is needed between the emergency service providers and the County and every effort will be made on the County's part.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
Walter Dorsey, State's Attorney
Christie Chesser, State's Attorney's Office

Commissioner Thompson moved, seconded by Commissioner Bailey, to meet in Executive Session to discuss a matter of Personnel. Motion carried. The Session was held from 12:05 p.m. to 12:40 p.m.

STAFF MEETING

The Commissioners attended the regular monthly staff meeting at the Carter State Office Building.

ALLIANCE FOR ALCOHOL/DRUG ABUSE PREVENTION

Present: Joe Dick, Alliance for Alcohol/Drug Abuse Prevention
Judy Landau Pedersen, Information Specialist

1) Freedom Fest '92 Final Report

Ms. Pedersen presented the final report for Freedom Fest '92 which was held July 4 at the St. Mary's County Fairgrounds. Revenues from the event totalled \$11,221.59 and expenses totalled \$12,151.13 for a shortfall of

\$929.54. She pointed out that the shortfall was handled from revenues from Alliance fundraising efforts during Fiscal Year 1992.

In order to effect cost savings, Ms. Pedersen stated that the Alliance was looking at the possibility of having Recreation and Parks staff trained to operate the fireworks. The Commissioners agreed, but cautioned that the fireworks display should continue to be of the highest quality.

In conclusion Ms. Pedersen thanked the Commissioners for their support and guarantee of funding and requested endorsement and the same guarantee arrangement for shortfalls for next year's Freedom Fest.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to provide the guarantee for shortfalls for Freedom Fest '93 as had been done in the past. Motion carried.

2) Freedom Fest 1993 Grant Application

The referenced individuals presented a community arts development grant application to be submitted to the St. Mary's County Arts Council for the 1993 Freedom Fest in the amount of \$1,486.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the Community Arts Development Grant Application as presented. Motion carried.

3) Presentation of Check to Marcey House

Also Present: Larry Harvey, Director, Marcey House

Ms. Pedersen and Mr. Dick presented a check in the amount of \$1,000 to Marcey House.

**BOARD OF EDUCATION - FISCAL YEAR 1993 BUDGET
ALLOCATION BY CATEGORIES**

Present: Charles Wade, Director of Finance
Elaine Kramer, Director, Budget/Finance (Public Schools)

Mr. Wade presented a memorandum dated August 3 setting forth a list of comments relative to the Board of Education Fiscal Year 1993 Budget. Included in the list were suggestions that in the future roofing projects and asbestos abatement be included in Capital Projects.

After discussion Mr. Wade recommended that the Commissioners approve the St. Mary's Public School's Fiscal Year 1993 Budget as submitted and, therefore, presented correspondence addressed to the Board of Education indicating approval. The letter further points out the projects that should be considered as Capital Projects rather than General Fund Expenditures.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to sign and forward the letter as presented. Motion carried.

COUNTY COMMISSIONERS' TIME

Tri-County Council - FY '93 Budget

Commissioner Thompson expressed concern with the fact that Tri-County Council has requested the Commissioners to vote by mail on approving the Council's budget. She stated that there was no notification that the Executive Board wanted it handled this way, and she felt it should have been done at a meeting.

Jamesway Store - Sales Tax

For the Commissioners information Commissioner Thompson advised that she had made some purchases at Jamesway in Sans Souci Plaza and realized she had been charged 7% sales tax instead of 5%. She reported that it was her understanding that this had occurred at the store before, and she contacted the State Comptroller's Office to see if they were aware of it. The local office was aware, but not the State office. Commissioner Thompson said she also inquired whether Jamesway would be assessed a penalty and learned that there is no penalty.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
Delegate John Slade
Delegate John Wood
Ray Thompson, MGT

Commissioner Thompson moved, seconded by Commissioner Lancaster, to meet in Executive Session to discuss a matter of property acquisition. Motion carried. The Session was held from 3:30 p.m. to 5:05 p.m.

ADJOURNMENT

The meeting adjourned at 5:05 p.m.

7:00 P. M.

PUBLIC FORUM

The Commissioners conducted the regular monthly Public Forum accepting questions and comments from the audience.

Minnie Russell - Inquired as to status of Airedele Road. The Commissioners responded that the design is completed and only remaining issue is the acquisition of property for a disposal site.

Mrs. Russell inquired whether that was a limit on the number of signs a business could have and gave a particular instance of signs on Freeman Road in the Ridge area. The Commissioners advised that the signs may be allowed under the current Zoning Ordinance; however, staff was directed to have Planning and Zoning Inspectors check on it.

Fred Wallace - Inquired about sludge coming in to the County and whether it was tested for heavy metals. Commissioner Loffler indicated that it is state regulated and state tested.

Minnie Russell - Inquired as to status of the Charlotte Hall stump dump. The Commissioners advised that it was approved for a landfill and it is now awaiting MDE comments.

Minnie Russell - Inquired about grass cutting along county roads (Wynne Road)--that they are cutting a wider strip than necessary and they are told how many days it takes to cut certain roads. The Commissioners directed staff to look into this.

The Public Forum concluded at 7:35 p.m.

Minutes Approved by Board of
County Commissioners on 8/11/92

Judith A. Spalding
Recording Secretary

