

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
OCTOBER 29, 1996**

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
John J. Kachmar Jr., County Administrator
Judith A. Spalding, Recorder

CALL TO ORDER

The meeting was called to order at 1:05 p.m.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Eagan, to approve the minutes of Tuesday, October 22, 1996, the minutes of the Special Meeting of Thursday, October 24, and the minutes of the Shannon Farms Public Hearing of Tuesday, October 8, 1996, as presented. Motion carried.

APPROVAL OF BILLS

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

ADDITIONS/DELETIONS TO AGENDA

Commissioner Brugman moved, seconded by Commissioner Jarboe, to accept the agenda as presented. Motion carried.

FOLLOW UP TO 10/22/96

Commissioner Eagan moved, seconded by Commissioner Chesser, to direct staff to proceed as discussed in Executive Session on 10/22/96 relative to the Housing Authority. Motion carried.

CONSENT AGENDA

The Consent Agenda included the following documents:

1. **Correspondence**
To Ken Hastings regarding his recommendation that public informational meetings be held for all proposed commercial enterprises

2. **Boards, Committees, Commissions**

Letter reappointing Robert Woody to the Social Services Board for a term to expire June 30, 1999.

Commissioner Jarboe moved, seconded by Commissioner Eagan, to approve the Consent Agenda as presented. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: John J. Kachmar, County Administrator

1. **Budget Amendment No. 97-16**

Department of Public Works

To provide additional funds for Millstone Landing Bridge for Material Testing. (\$15)

Commissioner Jarboe moved, seconded by Commissioner Brugman, to approve and authorize Commissioner Thompson to sign Budget Amendment No. 97-16 as presented. Motion carried.

2. **Maryland Association of Counties**

Legislative Committee Nomination

The County Administrator presented a memorandum from the Maryland Association of County requesting the St. Mary's County's nomination for MACo's Legislative Committee for Calendar Year 1997.

During discussion Commissioner Eagan indicated it was her recollection that the Commissioners had discussed rotating the MACo legislative representative and the Tri-County Council representative.

Commissioner Eagan moved, seconded by Commissioner Jarboe, to designate Commissioner Brugman as the MACo legislative representative and Commissioner Jarboe as the Tri-County Council representative for Calendar Year 1997. Motion carried three to two with Commissioners Thompson and Chesser voting against.

Commissioner Eagan moved to nominate Commissioner Chesser as alternate to the MACo Legislative Committee. Commissioner Chesser declined acceptance.

Commissioner Eagan moved, seconded by Commissioner Jarboe, to select Commissioner Thompson as the MACo Legislative Committee alternate. Motion carried.

3. **Police Protection Report - Fiscal Year 1996**

The County Administrator presented the referenced FY 1996 Policy Protection Report which reflects police enforcement expenditures of the Sheriff's Department. The report is a requirement of the Maryland State Police in order to continue participation in MSP's annual grant which is \$569,706 for FY '96.

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

4. **Grant Applications**

a. **Office of Community Services**

Community Partnerships for Pregnancy and Education at a total cost of \$89,000. No County funds are required. The project is aimed at preventing adolescent pregnancy and improving outcomes for pregnant and parenting teens and their children and is aimed at supporting two programs: Adolescent Single Parent Program and Tomorrow's Child.

Commissioner Chesser moved, seconded by Commissioner Brugman, to authorize Commissioner Thompson to sign the Grant Application as presented. Motion carried.

b. **Walden/Sierra**

Governor's Office of Crime Control and Prevention Byrne Memorial Formula Grant Program Application: St. Mary's County Assessment/Diversion Project in the amount of \$123,000. The project would expand the assessment, recidivism, and diversion components and implement a multilevel outpatient/aftercare program with the goal reducing drugs and violence in St. Mary's County.

Commissioner Chesser moved, seconded by Commissioner Eagan, to authorize Commissioner Thompson to sign the Grant Application as presented. Motion carried

5. **Personnel - County Administrator's Office**

Memorandum dated October 22, 1996 from Personnel Officer requesting the Commissioners' authorization to reclassification the vacant Office Specialist V in the County Administrator's Office to Official Specialist II, Grade 2 and the filling of the position through the competitive hiring process.

Commissioner Brugman moved, seconded by Commissioner Eagan, to approve the reclassification and hiring process as requested. Motion carried.

6. **Economic Analysis - FDR Corridor Project**

Memorandum dated October 28, 1996 from Chair of Regional Infrastructure Advisory Committee requesting the Commissioners to authorize the economic development staff to conduct an economic analysis of the FDR Corridor Project.

County Administrator Kachmar stated he has requested the Department of Planning and Zoning and the Department of Economic Development to work with the Advisory Committee in develop this study. He mentioned the possibility of "fast forward" funding of the project and that he may be coming back before the Board at a later time to discuss whether there would be a need for a change in legislation to implement this funding.

7. **Search and Selection Committee
St. Mary's County Health Officer Position**

The County Administrator advised that the Resolution adopted by the Board of County Commissioners regarding the selection process for the new County Health Officer and pointed out that the Search and Selection Committee included two County Commissioners or their designee.

After discussion Commissioner Jarboe moved, seconded by Commissioner Brugman, to designate Commissioners Chesser and Eagan as the Commissioners' representatives on the Search and Selection Committee. Motion carried.

8. **Solid Waste Meeting**

County Administrator Kachmar advised that he and Public Works Director Ichniowski met with Calvert County Administrator and public works/solid waste staff on Monday, October 28, and will be scheduling a meeting with Sanifill Company regional representatives to discuss the possibility of St. Mary's County joining Calvert County in the disposal of its trash. He pointed out that county staff will be exploring this as an option prior to the issuance of an RFP for the disposal of St. Mary's solid waste.

**PROCLAMATION
NATIONAL HOSPICE MONTH**

The Commissioners presented the referenced Proclamation designating the Month of November as *National Hospice Month*.

LEXINGTON PARK LIBRARY PROPOSAL

Present: Mary Wood, Director
Lynn Redmond, Chair, Library Board
Mary Ann Chasen, "
Babara Conrath, "
Henry Bonner, "
Lorrie Wallace, "

The referenced individuals appeared before the Commissioners to present a proposal relative to the expansion or replacement of the Lexington Park Library. Ms. Wood stated that it is the recommendation of the Library Board of Trustees to move the Lexington Park Library, which is 30-years old and consists of 10,000 square feet, out of the Aircraft Installation Compatible Use Zone (AICUZ) within five years. Ms. Wood pointed out that with the anticipated future growth of the community, a larger or additional library facility would be needed. The Lexington Park Library currently serves almost 50% of the county's population.

During discussion Ms. Wood reviewed the impacts on the Lexington Park Library (including population growth, AICUZ, possibility of the Navy closing the base library, growth of educational facilities; building's age, and technology growth); problems with the present building (too small, too crowded, difficult to retrofit for changing technology, and insufficient parking and poor building orientation).

Options being explored include the old Safeway building on Great Mills Road; expansion of current site, build/lease of an additional site, or new 25,000 square foot building.

Other areas of discussion included zoning requirements for exception to AICUZ, costs for building vs. leasing, empty buildings at San Souci and Wildewood, important of a library in the community, funds budget in FY '99 (\$1.246M); establishment of a task force to look at planning funds for the FY '98 budget.,

After discussion Commissioner Brugman moved, seconded by Commissioner Chesser, to direct staff to work with the Library Board of Trustees to develop a proposal for the establishment of a task force to look at proposals/options including alternative sites. Motion carried.

**PUBLIC HEARINGS
FISCAL YEAR 1997 SUPPLEMENTAL BUDGET**

Present: Steve Welkos, Director of Finance

The Commissioners conducted public hearings on the following Fiscal Year 1997 Supplemental Appropriations:

St. Clements Island - Potomac River Museum

In the amount of \$34,075 in Federal grant funds from the Institute for Museum Services for various special projects at the Museum, including the creation of a Children's Museum in the Little Red Schoolhouse and an exhibit pertaining to Old World History that led up to the colonization of Maryland in the 17th Century. Funds will be utilized to provide necessary supplies for exhibits, travel expenses, consulting services, and salaries for part-time employees.

Church Arson Prevention Grant Program

In the amount of \$4,600 in Federal grant funds from the Bureau of Justice Assistance for the purpose of enhancing security measures in and around churches in St. Mary's County. These funds would be available to the St. Mary's County. These funds would be available to the St. Mary's County Sheriff's Office and may be used for increasing security lighting, increasing patrol and surveillance of churches, and establishing or expanding neighborhood watch efforts focused on preventing church arson.

Local Law Enforcement Block Grants Program

In the amount of \$78,858 in Federal grant funds and interest income from the Bureau of Justice Assistance to hire one new deputy sheriff to expand community oriented policing initiatives in other areas in other areas of St. Mary's County. Funds will used to support overtime costs to deploy presently employed law enforcement officers for the purpose of expanding crime prevention, traffic safety, DWI enforcement and service of search and seizure warrants.

The public hearings were closed; the record will remain open for ten days for comment.

SHERIFF'S DEPARTMENT

Present: Sheriff Richard Voorhaar
Barbara Dotson, Fiscal Analyst

The referenced individuals appeared before the Commissioners to present the Interagency Public Safety Technology Improvement Grant Application (Byrne Memorial Formula Grant Program) in the amount of \$163,995 (federal: \$122,996; local cash match: \$40,999). The grant, which would be used for the installation of a new Records Management System, includes a request for a temporary part-time Crime Analyst position for three days per week to support the implementation of the system, provide liaison with participating agencies and perform crime analysis work, etc. The grant, if approved, is scheduled to start January 1997 with a fiscal impact of \$91,000 (one third of the position; server, six computers, Novell Operating System and software), \$22,750 of which is the local match requirement for Phase I. Phase II would be considered during the FY '98 budget deliberations. The \$22,750 local match requirement can be funded through savings in the Sheriff's Department FY '97 budget.

During discussion of the Commissioners' concerns that when the grant funds are gone, the status of the grant position, Commissioner Eagan inquired whether the grant would permit the position to be an independent contractor. Staff will research this and advise the Board.

After discussion Commissioner Eagan moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign the grant application as requested. Motion carried.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

- 1) **Knott Property Exchange
(Confirmatory Plat)**

Mr. Ichniowski presented the Confirmatory Plat for the 48-acre Knott Property exchange for the Pegg Road mitigation project. He advised that adjustments had been made to the property line based on a field survey and deed research and iron pipes and monuments found in the field.

Commissioner Chesser moved, seconded by Commissioner Eagan, to authorize Commissioner Thompson to sign the Confirmatory Plat as presented. Motion carried.

2) **FDR Boulevard
Memorandum of Understanding**

Memorandum of Understanding between State Highway Administration of the Maryland Department of Transportation and the Board of County Commissioners of St. Mary's County regarding a feasibility study for FDR Boulevard and setting forth the Purpose of the Feasibility Study, Performance (SHA/County responsibilities).

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

3) **Development Documents
Correspondence Calling Letters of Credit**

- * To Aetna Casualty & Surety Co. calling Bond No. 053 FB 100893836 in the amount of \$22,500 for Grading Permit No. 94-09 for Shanti Medical Center
- * To International Fidelity Insurance Co. calling Bond No. 908380 in the amount of \$7,400 for Grading Permit No. 92-03 for Summerwood, Section I.

4) **Commuter Air Service Report**

Also Present: James Haley, Airport Manager
Glen Gardiner, Chair, Airport Commission
George Erichsen, Deputy Director, DPW
John Buck, Maryland Aviation Administration
Sam Keiter, Kurth & Company, Inc.

The referenced individuals appeared before the Commissioners to discuss potential air commuter service at St. Mary's County Airport and to request the Commissioners' approval for the submission of a grant preapplication to FAA. Mr. Haley explained that a commuter air service committee was established comprised of representatives from the Airport Commission, Congressman Hoyer's office, Maryland Aviation Administration, Patuxent River Naval Air Station, county government staff, and interested citizens. Three subcommittees were formed: Operations (to identify method of attracting commuter air service); Facilities (to identify infrastructure and capital improvements needed); and Capital Procurement (to identify financial resources).

The firm of Kurth & Company, Inc. was contracted by MAA to perform an air traffic study for commuter air services at the County Airport, and the company submitted a preliminary report entitled *Forecast Traffic for a St. Mary's County Air Service* to the Airport Commission. A copy of the report is on file in the Commissioners' Office. The report indicates that the County can support scheduled commuter flights with a Beech 1900c (19 seater) aircraft.

County staff reviewed the major items of work required and estimated costs to initiate and support the commuter air service including installation of a temporary terminal building; reconstruction of terminal aprons; relocation of fuel farm; removal/marketing of obstructions; and lowering/relocating of access road (design only) for a total of \$1,796,550.

Discussion ensued regarding the County's front funding for design of the referenced major items in order for the project to move forward (bidding documents prepared, construction to begin by end of 1997 and service to start in 1998).

After discussion Commissioner Chesser moved, seconded by Commissioner Eagan, to approve and authorize Commissioner Thompson to sign the Preapplication for Federal Assistance in the amount of \$1,796,550. Motion carried.

Commissioner Eagan moved, seconded by Commissioner Chesser, to approve forward funding in the amount of \$180,000 for design only (to come from the \$212,000 from other airport capital projects), with appropriate accounts to be reimbursed upon reimbursement from FAA and/or MAA. Motion carried.

Commissioner Eagan moved, seconded by Commissioner Jarboe, to direct staff to send letters keeping U.S. Congressional Delegation aware of the project and funding issues. Motion carried.

OFFICE ON AGING

Present: Gene Carter, Director, OOA

1) Notification of Grant Awards

Mr. Carter presented an Interim Notification of Grant Award for senior program funding under the Older American's Act for Fiscal Year 1997 in the amount of \$71,464 (Title IIIB - \$26,600; Title IIIC1 - \$24,242; Title IIIC2 - \$9,660; and Title IIID - \$962). The NGA represents only a part of the total grant funds for the year, pending final approval of the FY 1997 federal budget. He advised that thus far federal funds for senior programs will remain at the same levels as for FY 1996; however, state funds may be reduced by 7%.

In addition Mr. Carter presented a Notification of Grant Award for Senior Health Insurance Counseling in the amount of \$3,000.

Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign the referenced Notification of Grant Awards as presented. Motion carried.

2) Public Transportation Highlights

Mr. Carter presented a handout setting forth transportation highlights for the period August through October 1996. The report included statistics for ridership by day and time of day and by week.

RESOLUTION NO. 96-32 HOMESTEAD TAX CREDIT

Present: Steve Welkos, Director of Finance

Mr. Welkos advised that Maryland State Law requires counties to annually set and report to the Department of Assessments and Taxation their homestead credit percentages and that the deadline is November 15. The credit percentage is effective for the tax year beginning the following July 1. Mr. Welkos explained the property tax credit program which limits the increase in taxable assessments each year to a fixed percentage (from 0% to 10% and must not be in fractions), reviewed the conditions and gave an example of a homestead tax credit. St. Mary's County's current homestead tax credit is 105%.

After discussion Commissioner Eagan moved, seconded by Commissioner Jarboe, to keep the St. Mary's County Homestead Tax Credit at 105%. Motion carried four-one-one with Commissioner Chesser abstaining.

CDSP #95A-0584 - Shannon Farms PUD

DPZ staff present were Jon Grimm, Director; Keith Lackie, Environmental Planner; and Peggy Childs, Recording Secretary.

Following their public hearing on 10/8/96, the Commissioners left the record open for 10 days to receive additional public comment and to receive requested input from the Planning Commission regarding requested changes to their recommended conditions of 9/23/96. Applicant's Attorney, Ms. Nancy Paige, requested the proposed changes at the October 8th public hearing.

No other public comment has been received, but the Planning Commission, at their meeting of 10/15/96, reviewed and recommended changes to conditions (2), (4), (6), (10), and (11) as set out in staff's memo of 10/16/96. Condition (12) was found to be redundant and deleted entirely and the remaining conditions renumbered. A copy of the conditions as recommended on 10/15/96 is attached to these minutes for clarification purposes.

Commissioner Jarboe asked whether the County will be accepting the glulam bridge into its maintenance program, after the bridge is constructed? Mr. Grimm replied that DPW has not endorsed the bridge as being the proper design for this crossing, but has agreed to work with the applicant on the details for this alternative design. The Planning Commission accepts the benefits of the alternative bridge, but DPW approval is not a foregone conclusion. Condition (11) requires that a bond for the bridge be posted for a minimum of five years after buildout or the spring of 2005, whichever comes first.

Commissioner Chesser asked about shoreline erosion, but found that to be addressed in condition (4).

Commissioner Eagan moved for approval of the amendment to the PUD, as requested, with the Planning Commission conditions as amended on 10/16/96. The motion was seconded by Commissioner Chesser. Motion carried.

Mr. Grimm stated the text amendment required for the grandfathering of this PUD will be brought back for a public hearing within the next 2-3 weeks, because it was not advertised previously. Mr. Grimm will work with the Critical Area Commission and catch that up with the application going to the State, so the applicant will not be held up.

COUNTY COMMISSIONERS' TIME

Chaptico Wharf/Tropical Storm Damage

Commissioner Jarboe requested the Director of Recreation and Parks to provide the Commissioners with information as to the extent of damage to the Chaptico Wharf from Tropical Storm Fran and the timetable for repairs.

Commissioner Brugman suggested that Director Rollins also include a report on damages to other recreational facilities.

Ebenezer Church

Commissioner Jarboe stated that the Ebenezer Church would like to be able to clean the brush from the county's railroad right-of-way. County staff will contact the Department of Public Works regarding this.

Criminal Justice Meetings

Commissioner Thompson advised the Commissioners of the Criminal Justice meetings that the Board of County Commissioners had previously conducted and that she and the County Administrator had discussed reinstating those meetings. The Criminal Justice Committee was composed of State's Attorney, the Judges, District Court, Sheriff, Detention Center and others and some of the things that came out of these sessions included recidivism and home detention.

She suggested that some of the topics that could be addressed by the Committee are some of the issues raised at the recent Alliance Council meeting and further suggested that the first meeting be a Summit. Commissioner Thompson recommended that a proposal be developed for discussion on November 12.

The Commissioners indicated concurrence with the concept.

ADJOURNMENT

The meeting adjourned at 4:25 p.m.

**Minutes Approved by Board of
County Commissioners on 11/12/96**

Judith G. Spalding.
Recording Secretary