

**ST. MARY'S COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**DECEMBER 27, 1994**

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Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chesser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
Edward V. Cox, County Administrator  
Judith A. Spalding, Recording Secretary

**CALL TO ORDER**

The meeting was called to order at 9:00 a.m.

**APPROVAL OF MINUTES**

Commissioner Brugman moved, seconded by Commissioner Chesser, to approve the minutes of the County Commissioners' meeting of Tuesday, December 20, 1994. Motion carried.

**APPROVAL OF BILLS**

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

**COUNTY ADMINISTRATOR ITEMS**

Present: Edward V. Cox, County Administrator

1) **American Red Cross - Blood Drive**

Also Present: Mary Loretta Norris

Mrs. Norris appeared before the Commissioners to explain the American Red Cross' blood drive program stating that there are 25 to 30 drives each year. She advised that the blood supply for St. Mary's is very low, and there will be a drive on January 5 at the Carter State Office Building. She further explained that teddy bears have been donated by the telephone company which are given to children in the hospital who receive blood.

2) **Personnel**  
**Intermittent Part Time/Emergency Essential**

Also Present: Sheriff Voorhaar  
Lt. Phil Cooper, Sheriff's Department  
Paul Wible, Director, EMA

As a follow up to last week's discussion, the referenced individuals appeared before the Commissioners to give further explanation to the request by the Sheriff and EMA Director to change the Personnel Manual to designate six Intermittent Part Time positions as "Emergency Essential."

Mr. Wible and Sheriff Voorhaar explained that, particularly during the holidays when full time communications operators take leave, the IPT's, who are required to do the same level of duty as full time employees, are called in. By making the designation of "emergency essential," it would allow them to receive the holiday pay and call back pay as is given to the full time operators. Mr. Wible pointed out, however, that the IPT's are a grade lower than full time operators, and that would remain in place.



Issues raised during discussion included a (1) letter from the Employees' Association relative to Intermittent Employees and (2) having the County Administrator put in writing the wording to change the manual.

After discussion Commissioner Chesser moved, seconded by Commissioner Brugman, to grant the request to change the six Communication Operator positions (four within EMA and two within the Sheriff's Department) from Intermittent Part Time to Emergency Essential positions for a 30-day period in order to give the Commissioners an opportunity to review the situation and to develop a permanent alternative. Motion carried.

3) **Board of Education  
Grant Award**

The County Administrator advised that correspondence dated December 19 was received from the Superintendent of Schools advising that grant awards had been received that had not been included in the Approval Operating budget for Fiscal Year 1995 and requesting permission to incorporate these grant awards into the '95 budget.

Therefore, County Administrator Cox presented return correspondence approving the inclusion of the grant awards into the Fiscal Year 1995 budget.

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

4) **Resolutions Transferring Bond Proceeds from Indian Bridge Road  
to St. Andrews Landfill**

To implement the Commissioners' decision of last week, the County Administrator presented the following Resolutions for the Commissioners' review and consideration:

**No. 94-31**

**Public Facilities Bonds of 1991**

Supplementing Resolution No. 91-42 by transferring \$208,693 from the Indian Bridge Road Project to go towards financing the St. Andrews Landfill Project.

**No. 94-32**

**Public Facilities Bonds of 1993**

Supplementing Resolution No. 93-03 by transferring \$963,789 from the Indian Bridge Road Project to go towards financing the St. Andrews Landfill Project.

Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and sign Resolution Nos. 94-31 and 94-32 as presented. Motion carried.

4) **Resolution No. 94-33  
Local Government Insurance Trust  
Amendment to Trust Agreement**

The County Administrator advised that since the inception of the Local Government Insurance Trust pool five pools had been established, and St. Mary's County has participated in three of them (primary liability, excess liability and property). Under the existing Agreement, positive fund balances in each pool at the end of each fiscal year are transferred to a Surplus Account resulting in a zero fund balance. By memorandum dated December 22 the Director of Finance forwarded an Amendment to the Trust Agreement approved by LGIT, which provides that fund balances would be maintained in each respective pool.

Commissioner Brugman moved, seconded by Commissioner Chesser, to approve and sign Resolution No. 94 approving the Second Supplemental Amendment to the Fifth Amended and Restated Local Government Insurance Trust Agreement. Motion carried.



5) **Appointments  
Boards, Committees, Commissions**

Commissioner Jarboe moved, seconded by Commissioner Brugman, and motion carried, to make the following appointments with terms as indicated:

<u>Commission on Aging</u>		<u>Terms To Expire</u>
Bernie M. Kerr		6/30/97
<u>Council on Children and Youth</u>		
Nikcole Hebb		6/30/95
Addie McBride		12/31/96/99
<u>Economic Development Commission</u>		
Wayne M. Davis		6/30/97
<u>Emergency Services Committee</u>		
Robert A. Bean	<i>2nd District Fire &amp; Rescue Rep.</i>	NO TERM
R. Keith Fairfax	<i>Bay District Fire Dept. Rep.</i>	NO TERM
John O. Gatton, Sr.	<i>Hollywood Rescue Squad Rep.</i>	NO TERM
George Kalnasy, Jr.	<i>Leonardtown Fire Dept. Rep.</i>	NO TERM
William L. Kemp	<i>7th District Rescue Squad Rep</i>	NO TERM
C. Leonard Raley	<i>Ridge Fire Dept. Rep.</i>	NO TERM
Bennie Swim	<i>Mechanicsville Rescue Squad Rep.</i>	NO TERM
Willie Wilkerson	<i>Mechanicsville Fire Dept. Rep.</i>	NO TERM
Joseph W. Wood	<i>Hollywood Fire Dept. Rep.</i>	NO TERM
<u>Mental Health Authority Board</u>		
Michael A. Harper		12/31/97
<u>Nursing Center Board</u>		
Joseph H. Dobson, Jr.		6/30/96/99

6) **Letters of Gratitude**

The County Administrator presented letters of appreciation to individuals no longer able to serve on Boards, Committees, Commissions.

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

7) **Special Purpose Grant  
Community College at St. Mary's**

The County Administrator advised that correspondence dated December 21 from HUD forwarding a notice and related information concerning the Special Purpose Grant in the amount of \$1,000,000 for the expansion of the Community College at St. Mary's Project. The return letter forwards the completed application and states that the County intends to comply with all directives and regulations. County Administrator Cox pointed out that although the use of the funds have not yet been determined, they could be used towards the Route 5 access to the college or towards expansion of the Science building.

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



8) **Governor Glendenning's Representative  
Base Closures/Realignment**

Also Present: Mary Pat Pope, Administrative Officer

Mrs. Pope appeared before the Commissioners to advise that Governor-elect Glendenning has designated John Porcari as his representative to serve as the point of contact for base closures and realignment issues. Mr. Porcari has been scheduled to tour NAWC on December 28 after which there will be a meeting of community leaders to discuss the closure/realignment process and the impact on the County. The meeting will be held at Man Tech at 4 p.m. and the Commissioners are invited.

9) **Report on Filing Binding Documents**

As a follow up to last week's discussion concerning the location of documents such as the crossing/indemnification agreement, the County Administrator advised that these documents will be recorded in the land records and then filed with the related department's topic file and with the County Attorney.

10) **1995 Legislative Proposals**

As a follow up to the December 20 public meeting, the County Administrator presented a revised list of Legislative Proposals for 1995. He stated that the Commissioners will meet with the legislators at a breakfast meeting on January 9 at the Halfway House whereby each of the items will be discussed and a determination made whether additional information is needed. The Commissioners are scheduled to take positions on the items on January 10.

11) **Solid Waste Management Plan**

As a follow up to the Commissioners' decision of last week to recall the County's Solid Waste Plan from the State, the County Administrator presented a memorandum dated December 23 setting forth suggestions to implement the decision. He suggested the following: that correspondence be forwarded to MDE providing notice of the recall; that the Commissioners meet with the Solid Waste Advisory Committee, consultants, and staff to discuss concerns and to give direction after summary presentation of the Plan; and to agree on schedule, work items, and expected costs.

**After discussion Commissioner Jarboe moved, seconded by Commissioner Chesser, to sign the letter to Maryland Department of Environment to recall the Plan for further review by the Board of County Commissioners. Motion carried.**

12) **Resolution No. Z 94-22  
Critical Area Buffer Variance Refinement**

As a follow up to the December 13 public hearing on the Critical Area Administrative Variance Refinement, the County Administrator presented Resolution No. Z 94- adopting the Critical Area Buffer Variance Refinement.

**Commissioner Jarboe moved, seconded by Commissioner Eagan, to approve and sign the Resolution as presented. Motion carried.**

13) **Addenda to Public Works Agreements**

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



**Magnolia Meadows, Section 1**

Between Stefan Koczerzuk, Magnolia Meadows, ICC, and Board of County Commissioners of St. Mary's County extending the deadline for completion of improvements to July 1, 1995. The Agreement is backed by a Bond in the reduced amount of \$20,000 with International Fidelity Insurance Company.

**Persimmon Hills, Phase 2**

Between Bay Mills Construction Company, Inc. and Board of County Commissioners of St. Mary's County extending the deadline for completion of improvements to January 1, 1996. The Agreement is backed by a Bond in the amount of \$380,100 with International Fidelity Insurance Company.

**Commissioner Jarboe moved, seconded by Commissioner Eagan, to approve and authorize Commissioner Thompson to sign the Addenda as presented. Motion carried.**

**COUNTY COMMISSIONERS' TIME**

The Commissioners addressed the following issues:

**Fiscal Year 1996 Budget**

**As a follow up to Commissioner Eagan's request for certain budget information, Commissioner Eagan moved, seconded by Commissioner Chesser, to give department heads the option of submitting a list of unfunded requirements with justifications to be presented with the prior requested budgets. Motion carried.**

**Department of Planning and Zoning**

**Anonymous Complaints**

Commissioner Brugman moved, seconded by Commissioner Jarboe, that effective immediately that no anonymous complaints be accepted by the Department of Planning and Zoning and that all future complaints be in writing with names, telephone numbers, and addresses.

Discussion ensued regarding the current process of handling complaints that inspectors check out to see if the complaints are valid.

After discussion the Commissioners requested that Mr. Grimm explain the handling of complaints prior to taking any action.

Commissioner Brugman withdrew his motion and stated he would bring it back up next week.

**Employment Contracts**

As a follow up to last week's request regarding Employment Contracts for the Director of Finance and the Director of Public Works, Commissioner Jarboe stated he had gotten three opinions from three different attorneys pro bono. He stated he was told that it all related back to what was in the contracts and requested copies of these contracts as well as any others that were at Grade 28 for review.

**Boards, Committees, Commissions**

**Posting of Vacancies**

**Commissioner Chesser moved, seconded by Commissioner Jarboe, that the information on vacancies on boards, committees, and commissions be posted in the three libraries in the County. Motion carried.**



## EXECUTIVE SESSION

Commissioner Eagan moved, seconded by Commissioner Chesser, to meet in Executive Session to discuss a matter Personnel (Consideration of Appointments to Boards, Committees, and Commissions) as provided in Article 24, Section 4-210(a)1. Motion carried three to two with Commissioner Brugman and Jarboe voting against.

### Personnel

#### Consideration of Appointments to Boards, Committees, Commissions

Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chesser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
Edward V. Cox, County Administrator  
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)1  
Time Held: 11:25 a.m. - 1:30 p.m.

Action Taken: The Commissioners reviewed the current status sheet, made nominations and directed staff to contact the nominees and prepare letters of appointment for the Commissioners' signatures for approval in Open Session at a later meeting.

## ADJOURNMENT

The meeting adjourned at 1:30 p.m.

Minutes Approved by Board of  
County Commissioners on 1/3/95

*Judith A. Spalding*  
Recording Secretary