

**ST. MARY'S COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**JANUARY 16, 1996**

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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  
Aleck Loker, County Administrator  
Judith A. Spalding, Recorder

**CALL TO ORDER**

The meeting was called to order at 1:00 p.m.

**APPROVAL OF MINUTES**

Commissioner Jarboe moved, seconded by Commissioner Eagan, to approve the minutes of Tuesday, January 9, 1996, as corrected. Motion carried.

**APPROVAL OF BILLS**

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

**COUNTY ADMINISTRATOR ITEMS**

Present: Aleck Loker, County Administrator

1) **Correspondence**

The County Administrator presented the following correspondence for the Commissioners' review and consideration:

- a. To State Highway Administration regarding SHA site adjacent to Governor Thomas Johnson Bridge for Chesapeake Bay ferry service (revised and re-presented from last week). The revision included a statement that the Commissioners have taken no position to date.

In response to the Commissioners' request last week, Mr. Loker presented a memorandum from the Department of Planning and Zoning addressing the issue of the process regarding the proposed location of a ferry boat service and stating that it would be considered a water dependent facility under the Critical Area Law. The memorandum indicates that a public hearing by the Planning Commission would only be required if it is located on private land. If it is on state-owned land, the property could be exempt from local review, and if so, the project would be reviewed for local conformance by the CAC. Commissioner Brugman stated that he would prefer a public hearing even if one was not required. Mr. Loker indicated that since the Critical Area Commission would be seeking input from DPZ, DPZ could possibly conduct a hearing.

During discussion Commissioner Jarboe indicated that he received a letter from Steve King supporting efforts to make the ferry service a reality.

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

In conclusion the Commissioners directed the County Administrator to request Mr. Tobin, who proposed the project, to send letters of intent to property owners in the vicinity of the proposed ferry landing site.

- b. To Gloria LeDonne expressing appreciation for her service as Safety Coordinator during her tenure as Deputy Director
- c. To Phil Cooper, Deputy Director, EMA appointing him as Safety Coordinator

**Commissioner Brugman moved, seconded by Commissioner Eagan, to sign and forward letters b and c, as presented. Motion carried.**

**2) Response Letters**

The County Administrator presented the following response letters for the Commissioners' review and consideration:

- a. To Tana Shultz regarding the Board of Appeals need for an effective zoning enforcement program for St. Mary's County.

Commissioner Eagan indicated she wanted to know whether Ms. Shultz was speaking on behalf of the Board or for herself before taking action on the letter. A decision on the letter was deferred until a response is received from Ms. Shultz.

- b. To Joseph Mitchell regarding link between Housing Authority and DECD
- c. To Dr. Marek, Health Advisory Committee regarding Hospice's request for position on outside of county requests for CON applications to provide Hospice service in St. Mary's County.
- d. To Vlasta Konecny regarding operation of Tri-County Animal Shelter.

**Commissioner Brugman moved, seconded by Commissioner Chesser, to sign and forward letters b, c, and d, as presented. Motion carried.**

**3) Boards, Committees, Commissions  
Appointments/Letters of Appreciation**

**Commissioner Jarboe moved, seconded by Commissioner Brugman, with motion carried, to sign and forward letters appointing the following individuals to boards, committees, commissions with terms as indicated:**

**Agricultural/Seafood Commission**

Patrick W. Adams

**Terms to Expire**

12/31/98

**Commission for Women**

Brenda G. Wise

6/30/98/2002

**Planning Commission**

Earl James Dexter

12/31/2000

Michael L. Hewitt

12/31/2000

Richard J. Ince, Jr.

12/31/2000

**Teen Center Advisory Board**

Joe Dick

12/31/97

Alonzo Gaskin

12/31/97

Mike Kaslosky

12/31/2000

Wesley Mackall

12/31/96

Jerry Staten

12/31/98

4) **Emergency Shelter Grant**

On behalf of the Department of Economic and Community Development the County Administrator presented the referenced Emergency Shelter Grant Agreement for the FY '95 Emergency Shelter Program under which St. Mary's County has been awarded \$20,415. The funds will support the homeless assistance administered by the Department of Social Services and Walden/Sierra, Inc.

**Commissioner Jarboe moved, seconded by Commissioner Chesser, to authorize Commissioner Thompson to sign the Grant Agreement as presented. Motion carried.**

5) **Budget Amendment No. 96-25  
Department of Public Works**

The County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Finance with the following justification: To provide additional funding for Island Creek Dredging Project (\$9,779).

**Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve and sign Budget Amendment No. 96-25 as presented. Motion carried.**

6) **Taxi Fare Concern**

The County Administrator presented correspondence from Dr. Michael F. Petrie commending the Sheriff, the Commissioners and the newspaper for assisting him with his taxi fare problem.

**HOUSING AUTHORITY - REALIGNMENT DISCUSSION**

Present: Michael McCauley, Chair, Housing Authority  
Billie Brown, "  
Gordon Ferguson, "  
Robert Gant, "  
Dennis Nicholson, Deputy Director, DECD  
Douglas Durkin, County Attorney

The referenced representatives of the Housing Authority appeared before the Commissioners to discuss the County Administrator's proposal to realign the Housing Authority under the Department of Social Services. Mr. McCauley indicated that the Housing Authority met three times to discuss the proposal and defined five options: (1) to realign with DSS; (2) to remain as is; (3) to become a separate new department; (4) to become semi-independent; and (5) to become part of a "Super-Department" of County Government. After review and discussion of advantages and disadvantages of each of the options, and consideration of comments from various sources, the Housing Authority supported the option to become a semi-independent Housing Authority with financial and service (including office space, utilities, legal, personnel, etc.) support from County Government.

Mr. McCauley stated that if the Commissioners concur with the Housing Authority's recommendation, the County Attorney would need to develop a fiscal services agreement to outline the understanding between the County and the Authority.

In response to inquires from the Commissioners Mr. McCauley indicated that the Commissioners would continue to appoint the Housing Authority Board members and the Authority would hire the Executive Director.

Relative to the reorganization of the Housing Authority the County Attorney presented a spreadsheet summarizing the various liabilities and immunities applicable to state and county governments in Maryland under three components: contracts, torts, and civil rights and other federal laws.

After discussion of advantages/disadvantages of making the Housing Authority an independent agency, the Commissioners agreed to defer a decision on the recommendation for at least two weeks in order to allow them an opportunity to review all available information.

**BUDGET AMENDMENT NO. 96-24  
DEPARTMENT OF RECREATION AND PARKS  
SCHOOL BALLFIELD PROPOSAL**

Present: Phil Rollins, Director, Recreation and Parks

As a follow up to concerns expressed at a Commissioners' public form, Mr. Rollins presented Budget Amendment No. 96-24 transferring \$21,000 from Money in Lieu of Land funds for a ballfield improvement project for the Commissioners' approval. Mr. Rollins advised that eight ballfields have been identified that need attention. The Board of Education has committed \$4,000 for the improvements for a total project cost of \$25,000. He pointed out that the funds would be transferred from the Indoor Recreation Center (Leonard Hall Drill Hall) project, which had been approved in the FY '95 budget. The drill hall project would be deferred until FY '97.

During his presentation Commissioner Jarboe inquired while doing this project whether basketball nets could be done as well. Mr. Rollins responded that basketball courts are going to be constructed at the Regional Park and will be bid out in the spring.

**After discussion Commissioner Brugman moved, seconded by Commissioner Eagan, to approve and sign Budget Amendment No. 96-24. Motion carried.**

**DEPARTMENT OF PUBLIC WORKS**

Present: Dan Ichniowski, Director

1) **Snow Storm Costs**

For the Commissioners' information Mr. Ichniowski presented a handout providing up-to-date snow storm costs including equipment rental costs, overtime costs, salt, sand and other costs. Total storm cost through January 15 is \$303,019. He advised that the total FY '96 snow removal budget is \$110,000 and that he will be presenting a budget amendment at a later date to provide the funds needed for current expenses as well as the remainder of FY '96 (\$225,300, less \$50,000 from Solid Waste Salaries Account).

2) **Resolution No. 96-04  
Triangle Drive Abandonment/Realignment**

As a follow up to the January 2, 1996 public hearing, Mr. Ichniowski presented the referenced Resolution approving the realignment of approximately 250 feet and the abandonment of approximately 650 feet of Triangle Drive (County Route 30005), located in Charlotte Hall in the Fifth Election District.

**Commissioner Chesser moved, seconded by Commissioner Eagan, to approve and sign Resolution No. 96-04, as presented. Motion carried.**

3) **Road Resolutions  
Wicomico Shores Taxing District**

Mr. Ichniowski presented the following Road Resolutions for the Commissioners' review and consideration:

**R-96-01** - posting roads in the Wicomico Shores Taxing District, Fourth Election District, at 25 miles per hour.

**R96-02** - designating certain streets in the Wicomico Shores Taxing District as Stop Streets.

**Commissioner Eagan moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign the Road Resolutions as presented. Motion carried.**

4) **Addendum to Public Works Agreement  
Bay Ridge Estates**

Mr. Ichniowski presented the referenced Addendum to Public Works Agreement between Bay Country Enterprises, Inc. and the Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to June 1, 1996. The Addendum is backed by a Letter of Credit with First National Bank of St. Mary's in the reduced amount of \$10,000.

**Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Addendum as presented. Four Commissioners voted in favor with Commissioner Eagan abstaining because she is on the Board of Director of the Frist National Bank of St. Mary's.**

**MENTAL HEALTH AUTHORITY**

Present: Dr. William Marek, Health Officer  
Marilyn Carifi, Director, Mental Health Authority  
Marie Daugherty, Mental Health Authority  
Douglas Durkin, County Attorney

Representatives of the Mental Health Authority appeared before the Commissioners to request approval of a Memorandum of Understanding between the State of Maryland, acting through the Department of Health and Mental Hygiene, Mental Hygiene Administration, and St. Mary's County acting through the The Mental Health Authority of St. Mary's County. The Agreement outlines the responsibilities of The Mental Health Authority, St. Mary's County and DHMH relative to the management of funds from MHA to the Authority and of funds from St. Mary's County for the administration/provision of mental health services.

Mr. Durkin referred to his memorandum to the Board of County Commissioners relative to indemnification and pointed out recommended modifications to the Memorandum of Understanding. After review of the suggested changes, Mr. Durkin recommended the Commissioners' acceptance of the MOU with the modifications.

**Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Memorandum of Understanding as modified by the County Attorney and that the Mental Health Authority forward the document to the Department of Health and Mental Hygiene. Motion carried.**

**ST. MARY'S COUNTY MANAGEMENT STUDY**

Present: Chris Zitzow, David M. Griffith & Associates, Ltd.

Ms. Zitzow appeared before the Commissioners to discuss the Management Study for St. Mary's County Government. She explained the scope of the study conducted by the consulting firm, which was to identify the organizational structure, staffing requirements, work processes and to review how county government can increase its effectiveness in critical areas. The study included a review of the organizational structure in terms of how the departments are aligned and their reporting relationship; review of what areas could be consolidated; and a review of what areas may be appropriate to contract out.

During her review Ms. Zitzow indicated there were three recommendations that surfaced: (1) the issue of image of the County; (2) that all departments be treated equitably; and (3) the need for more technology.

Ms. Zitzow reviewed the summary of the major recommendations identified in each county department, discussed other county-wide issues including career ladders, early retirement, service to boards, committees, and commissions, and capital improvement plans. accepted comments and questions from the Commissioners concerning micromanaging, pay plan issues, and performance evaluations.

In conclusion Ms. Zitzow indicated that the Pay and Classification Study will be submitted to the Commissioners around February 20.

## **COUNTY COMMISSIONERS' TIME**

### **Snow Storm**

Commissioner Brugman commended everyone involved in clearing roads and helping other citizens during the recent snow storms.

### **Fiscal Year 1997 Budget**

Commissioner Thompson advised that the Fiscal Year 1997 budget process is underway and inquired as to how the Commissioners wanted to do departmental reviews. County Administrator Loker indicated that he and the Director of Finance had tentatively scheduled Wednesday, Thursday, and Friday afternoons with major departments scheduled for Thursday afternoons for the Commissioners' convenience. He stated he would present a draft schedule next week for their consideration.

The Commissioners discussed the format of the budget and requested that the budget be prepared by department rather than by activity.

## **EXECUTIVE SESSIONS**

**Commissioner Jarboe moved, seconded by Commissioner Brugman, to meet in Executive Session to discuss matters of Property Acquisition/Potential Litigation (Abell's Wharf), as provided in Article 24, Section 4-210(a)11 and 8 and Litigation (Parcel of Record); as provided in Article 24, Section 4-210(a)8. Motion carried.**

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

### **Property Acquisition/Potential Litigation (Abell's Wharf)**

Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chesser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
Aleck Loker, County Administrator  
Doug Durkin, County Attorney  
Phil Rollins, Director, Recreation and Parks  
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)8 and 11

Time Held: 5:02 p.m. - 5:50 p.m.

Action Taken: Staff reviewed the particulars of the referenced issue and received direction from the Commissioners.

**Litigation (Parcel of Record)**

Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chesser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
Aleck Loker, County Administrator  
Doug Durkin, County Attorney  
Jon Grimm, Director, Planning and Zoning  
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)8  
Time Held: 5:50 p.m. - 6:35 p.m.

Action Taken: Staff brought the Commissioners up to date relative to the referenced legal matter including the Consent Order and settlement discussions.

**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  
Aleck Loker, County Administrator  
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)1  
Time Held: 6:35 p.m. - 6:55 p.m.

Action Taken: The Commissioners reviewed the current status sheets, made nominations, and directed staff to contact nominees and prepare appropriate letters of appointment.

**ADJOURNMENT**

The meeting adjourned at 6:55 p.m.

**Minutes Approved by Board of  
County Commissioners on 1/23/96**

*Judith A. Spalding*  
**Recording Secretary**