

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
TUESDAY, JUNE 11, 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 1:05 p.m.

APPROVAL OF MINUTES

Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve the minutes of Tuesday, June 4, 1996 as presented, Motion carried.

APPROVAL OF BILLS

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

ADDITIONS/DELETIONS TO AGENDA

The Commissioners concurred in amending the agenda to add an executive session for property disposition.

**TRI-COUNTY COUNCIL
AIRLINE COMMUTER SERVICE**

Commissioner Thompson advised that the Director of the Tri-County Council has offered to come before the Board to make a presentation regarding the airline commuter service at the St. Mary's County Airport.

The Commissioners requested staff to advise that the Commissioners have referred the issue of a commuter service to the Airport Commission and that a presentation would not be needed at this time.

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Present: Martin Wasserman, Secretary, DHMH
William Marek, Health Officer

Secretary Wasserman came before the Board to meet the Commissioners and to emphasize the state's cooperation with local health departments for public and public/private partnerships, which he stated was a new revolution in health care. He noted that the St. Mary's County Health Department has been the leading edge with the implementation of public/private partnerships. Issues of concern being addressed by the health departments include infant mortality, automobile fatalities, and strokes. Areas of discussion included school nurses, funding level for the Marcey Halfway House, a state program, and alternate sewage disposal systems and the regulatory process.

COUNTY ADMINISTRATOR ITEMS

Present: Dan Ichniowski, Interim, County Administrator

1) **Correspondence**

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

- a) To Superintendent of Schools regarding Board of Education Central Office

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

- b) To Board of Education regarding FY '97 Approved Budget indicating a reduction in Instructional Salaries in the amount of \$113,300.

Also Present: Steve Welkos, Director of Finance

Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve and sign the letter as presented.

- c) To State Public School Construction regarding FY '97's Governor's Technology in Maryland Schools Initiative.

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

- d) To State Department of Education requesting approval to classify certain FY '97 appropriations to the St. Mary's's Board of Education as nonrecurring costs for purposes of calculation the maintenance of effort requirement.

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

- e) To Commission on Environment responding to concerns addressed in Annual Report.

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

- f) **Budget Message**

Also Present: Steve Welkos, Director of Finance

Mr. Welkos presented the Budget Message to be included in the FY '97 Approved Budget and stated that it had been revised to add a statement regarding the availability of surplus for the Fiscal Year 1998 budget.

After discussion Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve the Budget Message as presented. Motion carried three to two with Commissioners Brugman and Eagan voting against.

2) **Boards, Committees, Commissions**

Mr. Ichniowski presented the following relative to Boards, Committees, Commissions:

- a) **Letters of Appreciation - Annual Reports**

To Chairs of Boards (Social Services Board and Development Review Forum) expressing appreciation for submission/presentation of annual report.

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

b. **Letters of Appointment**

Commissioner Jarboe moved, seconded by Commissioner Chessser, and motion carried, to make the following appointments:

<u>BOCA Code Appeals Board</u>	<u>Terms To Expire</u>
Jim Weaver- <i>REAPPOINTMENT</i>	6/30/2001
<u>Commission for the Disabled</u>	
Tia-Juana Cunningham	12/31/98/2002
<u>Council on Children and Youth</u>	
Christopher Anton - <i>REAPPOINTMENT</i>	6/30/97
Amy C. Cox - <i>REAPPOINTMENT</i>	6/30/97
Bobbi Jo Knott- <i>REAPPOINTMENT</i>	6/30/97
Stephen R. Waters - <i>REAPPOINTMENT</i>	6/30/97
<u>Family Assistance Center Advisory Committee</u>	
Sally Grainger	12/31/99
<u>Human Relations Commission</u>	
John T. Jones - <i>REAPPOINTMENT</i>	6/30/2000
<u>Mental Health, Substance Abuse and Victims Advisory Council</u>	
Sally Grainger	6/30/2001
Dr. Alissa Jones	6/30/2001
<u>Tri-County Community Action</u>	
James Delligatti - <i>REAPPOINTMENT</i>	6/30/99
<u>Wicomico River Commission</u>	
Charles L. Morris, Jr.	12/31/97/2001

c. **Letters of Appreciation - Service on Boards**

Commissioner Eagan moved, seconded by Commissioner Jarboe, to sign and forward the letters of appreciation to individuals no longer able to serve on a board/committee/commission. Motion carried.

3) **Grant Documents**

Mr. Ichniowski presented the following grant documents for the Commissioners' consideration:

a. **Historical Trust Grant Requisition**

Letter to Maryland Historical Trust authorizing the Planning Director to act as the authorizing official in all matters pertaining to the grant agreement between the Trust and County dated December 4, 1995.

Commissioner Eagan moved, seconded by Commissioner Chessser, to approve Commissioner Thompson signing the letter to Maryland Historical Trust authorizing the Planning Director to as the authorizing official as requested. Motion carried.

b. **Town Watch Community Policing Program III (Sheriff's Department)**

Letter from Crime Control & Prevention notifying that the referenced grant application has received federal approval for third-year funding in the amount of \$34,454 (matching funds - \$11,485; project total - \$45,939)

Commissioner Eagan moved, seconded by Commissioner Chessser, to authorize Commissioner Thompson to sign the grant award as presented. Motion carried.

4) Route 301 Corridor Study Task Force

Mr. Ichniowski presented a memorandum dated May 29 from the Director of Planning and Zoning regarding the Route 301 Corridor Study and inquiring whether the Commissioners would like a formal briefing by the Task Force.

The Commissioners agreed to schedule a presentation for next week's meeting.

5) Piney Point Boating Facility

On behalf of the Director of Recreation and Parks Mr. Ichniowski presented an amendment to the contract with the Department of Natural Resources relative to improvements to the Piney Point Boating Facility. The amendment extends the terms of the contract to June 30, 1998.

Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the contract amendment as presented. Motion carried.

6) Inspection Services

Mr. Ichniowski referred to a memorandum from the Director of Finance regarding the appointment of a standing committee to perform a cost comparison study for the contracting of planning and zoning inspection services in accordance with policy memorandum 93-1. It is the recommendation of Director of Finance Welkos and Procurement Officer Haley that the following individuals be appointed: Former Chair of the Efficiency Task Force, Building Code Appeals Board Chairman, Director of Finance, Procurement Officer and Supervisor of Construction Inspections at Public Works.

Commissioner Eagan moved, seconded by Commissioner Brugman, to approve the appointment of the referenced standing committee as recommended. Motion carried.

6) Mileage Allowance

Mr. Ichniowski presented a memorandum from the Personnel Officer requesting approval to increase the reimbursement for mileage from \$.28 to \$.29.

During discussion the Commissioners suggested that in the future the mileage rate be considered during the development of the budget.

Commissioner Eagan moved, seconded by Commissioner Chesser, to approve the increase in mileage reimbursement from \$.28 to \$.29. Motion carried three to two with Commissioners Brugman and Jarboe voting against.

DEPARTMENT OF PUBLIC WORKS

Present: George Erichsen, Deputy Director, DPW

1) Recycling Goal

Mr. Erichsen advised the Commissioners that the State has reported that St. Mary's County has reached the 20% recycling rate.

2) Pesticide Container Recycling Cooperative Agreement

Mr. Erichsen requested authorization for Commissioner President Thompson to sign the referenced Pesticide Container Recycling Agreement with the Department of Agriculture after review by the County Attorney.

Commissioner Chesser moved, seconded by Commissioner Jarboe, to authorize Commissioner Thompson to sign the Agreement upon the review of the County Attorney. Motion carried.

An Information Release was distributed regarding the disposal of empty plastic pesticide containers and advising that the State will be providing a collection trailer at the St. Andrews Church Road Landfill on July 9, August 15 and September 30.

3) **Addenda to Public Works Agreements**

Mr. Erichsen presented the following Addenda to Public Works Agreements for the Commissioners' review and approval:

- * Addendum to Public Works Agreement for Pickett's Harbor - \$16,000
- * Addendum to Public Works Agreement for Trapp Hill Estates - \$18,000
- * Addendum to Public Works Agreement for Laurel Glenn PUD, Section 1 and 2 - \$88,000.
- * Addendum to Public Works Agreement for Jenni's Dawn, Section 1 - \$194,000
- * Addendum to Public Works Agreement for Christmas Hill Minor - \$10,000
- * Claim Letter for Grading Permit #96-01 for Blair Retail Center - \$61,800

Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign the referenced Addenda to Public Works Agreements. Motion carried.

4) **Queen Arbor Court**

Acceptance of Deed

Commissioner Chesser moved, seconded by Commissioner Brugman, to approve and authorize Commissioner Thompson to sign the Deed accepting Queen Arbor Court into the County's highway maintenance system. Motion carried.

Road Resolutions

R-96-13 - Designating Queen Arbor Court as a Stop Street at its intersection with Queentree Road.

R-96-14 - Posting Queen Arbor Court at 25 miles per hour.

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

**WICOMICO RECREATION COMPLEX
MANAGEMENT OPTIONS**

Present: Phil Rollins, Director, Recreation and Parks
Wayne Pettit, Wicomico Recreation Complex Advisory Board
Jack Rue, Recreation and Parks Board
Other Board Members

As a follow up to previous discussions, the referenced individuals appeared before the Board to discuss options regarding the ownership/management of the Wicomico Recreation Complex and to get direction from the Commissioners (whether to pursue the sale of the golf course; whether to solicit proposals for privatizing. Because of the current contract for management of the golf course, Mr. Rollins requested direction for how to proceed.

During discussion each of the Commissioners expressed opposition to selling the golf course, discussed operations at other golf courses, public/private ownership, sale of alcohol, management concerns, the amount of Program Open Space funds used, appraised value of the property, and the current composition of employees at the golf course (county and contract).

During discussion the Commissioners indicated concurrence that the Wicomico Golf Course not be sold.

After discussion Commissioner Eagan moved, seconded by Commissioner Chesser, to retain the services of a golf consulting firm to work with the Standing Committee and Golf Advisory Board to develop an RFP, and further that the County would participate in bidding. Motion carried.

COUNTY COMMISSIONERS' TIME

Wicomico Boat Ramp

Commissioner Jarboe indicated that signs were needed to make the public feel more welcome at the Wicomico boat ramp. Mr. Rollins responded that these type of signs are needed at all of the County's boating facilities.

Directional Signs

Commissioners Jarboe and Brugman suggested that a sign be placed at the intersection of Route 235 and 5 indicating Route 5 is the scenic route to St. Mary's City which would relieve the traffic off of Route 235. It was further suggested that signs were needed for "Point Lookout Road."

MACo Meeting

Commissioner Chesser advised that he attended the MACo meeting last week and he briefed the Commissioners on some of the issues discussed including the announcement that the State will be experiencing a \$200M shortfall next year; state will be looking at cutting 800 to 1,000 jobs next year; and there will be no income tax reduction. There will be no reductions in education or public safety. Another issue discussed at MACo was the state's involvement with "directed growth."

EXECUTIVE SESSIONS

Commissioner Jarboe moved, seconded by Commissioner Chesser, to meet in Executive Sessions to discuss matters of Negotiations with Board of Education (consolidation of health benefits package), as provided in Article 24, Section 4-210(a)8; Potential Litigation, as provided in Article 24, Section 4-210(a)8; and Property Disposition (St. Mary's Press Building), as provided in Article 24, Section 4-210(a)11. Motion carried four to one with Commissioner Brugman voting against, stating he would not participate in the negotiation discussion because of inferences made in a local paper that he "had it in for the teachers."

Negotiations (Consolidation of Health Insurance Package with Board of Education) (Held in Room 14, Governmental Center)

Present: Commissioner Barbara R. Thompson, President
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
Dan Ichniowski, Interim, County Administrator
Steve Welkos, Director of Finance
George Foster, County Personnel Officer
Jonathan Nelson, President, Board of Education
Robert Kirkley, "
Julie Randall, "
John Roth, "
Fred Wallace, "
Joan Kozlovsky, Superintendent of Schools
William May, Supervisor, Human Resources, Bd/Ed
Lorraine Okrie, Secretary, Bd/Ed
Judith A. Spalding, Recorder

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

Time Held: 4:15 p.m. - 5:45 p.m.

Action Taken: The Commissioners, county staff and Board of Education representatives discussed the issue of consolidating health insurance benefits and agreed to take action in open session.

Potential Litigation

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
Doug Durkin, County Attorney
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)8
Time Held: 5:55 p.m. - 6:45 p.m.

Action Taken: The County Attorney discussed an issue of potential litigation and received direction from the Commissioners.

Property Disposition

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Lawrence D. Jarboe
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)8
Time Held: 6:45 p.m. - 6:58 p.m.

Action Taken: The County Attorney discussed alternatives regarding the disposition of property and received direction from the Board.

7:00 P. M.

FOLLOW UP TO EXECUTIVE SESSIONS

Potential Litigation

Commissioner Brugman moved seconded by Commissioner Chesser, to direct the County Attorney to proceed as discussed in Executive Session. Motion carried.

Consolidation of Health Insurance Package

Commissioner Jarboe moved, seconded by Commissioner Chesser, to invite the Board of Education to participate with County Government to look at health insurance consolidation and to direct staff to determine the extra costs of adding that task to the consultant's contract; the consultant would still be tasked with the County's current request but the time line would skip from January 1, to July 1, 1997; and further to direct the Interim County Administrator to notify the Superintendent of Schools of this action. Motion carried 4-0-1 with Commissioner Brugman abstaining.

Property Disposition

Commissioner Eagan moved, seconded by Commissioner Chesser, to proceed with property disposition as discussed in Executive Session. Motion carried.

**JOINT MEETING
(COUNTY COMMISSIONERS/PLANNING COMMISSION/BOARD OF APPEALS)**

Present: **Board of County Commissioners** (Barbara R. Thompson, President; D. Christian Brugman; Paul W. Chesser; Frances P. Eagan; Lawrence D. Jarboe)
Planning Commission: Frank Taylor, Michael Hewitt, Rick Ince, James Dexter,
Board of Appeals: Tana Schultz, Margaret Abraham, Owen Miller, Tom Tudor, Rocky Rowland, Howard Thompson, Charles Mander, Attorney to Bd/Appeals.
Also Present: Dan Ichniowski, Interim County Administrator; Doug Durkin, County Attorney, Jon Grimm, Dir., DPZ; Judith A. Spalding, Recorder

Annual Report - Board of Appeals

The Board of Appeals presented its annual report for 1995 and discussed issues of concern by the Board including: after-the-fact cases; changes to ordinance; critical areas act; and sensitivity area act, along with recommendations to address these concerns.

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

Annual Report - Planning Commission

The Planning Commission presented its annual report for 1995. The members reviewed the Commission's functions; objectives of 1994 and the 1995 accomplishments; objectives for 1996 (including customer guides, training, sewer need analysis); issues (highways, controlled highway improvements for Route 235; and FDR Boulevard); and the need for commercial development sites.

Ms. Glockner, Chair of the Board of Appeals, indicated it would be beneficial for both boards to work closely together.

Comprehensive Plan

The three boards discussed the update of the comprehensive plan. Areas of discussion included:

County Commissioners' Comments

- * more property rights for family properties/subdivisions
- * designation of areas for waterfront development
- * incentives vs. regulations (farmers, local residents)
- * examine state transportation plan for FDR Boulevard regarding funding options
- * addition of agricultural preservation district; buffers to protect farms
- * financial analysis for FDR Boulevard
- * design standards and architectural design - incentives
- * higher density in town centers
- * examination of AICUZ (whether there is a proposal to be more restrictive)
- * maintain rural atmosphere through TDR's
- * clustering of housing (for better control of public; safety schools)
- * adequate public facilities (uncontrolled growth and meeting infrastructure needs)
- * bonding authority (affordable projects)
- * further defining of rural preservation district

Other Comments (from Planning Commission and Board of Appeals Members)

- * adequate lighting in high density housing
- * uniformity in zoning (particularly in Lexington Park area)
- * Shared entrances along Route 235
- * Appropriate placement for mobile homes
- * water quality study (whether county would paid for it)
- * protection of individual rights
- * legislative flexibility
- * developer contributions for FDR
- * federal contributions for infrastructure

ADJOURNMENT

The meeting adjourned at 9:50 p.m.

**Minutes Approved by Board of
County Commissioners on 6/18/96**
Judith A. Spalding
Recording Secretary