

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
MARCH 19, 1996**

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 9:05 a.m.

FISCAL YEAR 1997 BUDGET WORK SESSION

Present: Steve Welkos, Director of Finance
 Martha Jones, Budget Analyst

The Commissioners conducted a work session on the Fiscal Year 1997 Recommended Budget. The Session will continue Thursday, March 21, (11 a.m. - 2 p.m.); Monday, March 25 (1:30 p.m. - 4:30 p.m.); Tuesday, March 26 (9 a.m. - 12 Noon).

EXECUTIVE SESSIONS

Commissioner Jarboe moved, seconded by Commissioner Chesser, to meet in Executive Session to discuss matters of Personnel (Sheriff's Department; Public Information Specialist), as provided for in Article 24, Section 4-210(a)1. Motion carried

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

Personnel (Sheriff's Department)

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
 George Foster, Personnel Officer
 Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 11:25 a.m. to 12:20 p.m.

Action Taken: The Commissioners discussed the request for exception to Chapter 16) of the Personnel Manual (carryover of annual leave) and agreed to take action in open session.

Personnel (Public Information Specialist)

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
George Foster, Personnel Officer
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 12:20 p.m. to 12:40 p.m.

Action Taken: The Commissioners reviewed options relative to the referenced position and agreed to take action in open session.

Personnel (Consideration of Appointments to Boards)

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: 12:40 p.m. to 12:50 p.m.

Action Taken: The Commissioners reviewed the current status sheet, made recommendations, and directed staff to contact the individual and prepare appropriate letter of appointment for approval at a future meeting.

FOLLOW UP TO EXECUTIVE SESSIONS

Sheriff's Department

Commissioner Chesser moved, seconded by Commissioner Eagan, to approve the carry over of 36.74 hours of annual leave for a Sheriff's Deputy because of an on-the-job injury in the line of duty. Motion carried 4-0-1 with Commissioner Brugman abstaining..

Public Information Specialist

Commissioner Jarboe moved, seconded by Commissioner Chesser, to direct the Personnel Officer to prepare a one-year contract for the Public Information Officer. Motion carried.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve the minutes of Tuesday, March 12, 1996. Motion carried.

APPROVAL OF BILLS

Commissioner Eagan moved, seconded by Commissioner Jarboe, 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 Trudi Manning Cook regarding animal control incident.
- b. To Tony Allen responding to comments regarding the proposed FDR Boulevard project.
- c. To Maryland Department of Environment regarding sewage sludge permit application to apply sludge on the Andrew Bean site.
- d. To Congressional Delegation regarding Federal Impact Aid and addresses the impact of additional students because of the BRAC decision

Commissioner Jarboe moved, seconded by Commissioner Eagan, to sign and forward the letters a, b, c, and d as presented.

After review of the letter to the Congressional Delegation and suggested changes Commissioner Jarboe moved, seconded by Commissioner Chesser to amend the motion to sign and forward letters a, b, and c. Motion carried.

Motion on the amended main motion was unanimously approved.

The letter to the Congressional Delegation (d) will be revised and returned to the Commissioners at next week's meeting.

2) Addendum to Memorandum of Understanding Funding of Board of Education Efficiency Study

Also Present: Steve Welkos, Director of Finance

The County Administrator presented the referenced Addendum and request for categorical transfer relative to the Board of Education's Efficiency Study. The County Commissioners on February 27 approved the funding of Task 1 and 3 of the study for a total cost of \$87,487, and the Addendum identifies the funding source from the County from the refund due the Bd/Ed on the FY '95 health premiums.

After discussion and assurance from Mr. Welkos that the \$87,487 would not impact the Maintenance of Effort to the Board of Education, Commissioner Eagan moved, seconded by Commissioner Brugman, to approve the Addendum to the Memorandum of Understanding relative to the funding of the Tasks 1 and 3 of the Board of Education's Efficiency Study. Motion carried four to one with Commissioner Jarboe voting against.

3) Ordinance No. Z96-02 J.J. Mailing

As a follow up to the February public hearing, the County Administrator presented the referenced Ordinance approving the application of Hollywood Enterprises, Inc., owners of J. J. Mailing to rezone a portion of land from RPD, Rural Preservation District, to I-1, Industrial, General.

Commissioner Brugman moved, seconded by Commissioner Jarboe, to approve and sign Ordinance No. Z96-02, as presented. Motion carried.

After discussion of the motion, Commissioner Brugman moved, seconded by Commissioner Chesser, to amend the main motion to approve Ordinance No. Z96- (Zone #95-2591 J. J. Mailing) approving the reclassification from RPD to I-1, that the Ordinance enumerates the Findings of Fact, including that a mistake was made in the original zoning. Motion carried.

The motion on the amended main motion was unanimously approved.

Commissioner Brugman moved, seconded by Commissioner Jarboe, to approve and authorize Motion carried.

4) **Information Release**
Department of Health and Mental Hygiene/AIDS Administration Grant

The County Administrator presented an Information Release advising that the Alliance for Alcohol/Drug Abuse Administration and the Office of Community Services are in receipt of a \$10,000 grant from the Maryland Department of Health and Mental Hygiene and the AIDS Administration.

Commissioner Chesser moved, seconded by Commissioner Eagan, to distribute the Information Release as presented. Motion carried.

5) **1996 Legislative Package Status Report**

The County Administrator presented a Status Report on the 1996 legislative items for St. Mary's County. In the future the reports will be placed in the Commissioners' boxes on a weekly basis.

6) **Director, Economic and Community Development Position**

The County Administrator advised that there were 46 applicants for the Director of Economic and Community Development, requested direction as to how to proceed, and inquired as to what level the Commissioners wished to be involved in the process.

The Commissioners indicated concurrence in having full involvement (review of applications and interviews).

The Commissioners set March 28, 1996, 1:30 - 5 p.m. for review of applications.

ORDINANCE NO. 96-13 - AIRPORT COMMISSION

Present: Doug Durkin, County Attorney

As a follow up to the February 20 public hearing, Mr. Durkin presented the referenced Ordinance which amends Chapter 151 of the Code of Public Local Laws of St. Mary's County relative to the Airport Commission. The amendments accomplishes two things: (1) converts the Airport Commission to an Advisory Board; and (2) removes requirement for staff support.

Discussion of the issue of staff support ensued and it was agreed that the Airport Manager should be presented at the Airport Commission meetings.

After discussion Commissioner Brugman moved, seconded by Commissioner Eagan, to approve and sign Resolution No. 96-13 amending Chapter regarding the Airport Commission. Motion carried.

HISTORIC ST. MARY'S CITY
MARYLAND DAYS 1996

Present: Sara Patton, Director, St. Mary's City

Ms. Patton appeared before the Commissioners to describe the plans and activities for Maryland Days 1996 scheduled for March 23 and 24. The *Maryland Dove* will be on display on the waterfront as well as the *Pride of Baltimore II*, which will arrive Saturday and leave St. Mary's City on Monday. Schooner rides will be available on the *Pioneer*. Other activities include Living History demonstrations, music, the militia and the official ceremony with remarks by Governor Glendening.

**POTOMAC SHORES SHORE EROSION CONTROL DISTRICT
REQUEST FOR PROPERTY TAX CREDIT**

Present: Steve Welkos, Director of Finance

Mr. Welkos advised that the members of the referenced Potomac Shores Shore Erosion Control District have requested the County to provide a property tax credit to cover the costs of installing a rock revetment for erosion control. The Property Tax Article authorizes the Commissioners to enact property tax credits, and a decision is needed whether or not to proceed with drafting legislation for this purpose.

During his presentation Mr. Welkos indicated that if a full property tax credit was granted for the five adjoining property owners the revenue loss over a 15-year period would be over \$140,000 in property tax receipts. He pointed out that the larger issue was that if a property tax credit was given for this district, the Commissioners would also have to address other existing shore erosion control districts as well as those districts established in the future. There are currently five taxing districts representing more than 220 properties with an annual special tax levy of \$47,041 with a total outstanding balance of \$895,000.

In conclusion it was the consensus of the Commissioners to not give consideration to the request for a property tax credit for Potomac Shores Shore Erosion Control District.

The Commissioners requested the Director of Finance to prepare a response letter for their signatures to the property owners indicating the Commissioners' decision.

MARYLAND DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT

Present: George Williams, Director, Maryland Office of Tourism Development
Cindy Woodburn, Tourism Coordinator, St. Mary's County

Mr. Williams appeared before the Commissioners to present a check in the amount of \$7,786 representing the first of two grants totaling \$20,000 in support of the County's tourism marketing and development efforts. He pointed out that the purpose of the presentation was to demonstrate the State's commitment and support of local tourism and marketing efforts and to express appreciation for the Commissioners' support for continued support of tourism efforts.

DEPARTMENT OF PUBLIC WORKS

Present: Aleck Loker, County Administrator

On behalf of the Director of Public Works the County Administrator presented the following documents for the Commissioners' review and consideration:

- 1) **Bridge Inspection Program
Road Resolutions**

Also Present: Jay McGrath, Engineer, DPW

No. R96-07 - Posting Cornfield Harbor Drive Bridge at 15 miles per hour
No. R96-08 - Posting Delabrooke Road Bridge at 15 miles per hour

After explanation by Mr. McGrath regarding the time frame for the weight restrictions (until the bridges are repaired), Commissioner Eagan moved, seconded by Commissioner Chessner, to approve and authorize Commissioner Thompson to sign the Road Resolution Nos. R96-07 and R96-08, as presented. Motion carried.

No. R96-09 - Restricting weight limit on Dr. Johnson Road Bridge
No. R96-10 - Restricting weight limit on Hurry Road Bridge

Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Road Resolution Nos. R96-09 and R96-10, as presented. Motion carried.

**3) Public Informational Meeting
St. George's Taxing District**

Handout to be distributed at a public informational meeting for the construction of substandard roads not in the county highway maintenance system by special taxing district for St. George's Taxing District, on April 2, 1996 at Piney Point Elementary School.

Commissioner Eagan moved, seconded by Commissioner Brugman, to authorize the Director of Public Works to proceed with the public informational meeting.

**4) Public Works Agreement
Westbury PUD (Carmen Woods Drive)**

Dated February 7, 1996 between Interstate General Company and Board of County Commissioners of St. Mary's County guaranteeing the completion of Carmen Woods Drive, Eighth Election District, by February 1, 1997. The Agreement is backed by a Letter of Credit with Frontier Insurance Company in the amount of \$85,000.

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

COUNTY COMMISSIONERS' TIME

Cable Television Franchise Agreements

Commissioner Brugman referred to the request by Jones Cable Company for access to one of the cable public access channels in the northern part of St. Mary's County. He indicated that before making a decision on the request, he would like a brief report from the Cable Advisory Committee as to what is required in the cable franchise agreements with regard to public access standards and whether the cable companies are complying with these standards.

Use of NAWC Ball Fields

Commissioner Brugman suggested a letter be written to NAWC requesting deferral of the decision to discontinue allowing use of the ball fields by Little League until after this season in that many youths have already registered for this season.

Fast Track - Chrysler Corporation

Commissioner Brugman requested that the Fast Track Resolution for Chrysler Corporation be presented as soon as possible because of the investment it will be making in St. Mary's County. County Administrator Loker agreed to look into the status of the Resolution and try to get it before the Commissioners next week.

Superintendent of Schools/School Closing

Commissioner Brugman brought to the Commissioners' attention that several citizens had called him relative to an article in a local newspaper regarding the absence of the Superintendent of Schools and the closing of public schools during the last snow storm; however, he pointed out that he believed that even though the County provides funding to public schools, this was a Board of Education issue and not a county one.

County Commissioners' Mail Log

Commissioner Brugman questioned whether it was feasible to include in the Commissioners' mail log letters sent to other departments and agencies. County Administrator Loker explained that this would be difficult in that the other departments and agencies receive a large amount of mail, and if it is an item that requires the Commissioners' attention, it would be forwarded to their office. He further indicated that he is still looking at the mail log process

Sheriff's Department Calendar

Commissioner Jarboe stated that he received a calendar from the Sheriff's Department with advertisement on it including one from the Wicomico Golf Course. He requested that the County Administrator look into whether it was paid for by the Enterprise Fund or by some other method.

TRI-COUNTY YOUTH SERVICES BUREAU ANNUAL REPORT

Present: Sam Bauman, Director
Kathleen Lyon, President
William Combs, Member

The referenced individuals appeared before the Commissioners to present the Tri-County Youth Services Bureau Annual Report for 1995. Ms. Lyon explained the purpose of the group which to ensure quality prevention, early intervention, and counseling services for children, adolescents, and their families in Southern Maryland and is aimed at reducing juvenile crime.

The report included information on funding sources, service statistics, and new programs established in 1995. Challenges include retention of qualified Masters Level Counselors, Social Workers, and psychologists at substandard salaries; loss of the Family Support Center's GED and Employability Program; and the impact of health care reform, medical assistance reform and federal budget reductions.

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

BOARD FOR COMMUNITY COLLEGE ANNUAL REPORT

Present: Tom Mattingly, Chair
Gay Boecker, Member
Elizabeth Dufresne, Member
Dr. Joan Kozlovsky, Superintendent of Schools, Member
Dr. John Sine, President, Charles County Community College
Dr. Elaine Ryan, Vice-President,
Jane Sypher, Dean, Community College at St. Mary's

The referenced individuals appeared before the Commissioners to present the Board for the Community College's annual report for 1995. The report included the Board's Mission Statement; attendance records; significant activities including progress on the construction project and statistical information; Associate Degree and Certificate Programs, enrollment statistics; and problems and challenges.

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

ADJOURNMENT

The meeting adjourned at 3:50 p.m.

Minutes Approved on March 26, 1996
by Board of St. Mary's County Commissioners

Judith A. Spalding Recording Secretary