

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
JUNE 17, 1997**

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 11:05 a.m.

EXECUTIVE SESSION

Commissioner Eagan moved, seconded by Commissioner Chesser, to meet in Executive Session to discuss a matter of personnel (consideration of appointments to boards, committees, commissions) 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 (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 (left session at 11:58 a.m.)
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 11:10 a.m. -12:40 p.m.

Action Taken: The Commissioners reviewed status sheets and gave direction to staff.

(Commissioner Jarboe returned to the meeting 1:00 p.m.)

APPROVAL OF MINUTES

Commissioner Eagan moved, seconded by Commissioner Chesser, to approve the minutes of Tuesday, June 10, 1997 and the Planning and Zoning portion of the May 27, 1997 meeting (Stewart's Grant and Bay Forest), as presented. Motion carried.

APPROVAL OF BILLS

Commissioner Jarboe moved, seconded by Commissioner Chesser, to authorize payment of the bills as presented. Motion carried.

ADDITIONS/DELETIONS TO AGENDA

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

CONSENT AGENDA

The Consent Agenda included the following:

Correspondence

- a. To Board of Charles County Commissioners requesting official position as to the pursuit of summer study on the regionalization of the Charles County Community College.
- b. To Catholic Charities supporting grant application for funding to develop a Hughesville Early Head Start Center and a Mobile Early Head Start Center.
- c. To Robby Tourtelot and Adam Rutherford concerning their request for a skateboard/rollerblade park.
- d. To various citizens and citizen groups regarding development of Myrtle Point:
 - ❖ Mr. & Mrs. Thompson
 - ❖ Ms. Deily
 - ❖ St. Mary's Friends of the Chesapeake
 - ❖ Potomac River Association
- e. To various individuals regarding Comprehensive Land Use Plan revision process:
 - ❖ Phil Dorsey (Villages of Leonardtown)
 - ❖ Kessler Body & Equipment Co.
- f. To Tommy Pilkerton regarding traffic safety issues at the intersection of Route 5, Fairgrounds Road and Route 244.
- g. To the Attorney General concerning nominations of local programs for the Spotlight on Prevention Award.
- h. To CDR Donaldson concerning zoning difficulties related to Joyce's Antiques.
- i. To Ken Hastings concerning request for documents protected under the Maryland Public Information Act.

Commissioner Jarboe moved to approve the Consent Agenda as presented with the exception of Letter (i) to Ken Hastings stating that Mr. Hastings had requested a copy of the written policy on release of public information. Commissioner Jarboe stated he would like to see a policy established. County Administrator Kachmar indicated that the County follows the State Public Information Act and that document had previously been forwarded to him. Motion failed for lack of a second.

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

COUNTY ADMINISTRATOR ITEMS

Present: John J. Kachmar Jr., County Administrator

1. Department of Public Works Items

- a. Public Works Agreement Addendum for Essex South Subdivision, Sections 4B and C; backed by a letter of credit in the amount of \$64,200 with Maryland Bank & Trust Company.

Commissioner Jarboe moved, seconded by Commissioner Brugman, to approve and authorize Commissioner Thompson to sign the Addendum as presented. Motion

carried.

- b. Claim Letter for Picketts Harbor Subdivision Public Works Agreement; Letter of Credit was provided by the Maryland Bank & Trust Company in the amount of \$16,000.

Commissioner Brugman moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the claim letter as presented. Motion carried.

- c. Claim Letter for Trapp Hall Subdivision Public Works Agreement; Letter of Credit was provided by First National Bank of St. Mary's in the amount of \$18,000.

Commissioner Brugman moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign the claim letter as presented. Motion carried 4-0-1 with Commissioner Eagan abstaining because she is on the Board of Directors of First National Bank of St. Mary's.

2. **Grant Documents**

- a. **Department of Planning and Zoning
Coastal Zone Management Areas Grant for FY '97 and '98**

Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and sign the letter of transmittal to the Department of Natural Resources and further to authorize Commissioner Thompson to sign the Grant documents as presented. Motion carried.

- b. **Department of Recreation and Parks
Waterway Improvements Fund Grant Applications (3)**
 - * Placing/Servicing portable toilets \$4,500
 - * Refuse Collection (state wharves and Blessing of the Fleet) \$4,500
 - * County-wide maintenance repairs (public boat ramps) \$5,000

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

Commissioner Chesser requested that the placement of portable toilets were being monitored because there was one area that had fewer than were indicated.

- c. **Housing Authority
Family Unification Program Application**

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

3. **Live Where You Work Demonstration Program
Department of Economic Development**

As a follow up to last week's discussion, the County Administrator presented information from the Maryland Department of Housing and Community Development providing responses to questions raised by the Board regarding the *Live Where You Work Demonstration Program*. Mr. Kachmar advised that the State did not grant the 30-day extension as requested by the Board, and he inquired whether the Commissioners were interested in participating in the program.

After discussion Commissioner Brugman moved, seconded by Commissioner Chesser, to send a letter to MDHCD indicating that the County is not interested in the program at this time, but would like additional information presented to the Board as to

the intent and ramifications of the program . Motion carried.

4. **Maryland State Clearinghouse Project**
(Excess Property - 3.1 acres +/- at the Intersection of Md 5 and 243
(one mile west of Leonardtown)

(To determine whether Commissioners are interested in acquiring building and land for government use; County Attorney left voice mail indicating that the request be submitted to all department and Commissioners - there is a June 19 deadline.)

Commissioner Eagan moved, seconded by Commissioner Chesser, to indicated to the Maryland State Clearinghouse that the County has no interest in acquiring this property. Motion carried.

5. **Community College Project - Phase II, Classroom Building**

(Petition Requesting State financial assistance in the amount of \$301,000 for design of Phase II)

Commissioner Brugman moved, seconded by Commissioner Jarboe to approve and sign the Petition as presented.

During discussion of the motion Commissioner Chesser referred to the regionalization proposal and whether the County should delay approval at this time in that additional funds may be made available once the regionalization occurred. He requested that action on the Petition be deferred for a week.

Further during discussion, County Administrator Kachmar indicated that the County goes out on bids for separate architectural/engineer projects and suggested that the Commissioners in the future look to consolidating a/e services.

Vote on the motion was four to one with Commissioner Chesser voting against.

6. **Personnel - Hire of Nurse/Manager - Office on Aging**

As a follow up to last week's executive session, the County Administrator presented a memorandum dated June 17, 1997 from the Personnel Officer advising that the Director of Office on Aging has requested the Commissioners' approval to hire Mary Pesetsky as an Intermittent Part Time Substitute Nurse/Manager, Grade 11, Step 5, effective, May 27, 1997.

Commissioner Jarboe moved, seconded by Commissioner Brugman, to approve the hiring as requested. Motion carried.

7. **Office of Community Services**
Operation Link Proposal

The County Administrator advised the Commissioners of a proposal from the Office of Community Services to continue Operation Link, which has been in operation for more than a year. Operation Link is a referral service providing information about resources in the community to families in the County through a single point of contact. The current grant ends on June 30 and the current Operation Link Coordinator has resigned. The proposal is to move the Operation Link project to the Office of Community Services effective July 1, and the coordinator would be a one-year contract employee with a portion of the salary coming from grants (\$13,357 from the Goals 2000 grant to the Board of Education and \$3,455 from the Lexington Park Juvenile Delinquency Prevention grant) and approximately \$13,745 coming from County funds.

Mr. Kachmar stated it was his recommendation that the location of the project be moved from the Board of Education to the Governmental Center next to the Office of Community Services and that Big Brothers/Big Sisters be moved to the Health Department building.

The Commissioners agreed to defer a decision until next week.

8. **Information Release
Household Hazardous Waste Collection Program**

(explanation of 6/14/97 shutdown)

During discussion of the Information Release Commissioner Eagan suggested that a back up plan be effected should a similar situation occur.

After discussion the Commissioners agreed to distribute the Information Release.

9. **Summer of Safety Arts Camp Grant**

The County Administrator advised that the Commissioners had approved the grant application for the referenced Summer of Safety Arts Camp on May 27 in the amount of \$22,000. The County is now in receipt of the Grant Award and approval is needed to authorize Commissioner Thompson to sign the Contract Affidavit.

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

**SOIL CONSERVATION DISTRICT/SERVICE
URBAN EROSION AND SEDIMENT CONTROL PLAN REVIEW
REQUEST FOR FEE INCREASE**

Present: Bruce Young, Director, District Manager, SCD
Al Stuart, District Conservationist, DNR Conservation Service
James Beavan, Chair, St. Mary's Soil Conservation District
Donald Ocher, Member, "
Steve Norman, Assistant County Attorney

The referenced individuals appeared before the Board to present a proposal for increased fees for Soil Conservation Plans Review.

Mr. Young advised that with the growth in the County SCS was having a difficult time in keeping with the one-month turn around time for plans review. The increased fee would provide funding for an additional staff person to review the plans at a cost of \$32,000 - \$34,000 for a full time technical position. Mr. Young indicated that SCS was proposing increasing the application/review fee to \$500 based on projects other than those that would qualify for standard erosion and sediment control plans (subdivision, commercial, industrial site plans that disturbed greater than 1/2 acre of land).

Areas of discussion included:

- * That sediment control and grading plans are state mandated, but without funds to support it.
- * That the Department of Public Works cannot approve grading permit without an approved sedimentation control plan in place.
- * That adoption of the fees should be done by Ordinance which would require a public hearing.
- * Discussion of other options including the County providing an employee and there would be no fee increase (or County provide the employee and raise the fee nominally).

After discussion the Commissioners requested that Soil Conservation representatives work with Assistant County Attorney Norman to develop a proposal for the Commissioners' consideration.

COUNTY COMMISSIONERS' TIME

Agricultural Tax Credit

Commissioner Thompson referred to the voice mail from Agricultural/Seafood Specialist Donna Sasscer regarding a public hearing to consider the Agricultural Tax Credit. She indicated that the Board should have a presentation from the Agricultural Preservation Board prior to proceeding with a hearing.

The Commissioners indicated concurrence with this suggestion.

EXECUTIVE SESSIONS

Commissioner Eagan moved, seconded by Commissioner Chessser, to meet in Executive Session to discuss matters of Personnel (Finance Department, Employment Contracts, and County Administrator's Evaluation), as provided for in Article 24, Section 4-210(a)1. Motion carried.

Personnel (Finance Department)

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

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

Time Held: 3:00 p.m. - 3:15 p.m.

Action Taken: The Commissioners discussed a personnel matter and agreed to take action in open session.

Personnel (Employment Contracts)

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

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

Time Held: 3:15 p.m. - 3:52 p.m.

Action Taken: The Commissioners discussed three employment contracts and agreed to take action in open session.

FOLLOW UP TO EXECUTIVE SESSIONS

Employment Contracts

Commissioner Eagan moved, seconded by Commissioner Chessser, to renew the Director, Office on Aging's contract for two years, at Grade 18, Step 6. Motion carried.

Commissioner Eagan moved, seconded by Commissioner Chessser, to renew the Director of Office of Community Services' contract for two years at Grade 13, Step 9. Motion carried.

Commissioner Eagan moved, seconded by Commissioner Brugman, to renew the Public Information Officer's contract for two years at Grade 12, Step 3. Motion carried four to one with Commissioner Jarboe voting against.

Procurement Officer/Airport Manager

Commissioner Eagan moved, seconded by Commissioner Brugman, to reclassify the Procurement Officer/Airport Manager from Grade 16, step 7, to a Grade 18, Step 7, as a merit employee, effective July 1, 1997. Motion carried three to two with Commissioners Thompson and Chesser voting against stating that this was not being done in the right way and there was not adequate justification.

During discussion of the motion Commissioner Jarboe pointed out that Mr. Haley was performing two functions--Procurement Officer and Airport Manager, thus saving the County money by not having to hire an Airport Manager. Commissioner Chesser stated he was concerned because there were no merit employees at Grade 18.

Commissioner Brugman moved, seconded by Commissioner Jarboe, that effective July 1, 1997 the \$4,000 supplement to the Airport Manager be discontinued as the new grade would incorporate both the Airport Manager and Procurement Officer. Motion carried.

Personnel (County Administrator's Evaluation)

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe

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

Time Held: 4:15 p.m. - 4:55 p.m.

Action Taken: The Commissioners reviewed the County Administrator's evaluation and agreed to discuss the results with him at next week's meeting.

ADJOURNMENT

The meeting adjourned at 4:55 p.m.

Minutes Approved by Board of
County Commissioners on 6/24/97

Judith A. Spalding
Judith A. Spalding
Recording Secretary

