

ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS

February 23, 1993

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

(Commissioner John G. Lancaster was not present.)

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve the minutes of the Commissioners' meeting of Tuesday, February 16, 1993. Motion carried.

APPROVAL OF BILLS

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

EXECUTIVE SESSIONS

Commissioner Bailey moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss matters of Personnel (State's Attorney's Office personnel), as provided in Article 24, Section 4-210(a)1; Personnel (Consideration of Appointments to Boards, Committees, Commissions), as provided in Article 24, Section 4-210(a)1; and Property Acquisition (Community College site), as provided in Article 24, Section 4-210(a)11. Motion carried.

Personnel

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner Barbara R. Thompson
Edward V. Cox, County Administrator
Charles Wade, Director of Finance
George Foster, Personnel Officer
Walter Dorsey, State's Attorney
Christie Chesser, Deputy State's Attorney
Judith A. Spalding, Recording Secretary

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

Topic: Personnel - State's Attorney's Office Personnel

Time Held: 9:10 a.m. - 9:55 a.m.

Action Taken: Reviewed documentation relative to State's Attorney's Office attorneys and staff salaries.

**COMMENDATION
BELL MOTOR COMPANY**

Present: Frank Bell

The Commissioners presented a Commendation to Bell Motor Company for 70 years of business in St. Mary's County.

**ANNUAL REPORT
ADULT PUBLIC GUARDIANSHIP**

Present: Gary Anderson, Secretary

Mr. Anderson appeared before the Commissioners to present the 1992 Annual Report for the Adult Public Guardianship Board. He reviewed the group's purpose (to provide for the impartial oversight of public guardianship cases and to insure that disabled persons receive appropriate services and treatment); significant activities for 1992; and plans for 1993.

The Commissioners thanked Mr. Anderson for his presentation.

A copy of the report is on file in the Commissioners' Office.

**ANNUAL REPORT
COMMISSION FOR WOMEN**

Present: Janet Hanke, Chairperson
June White Dillard
Marjorie Feigelson
Nancy Hutson
Jeanne Vote
Becky Stevens, Community Services Coordinator

The referenced representatives of the Commission for Women appeared before the Commissioners to present the group's 1992 Annual Report. Ms. Hanke reviewed the Commission's background, and purpose (to deal with matters involving the concerns of and issues affecting women); goals, accomplishments (which include development of a Domestic Violence Information Card, Newsletter, Brochure); ongoing projects (legislation); and programs (Women's History Month, Domestic Violence Town Meeting, The Women's Center, Community Outreach, Archives, Liaison and Networking - Maryland Commission for Women, Seminar/Conference attendance, etc.) .

The Commissioners thanked the Commission for Women representatives for their presentation.

A copy of the Report is on file in the Commissioners' Office.

INTERAGENCY CHILDREN'S COMMITTEE

Present: Becky Stevens
Jane Sullivan

The referenced individuals appeared before the Commissioners to present the 1992 Annual Report for the Interagency Children's Committee. Mrs. Stevens reviewed the group's purpose, activities of the past year (school age child care grant and other grants, technical services, fund raisers); problems and challenges (relationship of centers and schools, center enrollment, shared space); and plans for current year (center monitoring, grants, education in the community and schools).

RECREATION AND PARKS

Present: Phil Rollins, Director
Jane Sypher, Board Member

1) Gymnastic Center

Also Present: Gary Reed, Recreation Supervisor
Gymnastic Program Leaders
Gymnastic Boosters

Mr. Rollins appeared before the Commissioners to discuss the possibility of renting commercial space in Lexington Park for a gymnastics center and to request the Commissioners approval of a lease agreement between the County and Patuxent Development Corporation for use of the old K-Mart building. Mr. Rollins explained the growth of the gymnastics program, which is currently housed at the Esperanza Middle School.

During discussion Mr. Rollins summarized the terms of the proposed five-year lease pointing out rental costs, insurance and taxes, utilities, etc. He indicated that the program would be operated on a self-supporting basis stating that revenues would be generated through fees and funds raised by the Gymnastics Booster Club. He advised that the Recreation and Parks Board has recommended approval to the Commissioners.

Areas of discussion included cleaning of the facility (which will be done by staff), scheduling of activities, rate structure, and maintenance of heating equipment.

After discussion the Commissioners indicated they would make a decision on the request next week.

2) Land Preservation and Recreation Plan

Also Present: Jon Grimm, Director, Planning and Zoning

As a follow up to the February 9 presentation of the Land Preservation and Recreation Plan, Mr. Rollins presented a memorandum modifying the Plan in response to concerns expressed at the February 9 meeting. The modifications, recommended by the Recreation and Parks Board, included deletion of the proposed Subdivision Regulation revision and replacing language in the "Neighborhood Parks" section.

Mr. Grimm presented a memorandum dated February 23 setting forth recommendations for modifications to the Plan made by the Planning Commission. The modifications included changes to priorities, clarification of the proposal for the expanded Wicomico Shores waterfront park, inclusion of discussion and analysis of development plans for various state lands, discussion of planned facilities at Greenwell State Park for handicapped individuals, and to include final action of the Recreation and Parks Board on the Plan.

Areas of discussion included the priority lists as it pertained to the indoor recreation center (including an indoor pool), outdoor and indoor shooting ranges.

After discussion the Commissioners indicated that they would review the recommendations from the Recreation and Parks Board and Planning Commission and make a decision at next week's meeting.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) Policy Memorandum Privatization

As a follow up to last week's discussion regarding efforts by the County to look at areas in county government that could be privatized. He stated that staff has developed a Policy Memorandum recommending a procedure where the County would look at comparison

costs, between in-house and private industry, for various services now being accomplished by the county work force. Mr. Cox pointed out that the purpose would be to save taxpayers' money by doing things as efficiently and cost effectively as possible.

After discussion the Commissioners gave their concurrence and directed the County Administrator to present the Policy Memorandum next week for the Board's signatures.

2) **Zone #86-1340**
St. Andrews Rubble Landfill

As requested by the Commissioners at last week's meeting regarding the referenced matter, the County Administrator presented correspondence addressed to the applicant's attorney. The letter responds to and addresses issues raised in the attorney's July 24, 1992 correspondence to the Commissioners and requests clarification regarding whether the applicant is unconditionally withdrawing the rezoning application, or only if the County accepts either or both of the procedural requests. Because the Department of Planning and Zoning has received an application for a PUD zoning change for the establishment of an industrial PUD to accommodate a rubble landfill for the same property having a pending rezoning application, the Commissioners have determined that the initial application must be resolved prior to the scheduling of a hearing on the PUD application. A response is requested by March 9.

After discussion Commissioner Thompson moved, seconded by Commissioner Bailey, to sign and forward the letter as presented. Motion carried.

3) **Budget Amendments**

The County Administrator presented the following Budget Amendments recommended for approval by the Director of Finance with the following justifications:

No 93-34
Planning and Zoning

Justification: To cover shortfall in Office Maintenance of Equipment for remainder of year (\$1,500)

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve and authorize Commissioner Loffler to sign the Budget Amendment as presented. Motion carried.

No. 93-35
County Commissioners

Justification: To provide funding to update the County's Impact Fee Study (\$10,000)

The Commissioners agreed to defer action on the Budget Amendment until next week when the full Board will be present.

4) **Sewage Sludge Permit Modification Applications**

The County Administrator presented correspondence from the Maryland Department of Environment forwarding Sewage Sludge Permit Modification Applications for the following properties: J. R. Mattingly, Clint Brewer, Raymond Woodburn, Kenneth Burroughs, William Burroughs, and William Chesley. Therefore, Mr. Cox presented the standard response addressed to the MDE indicating that the Commissioners do not request a public hearing and reiterating the Commissioners' reservations.

Commissioner Thompson moved, seconded by Commissioner Bailey to sign and forward the letter as presented. Commissioner Jarboe voted against the motion. Motion carried four to one.

5) National Volunteer Fire Council Fall Meeting

The County Administrator presented correspondence addressed to National Volunteer Fire Council Members inviting them to attend the National Volunteer Fire Council Fall Meeting being held September 30 through October 3 in St. Mary's County. The meeting will be hosted by the Hollywood Volunteer Fire Department with the assistance of the other county volunteer departments.

The Commissioners agreed to sign and forward the letter as presented.

6) Response Correspondence - Personnel Manual

The County Administrator presented correspondence addressed to Mr. Cleon Rice acknowledging receipt of his February 7 letter regarding the proposed personnel manual changes.

The Commissioners agreed to sign and forward the letter as presented. Motion carried.

7) Personnel - State's Attorney's Office

The County Administrator presented the following memoranda from the Personnel Officer relative to personnel in the State's Attorney's Office:

Appointment of Assistant State's Attorney

Dated February 23 indicating the State's Attorney has requested appointment of James L. Tanavage as an Assistant State's Attorney, effective February 26, Grade 23, Step 4.

Assistant State's Attorneys

Dated February 23 requesting the title, grade, step and anniversary date of Joseph A. Mattingly, Jr., be changed from Assistant State's Attorney, Grade 23, Step 8 to Assistant State's Attorney II, Grade 24, Step 7; the step and anniversary date of Michael J. Stamm, Assistant State's Attorney, be changed from Step 2 to Step 4 to coincide with the salary being paid to the new Assistant State's Attorney.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve the referenced requests. Motion carried.

8) MILA Shell Building Loans

(Commissioner Loffler did not participate.)

The County Administrator advised that correspondence dated February 2 was received from Maryland Department of Economic & Employment Development responding to the county's request for repayment modification for the 1982 and 1989 MILA Shell Building Loans for St. Mary's Press. Mr. Cox presented return correspondence to MDEED expressing appreciation for its willingness to defer payment on the 1989 loan contingent upon full repayment of the 1982 loan; however, it appears that other remedies exist for the County which do not involve modifying the MILA loans at this time.

The Commissioners agreed to sign and forward the letter as presented.

EXECUTIVE SESSION

(Authorization for Executive Session previously given earlier in the day.)

Personnel

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

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

Topic: Personnel - Consideration of Appointments to Boards, Committees and Commissions

Time Held: 12:10 p.m. to 12:30 p.m.

Action Taken: The Commissioners reviewed the current status sheet, made nominations, and directed staff to prepare appointment letters for official appointments next week.

Property Acquisition

Present: Commissioner Barbara R. Thompson (VP pro tem)
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Edward V. Cox, County Administrator
Mary Pat Pope, Administrative Officer
Charles Wade, Director of Finance
Judith A. Spalding, Recording Secretary

(Commissioner Carl M. Loffler, Jr. did not participate.)

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

Topic: Property Acquisition - Community College Site

Time Held: 12:30 p.m. to 1:05 p.m.

Action Taken: Reviewed documentation relative to a community college site.

ANNUAL REPORTS

OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT

Present: Joseph Mitchell, Director, DECD

Agriculture/Seafood Commission

Present: George Reeves (former Chairperson)
Donna Sasscer, Agriculture Seafood Specialist
Hilton Harrod
James Owens
Bonnie Walsh
Luther Wolfe

Mr. Reeves opened the meeting by speaking on the various aspects of agriculture in St. Mary's County.

Mrs. Sasscer presented the 1992 Annual Report of the Agriculture/Seafood Commission. She reviewed the Commission's purpose, activities of the past year (including sludge study, livestock industry news, National Oyster Cook-off and Oyster Festival, Agriculture/Seafood newsletter, Southern Maryland Regional Farmer's Market, participation in Maryland Days, etc.), problems and challenges encountered or expected (including agriculture land preservation certification, loss of support services for agriculture, motivation of the Commission); and plans for the current year.

The Commissioners thanked the Commission members for presentation of the Annual Report.

A copy of the report is on file in the Commissioners' Office.

Community Development Corporation

Present: Dennis Nicholson
Nancy Hutson

The referenced representatives of the Community Development Corporation appeared before the Commissioners to present the Corporation's 1992 Annual Report. The report included its purpose, significant activities for the past year (including administration of special loans, first mortgages and escrow accounts services connected with the Tubman Douglass Homeownership Demonstration Project, two child day care facility monitoring, Emergency Mortgage Assistance Program, and special training); problems encountered; and plans for current year.

The Commissioners thanked the CDC representatives for the report.

A copy of the Report is on file in the Commissioners' Office.

Community Development Block Grant Advisory Committee

Present: Dennis Nicholson
Nancy Hutson

The referenced representatives of the Community Development Block Grant Advisory Committee appeared before the Commissioners to present the Committee's 1992 Annual Report. The Report included its establishment, membership, and purpose, which is the handling of CDBG applications including the public hearing process.

A copy of the report is on file in the Commissioners' Office.

Economic Development Commission

Present: F. Elliot Burch, Jr., Chairman
Joe Gough

The referenced individuals appeared before the Commissioners to present the 1992 Annual Report for the Economic Development Commission. The report included the group's purpose, activities (including support of industrial sites in northern end of the county, support of development of airport industrial sites, Airpark/Industrial Park Sewering, fast tracking, higher education facility, Southern Maryland Navy Alliance, Technology Council, Southern Maryland Naval Base Consolidation and Realignment Task Force); problems and challenges (including reorganization of subcommittees, economic stagnation, defense dependence and federal cutbacks); and plans for the current year.

A copy of the report is on file in the Commissioners' Office.

COURTHOUSE SPACE NEEDS

Present: Judge John Hanson Briscoe
Judge Marvin Kamnetz

Judges Briscoe and Kamnetz appeared before the Commissioners to advise the Commissioners of the critical space needs at the Courthouse. Judge Briscoe advised that the space needs are two-fold--the Clerk of the Court's Office and the impending creation of a third Circuit Court judgeship in St. Mary's County. He explained that the Clerk's Office is the "right arm" of the court system and processes a voluminous amount of documents for the court. Judge Kamnetz pointed out that the third judge position is not a request by the county's judges, but through an analysis of statistics of case loads and time involved in getting cases heard. Judge Briscoe indicated that they have been working with Department of Public Works regarding the space needs.

County Administrator Cox indicated that staff agreed that there is a need; however, it would entail relocating some offices. The long term solution, which may mean an addition to the courthouse, will take some time to do a study. The time frame for accommodating a third judge would be approximately three years.

In conclusion, Mr. Cox indicated that staff will prepare a proposal for the Commissioners' consideration setting forth short and long term problems as well as the need for a study including costs.

ALLIANCE POLICY COUNCIL MEETING

The Commissioners attended the Alliance Policy Council Meeting at the State Office Building, Public Meeting Room.

COURTYARDS AT GREAT MILLS

Present: Joe Mitchell, Director, DECD
Bill Wirth, developer
John Norris, NGO

As a follow up to discussion at the February 9 meeting Mr. Mitchell and Mr. Wirth appeared before the Board to request the Commissioners' endorsement of a rental housing project in Lexington Park. The project, Courtyards at Great Mills located on Mattaponi Road, is to be financed by the Department of Housing and Community Development, 24 units of which is to be low-income. The DHCD regulations require a local contribution which would be \$48,000, representing \$2,000 per unit for the 24 low-income units, as a loan toward the \$2,000 per unit impact fee.

Mr. Norris indicated that the Commissioners had inquired about a market study to determine if there was a need. He presented correspondence dated February 3 from HUD pointing out the current weak market; however, with the transfer of military personnel, market conditions are anticipated to improve.

Commissioner Loffler stated that he was in favor of authorizing the \$48,000 loan for the impact fees, but reiterated his concern about the need for housing.

After discussion Commissioner Thompson moved, seconded by Commissioner Bailey, to authorize the loan of \$48,000, representing \$2,000 impact fee for the 24 low income units with a 40-year amortization at 4%. Motion carried.

The Commissioners requested Mr. Mitchell to send correspondence to the Community Development Administration indicating that approval of the loan was not to be interpreted as agreeing that there is currently a market for these units; however, the Board realizes that if the projected increased population occurs, there will be a need in the future.

Mr. Mitchell will return to the Commissioners with a Resolution for their signature approving the project.

FISCAL YEAR 1994 BUDGET

Present: Charles Wade, Director of Finance
Representatives of Board of Education and Public Schools

For the Commissioners' information, Mr. Wade presented a handout regarding the Fiscal Year 1994 budget setting forth anticipated revenues and expenditures and describing problem areas that will create a shortfall of \$4,191,688. The problem areas include the Board of Education Social Security payments, health insurance and retirement, Library and Community College Social Security payments, costs for new buses, and other miscellaneous costs. The handout included a list of alternatives to be considered by the Commissioners to cover the shortfall (raise revenues, employee contribution for health care, down sizing, elimination of funding to specific activities, and privatization). Mr. Wade pointed out that the figures he presented are based on everything else staying at the same level of funding.

**CONTINUATION OF EXECUTIVE SESSION
PROPERTY ACQUISITION - COMMUNITY COLLEGE**

Present: Commissioner Barbara R. Thompson (VP pro tem)
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Edward V. Cox, County Administrator
Mary Pat Pope, Administrative Officer
John Collich, Beacon Realty
Judith A. Spalding, Recording Secretary

Time Held: 6:00 p.m. to 6:30 p.m.

Action Taken: Continued review of documentation relative to a community college.

**BUDGET AMENDMENT NO. 93-31
COUNTY COMMISSIONERS**

Present: Charles Wade, Director of Finance

Mr. Wade presented the referenced Budget Amendment with the following justification:
Community College Site Acquisition - \$2,025,000.

Commissioners Bailey, Jarboe, Lancaster (contacted by telephone) and Thompson (also contacted by telephone) approved and authorized Commissioner Lancaster to sign the Budget Amendment as presented.

ADJOURNMENT

The meeting adjourned at 6:40 p.m.

Minutes Approved by Board of
County Commissioners on March 2, 1993

Judith A. Spalding
Recording Secretary

