

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS  
MAY 21, 1996**

Present        Commissioner Barbara R. Thompson, President  
                 Commissioner D. Christian Brugman  
                 Commissioner Paul W. Chesser  
                 Commissioner Frances P. Eagan  
                 Commissioner Lawrence D. Jarboe  
                 Dan Ichniowski, Interim County Administrator  
                 Judith A. Spalding, Recorder

**CALL TO ORDER**

The meeting was called to order at 12:00 p.m.

**EXECUTIVE SESSIONS**

**Commissioner Chesser moved, seconded by Commissioner Jarboe, to discuss matters of Personnel (Nursing Center Administrator Contract and County Administrator Position), as provided for in Article 24, Section 4-210(a)1 . Motion carried.**

**Personnel (Nursing Center Administrator Contract)**

Present:        Commissioner Barbara R. Thompson, President  
                 Commissioner D. Christian Brugman  
                 Commissioner Paul W. Chesser  
                 Commissioner Frances P. Eagan  
                 Commissioner Lawrence D. Jarboe  
                 Dan Ichniowski, Interim County Administrator  
                 Steve Welkos, Director of Finance  
                 Judith A. Spalding, Recorder

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

Time Held:    12:15 p.m. to 12:28 p.m.

Action Taken: The Commissioners discussed the referenced contract and gave direction to the Director of Finance.

**Personnel (County Administrator Position)**

Present:        Commissioner Barbara R. Thompson, President  
                 Commissioner D. Christian Brugman  
                 Commissioner Paul W. Chesser  
                 Commissioner Frances P. Eagan  
                 Commissioner Lawrence D. Jarboe  
                 George Foster, Personnel Officer  
                 Judith A. Spalding, Recorder

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

Time Held:    12:28 p.m. to 1:17 p.m.

Action Taken: The Commissioners discussed an applicant for the County Administrator position and gave direction to the Personnel Officer.

**APPROVAL OF MINUTES**

**Commissioner Eagan moved, seconded by Commissioner Chesser, to approve the minutes of Tuesday, May 7, 1996, as corrected. Motion carried.**

**Commissioner Eagan moved, seconded by Commissioner Chesser, to approve the minutes of Tuesday, May 14, 1996 as corrected. Motion carried.**

**Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve the minutes of Thursday, May 16, 1996 as corrected. Motion carried.**



## APPROVAL OF BILLS

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

## COUNTY ADMINISTRATOR ITEMS

Present: Dan Ichniowski, Interim County Administrator

### 1) Correspondence

- a. To three individuals (Cusic, Pelling, and Woodburn) regarding Kindergarten Extended Enrichment Program (KEEP)

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

- b. To two individuals (Brewster and Curtis) regarding Before and After School Care Program.

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

- c. To eight individuals (listed on a petition) regarding Chesapeake Bay Ferry Crossing.

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

- d. To Juvenile Justice Advisory Council expressing support for a group counseling project managed by Tri-County Youth Services Bureau.

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

- e. To Leonard Rinaldi, Sr. relative to his comments regarding Lexington Park and the County.

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

- f. To Dr. Jonathan Nelson, President of Board of Education, regarding FY '97 budget.

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

- g. To County Employees expressing appreciation for input regarding wage/classification study and benefit recommendations.

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

### 2) Grant Award - Summer of Safety Learn and Serve Art Camp Program

Also Present: Joe Dick, Director, Alliance Prevention  
Joe Donick, Alliance Coordinator

Mr. Dick advised that the Alliance has received a grant from the Department of Economic and Employment Development (DED) for conducting the referenced Summer Camp program in St. Mary's County in the amount of \$22,500. He requested the Commissioners' approval to authorize Commissioner President Thompson to sign the Grant Agreement.



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

**3) Letter of Intent  
Community College Campus at St. Mary's (Phase II)**

Also Present: Steve Welkos, Director of Finance

Mr. Ichniowski presented a Letter of Intent to the Maryland Higher Education Commission for Phase II of the Community College Campus at St. Mary's. He advised that the Letter of Intent acknowledges the Commissioners' approval of the concept of going forward with the project, but does not commit County funding requirements or establish a funding time line.

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

**4) Budget Amendments**

Also Present: Steve Welkos, Director of Finance

Mr. Ichniowski presented the following budget amendments recommended for approval by the Director of Finance with justifications as indicated:

**No. 96-50**

**Public Works**

Justification: ADA building accessibility upgrades to Tri-County Youth building (\$6,625).

**No. 96-51**

**Public Works**

Justification: To cover winter storm damage costs for Fiscal Year 1996 (\$50,000)

**Commissioner Eagan moved, seconded by Commissioner Brugman, to approve and authorize Commissioner Thompson to sign the Budget Amendments as presented. Motion carried.**

**No. 96-52**

**State's Attorney**

Also Present: Christy Chesser, Deputy State's Attorney

Justification: To provide funds for various trial expenses (\$5,000)

**After explanation of the Budget Amendment and discussion of the Fund Balance, Commissioner Brugman moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign the Budget Amendment as presented. Motion carried.**

It was noted that if all of the \$5,000 was not needed by the State's Attorney's Office, the balance will be returned.

**5) Information Release  
Fiscal Year 1997 Budget Details**

Mr. Ichniowski presented the referenced Information Release regarding the details of the Fiscal Year 1997 Budget.

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



### **BELL ATLANTIC RATE CASE**

Mr. Ichniowski presented a memorandum from the Tri-County Council addressed to the Southern Maryland Delegation and Calvert, Charles and St. Mary's County Commissioners regarding Maryland Public Service Commission's hearings on Bell Atlantic's request to change its rate structure ("flat rate" to "measured rate"). Tri-County Council is requesting a letter to be forwarded to MPSC to be signed by the Delegation and Commissioners.

During discussion the Commissioners indicated there were other sides to this issue. In conclusion the Commissioners stated they would review the memorandum and make a decision later in the week regarding signing/sending the letter as requested.

### **DEPARTMENT OF PLANNING AND ZONING DEPARTMENTAL BRIEFING**

Present: Jon Grimm, Director

Mr. Grimm appeared before the Commissioners to present a briefing on the Department of Planning and Zoning. He described his department's mission and vision statements and reviewed the following: Comprehensive Plan update (meetings, trends/projections, committees, etc.); plan implementation (regulatory responsibilities, zoning enforcement, development forum, customer assistance guides); Lexington Park - Tulagi Place Master Plan (work session scheduled for June 18, 7 p.m. at Frank Knox Training Center in Lexington Park); and operational issues (economic impact fee deferral, Planning Commission training, permits streamlining, workload, fast tracking, 911 addressing, computer training, historic preservation third phase study, and the National Flood Insurance Program.)

During discussion of the economic fee deferral, Mr. Grimm suggested that the payment deferrals be discontinued and agreed to submit an analysis of fiscal implications.

### **COUNTY COMMISSIONERS' TELEVISION PROGRAM**

Present: Ken Garvin, Executive Producer, Channel 10  
Judy Pedersen, Public Information Specialist

Mr. Garvin appeared before the Commissioners to present a proposal for a television program featuring the County Commissioners or other public officials to be shown on Channel 10. He pointed out that the program would provide an opportunity to give the Commissioners exposure as well as provide feedback from the community. It would also increase public awareness of what is going on in government. Citizens would have an opportunity to ask questions by using E-Mail. The program, which would take about one hour filming time, would begin on June 17, 1996. There will be no costs to the County, as the program will be paid for through advertising.

After discussion the commissioners concurred to go forward with the program on a three-month trial basis, after which it will be evaluated to determine whether to continue.

### **COUNTY COMMISSIONERS' TIME**

#### **Fiscal Year 1997 Budget**

Commissioner Brugman suggested that the budget signature page indicate the Commissioners' vote to allow all Commissioners to sign the document. Director of Finance Welkos advised that in some jurisdictions the officials vote on each tax item separately. After some discussion Mr. Welkos stated that he would present options to the Commissioners at next week's meeting.



**Temporary Use of Hollywood Elementary School**

Commissioner Brugman advised that he was approached by Little League regarding the possibility of temporarily using the old Hollywood Elementary School for storage space. Director of Recreation and Parks will advise Commissioner Brugman about whether this was feasible.

**RECREATION AND PARKS BOARD  
ANNUAL REPORT**

Present: Jane Sypher  
Jack Rue  
Phil Rollins, Director

The referenced representatives of the Recreation and Parks Board appeared before the Commissioners to present the group's Annual Report for 1995. Ms. Sypher summarized the Board's achievements, reviewed recreation and special facilities, program participation and usage, the group's focus for Fiscal Year '96 - '97, and issues, challenges and concerns.

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

**COUNTY ADMINISTRATOR POSITION**

Present: George Foster, Personnel Officer

Mr. Foster advised that as directed by the Board of County Commissioners he had contacted one of the previous applicants for the County Administrator's position, and the applicant, John J. Kachmar, Jr., has accepted the job offer. Therefore, Mr. Foster presented an Information Release announcing the selection of Mr. Kachmar, to be effective no later than June 17.

**Commissioner Brugman moved, seconded by Commissioner Eagan, to authorize Commissioner Thompson to sign the Employment Contract with Mr. Kachmar. Motion carried three to two with Commissioners Thompson and Chesser voting against.**

The Commissioners gave their concurrence to distribute the Information Release as presented.

**INFORMATION RELEASE  
THE SKYDIVING CENTER LEGAL MATTER**

Present: Doug Durkin, County Attorney

Mr. Durkin appeared before the Commissioners to present an Information Release announcing that the Commissioners have been notified by Judge Motz, Chief Judge, United States District Court for Maryland, that the County has been granted a motion for summary judgment and all claims offered by the Skydiving Center of Greater Washington, D. C. against the County and all other defendants.

**Commissioner Jarboe moved, seconded by Commissioner Brugman, to distribute the Information Release as presented. Motion carried.**

**ST. CLEMENTS ISLAND POTOMAC RIVER MUSEUM BOARD  
ANNUAL REPORT**

Present: Roy Dyson, Chair  
Kim Cullins  
Phil Rollins, Director, Recreation and Parks  
Other Museum Board Members and Friends of the Museum

The referenced representatives of the St. Clements Island Potomac River Museum Board appeared before the Commissioners to present the group's Annual Report for 1995. Mr. Dyson



reported on the many volunteer efforts by the members of the Board. Ms. Cullins gave a video presentation showing presentations made to the Baltimore Orioles during an exhibition game in Florida in recognition of Maryland Day.

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

(Commissioner Brugman left the meeting at 3:45 p.m.)

**(The following was held at the Carter State Office Building Public Meeting Room.)**

## **DEPARTMENT OF PUBLIC WORKS**

Present: George Erichsen, Deputy Director

### **1) SMECO Easement Agreements**

Mr. Erichsen presented the following Easement Agreements between the Board of County Commissioners and Southern Maryland Electric for the Commissioners' review and approval:

- For underground distribution service to the pumping station for the St. Mary's County Metropolitan Commission.

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

- For conversion of the overhead primary distribution service to primary distribution service for proper clearance of the St. Mary's Airport Runway.

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

### **2) Addendum to Public Works Agreement Summerwood, Section 2**

Mr. Erichsen presented a Public Works Agreement between Wayne Wise and the Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to October 1, 1996. The Addendum is backed by a Letter of Credit with First National Bank of St. Mary's in the amount of \$35,600.

**Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Addendum as presented. Motion carried 4-0-1 with Commissioner Eagan abstaining.**

### **3) Solid Waste Issues Solid Waste Advisory Committee Annual Report**

Also Present: Melva Abell, Vice-Chair, Solid Waste Advisory Committee  
Donnie Hammett  
Ken Hastings  
Tom Tudor

The referenced individuals appeared before the Commissioners to discuss various solid waste issues as contained in the Solid Waste Advisory Committee's Annual Report. The Report included the Committee's purpose, significant activities of the past year, and problems and challenges (including difficulty in conducting formal meetings because of lack of a quorum).



Areas of discussion included:

- \* Request by the Committee that the establishing Resolution be amended to change the number of members from nine to five or seven.

**Later in the meeting he Commissioners agreed that Resolution and bylaws be amended to reflect a seven-member board.**

- \* Minority reports submitted by Bill Mattingly, Tom Tudor, and Dwight Mildren
- \* Alternatives for Fee Collections with advantages and disadvantages including the Committee's original and modified recommendation of 8/29/94 (on the assumption that the County would continue to manage its solid waste through landfilling). It was noted that the Committee was unable to come to a majority consensus.
- \* Calvert County's RFP for exporting its solid waste and whether St. Mary's County should participate. (Exporting trash could be costly to the county)
- \* Cost for constructing a new landfill (\$12M) in addition to costs for capping the current landfill.
- \* Whether to proceed with new landfill  
(Mr. Ichniowski that if the new landfill was built, the County could establish a "ground zero" base and the Board could make an unencumbered decision regarding capping, bonding, and recycling in the future.)
- \* Life of current landfill is at capacity.
- \* Tipping/Transfer Station Fee Rates
- \* Summary of Survey - Transfer Station Operation Hours  
(Mr. Erichsen report that 74% of the 3,591 respondents to the survey regarding hours of operation at the landfill were in support of keeping the hours as currently provided.

**The Commissioners agreed to leave the hours as is.**

- \* **The Commissioners agreed to conduct another work session on the solid waste issues on Thursday, June 13, 1996.**

**ADJOURNMENT**

The meeting adjourned at 6:30 p.m.

Minutes Approved on 5/28/96  
by Board of St. Mary's County Commissioners

Judith A. Spalding  
Recording Secretary