

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
APRIL 14, 1998**

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

(Commissioners Brugman and Jarboe were not present at the opening of the meeting.)

CALL TO ORDER

The meeting was called to order at 11:05 p.m.

EXECUTIVE SESSION

Commissioner Chesser moved, seconded by Commissioner Thompson, to meet in executive session to discuss matters of Personnel (Public Facilities Director position and Employment Contracts), as provided for in Article 24, Section 4-210(a)1. Failed one to two with Commissioners Thompson and Eagan voting against. (During discussion of the motion Commissioner Thompson requested that separate motions be made for each contract.)

Commissioner Eagan moved, seconded by Commissioner Chesser, to meet in executive session to discuss a matter of Personnel (Public Facilities Director position), as provided for in Article 24, Section 4-210(a)1. Motion carried.

Commissioner Chesser moved, seconded by Commissioner Thompson, to meet in executive session to discuss a matter of Personnel (Employment Contracts), as provided for in Article 24, Section 4-210(a)1. Motion carried two to one with Commissioner Eagan voting against stating she would rather discuss the contracts in open session.

(Commissioners Brugman and Jarboe entered the meeting.)

Executive Session – Personnel

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
Public Facilities Director candidate
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 11:10 a.m. – 11:25 a.m.

Action Taken: The Commissioners met with the prospective Public Facilities Director and agreed to take action in open session.

Executive Session – Personnel

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

Authority: Article 24, Section 4-210(a)1
Time Held: 11:30 a.m. – 11:40 -a.m.

Action Taken: The Commissioners discussed the employment contracts for the County Administrator and the Director of Economic and Community Development and agreed to take action in open session.

FOLLOW UP TO EXECUTIVE SESSIONS

Commissioner Jarboe moved, seconded by Commissioner Eagan, to approve the appointment of James Stirling as the Public Facilities Director, Grade 18, Step 4, with a two-year contract. Motion carried.

Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve one-year contract renewals for the Director of Economic Development, Martin Fairclough, and for the County Administrator, John J. Kachmar Jr., including any merit increases they are entitled to and stated that as the Commissioners had discussed early in their administration new Commissioners should have the right to select their own team (and that this in no way should be construed as not having confidence in or a lack of commitment to these department heads). Motion carried three to two with Commissioners Thompson and Chesser voting against.

Commissioner Thompson stated that she voted against the motion because she believed that the County Administrator's contract should be extended for six months and Mr. Fairclough should have a two-year extension because department heads are not political positions and report to the County Administrator.

Commissioner Chesser voted against the motion stating that the County Administrator and the Director of Economic Development are in different categories and that Mr. Fairclough should be given a two-year contract extension.

Commissioners Brugman and Jarboe voted for the motion but indicated they would have preferred two-year contracts for Mr. Kachmar and Mr. Fairclough.

APPROVAL OF MINUTES

Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, April 7, 1998 as presented. Motion carried.

APPROVAL OF CHECK REGISTER

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

ADDITIONS/DELETIONS TO AGENDA

Commissioner Brugman moved, seconded by Commissioner Eagan, to approve the agenda as amended (to delete the Office on Aging Revenue discussion, allow additional time for the MCI presentation, and adjust the schedule accordingly). Motion carried.

CONSENT AGENDA

Correspondence to:

1. Patrick Weaver regarding T-hangar rental rates at the County Airport.
2. Ivan Petric regarding expansion of local telephone calling areas.
3. William B. Cease regarding morale issues at the Sheriff's Office and the problems related to overtime pay.
4. Robert and Dorothy Joyner acknowledging receipt of correspondence related to continuing dispute over property purchased at tax sale.
5. Jerry L. Coats relative to bank traps and this year's legislative initiative on this matter.
6. Ancel G. Jones following up on correspondence relative to conditions on Moll Dyer Road.
7. Lawrence J. Pinto, Community Preservation Coalition, regarding the development of master plan for Myrtle Point Park.
8. Joseph A. Fowler, Waldorf Supply, Inc., regarding Draft Comprehensive Land Use Plan and negative impacts on business prospects.
9. Various School Improvement Teams relative to funding the Board of Education's FY99 budget.
 - a. Town Creek Elementary School
 - b. Ridge Elementary School
 - c. Greenview Knolls Elementary School
10. Various letters regarding Board of Education's budget request for FY99.
 - a. William Ryan, SIGNAL Corporation
 - b. Wayne and Patricia Parsons
 - c. Frank Fox
 - d. Elizabeth Weaver, Leonardtown Middle School PTA
11. J. Frank Raley, Regional Infrastructure Advisory Committee, regarding FDR Boulevard.

(Prior to the motion Commissioner Thompson requested that Letter #7 be pulled for discussion.)

Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve the Consent Agenda with the exception of Letter #7. Motion carried.

Commissioner Thompson questioned the reference in the letter to Mr. Pinto which states "mandated amenities," referred to the list of amenities the Commissioners had discussed during their meeting of November 18; and indicated that clarification was needed as to whether it was a mandated list or a suggested list.

After discussion Commissioner Eagan moved, seconded by Commissioner Jarboe, to have staff review the tape and return with a verbatim transcript of the discussion prior to taking action on the letter. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: John J. Kachmar Jr., County Administrator

1. Budget Amendment No. 98-40 – Management Information Systems
(To fund initial payment for integrated information system - \$336,000)

Commissioner Eagan moved, seconded by Commissioner Brugman, to approve the Budget Amendment as presented. Motion carried.

2. Fiscal Year 1998 Supplemental Appropriation Ordinance
Office of the Sheriff (HotSpot Byrne) - \$10,000

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

3. Boards, Committees, Commissions
Appointment Letters

Commissioner Jarboe moved, seconded by Commissioner Chessner, and motion carried, to make the appointments as follows:

Agriculture, Seafood, and Forestry Commission

Peter VanRyswick

Terms to Expire

12/31/2000

Economic Development Commission

William J. Fitzgerald

6/30/99/2000

4. **Department of Public Works Items**

- a. Public Works Agreement Addendum for Hickory Hills North, 8th Election District, extending,000 deadline for completion to July 1, 1999; backed by surety bond in the amount of \$51by United Pacific Insurance Company.

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

- b. Public Works Agreement Addendum for Greenbrier Subdivision, Section 2, 8th Election District, extending deadline for completion to April 1, 1999; backed by Letter of Credit in the amount of \$214,000 by First National Bank of St. Mary's.

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 in that she is on the Board of Directors of the First National Bank of St. Mary's.

- c. Public Works Agreement Addendum for Victoria's Grant, Section 1, 8th Election District, extending deadline for completion to April 1, 1999; backed by letter of credit in the amount of \$220,000 by Maryland Bank and Trust.

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

d. **Meredith Court – Abell's Ridge Subdivision, Section 3**

- (1) Road Deed
(2) Traffic Resolutions (2) establishing Stop Signs and posting 25-mph speed limit.

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

5. **Grant Documents**

- a. Board of Education Grant Award – Schools for Success - \$2,289
(Letter to Board of Education approving Grant Award from State)

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

- b. Grant Application – Office of Community Services
Alcohol & Drug Abuse Prevention (Coordinator Position)– State Funding: \$86,087

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

- c. Modification to Memorandum of Understanding – Walden Counseling Center and Sierra House Supplemental Award #3 in the amount of \$49,689

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

- d. Emergency Shelter Grant Application– Housing Authority
Three Oaks Center - \$25,000; Department of Social Services - \$20,000; Angel's Watch
Regional Shelter - \$22,000

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

- e. Grant Renewal from Community Services Administration
Homeless Prevention Services; Emergency Transitional Housing – Department of Social
Services (\$75,600 – State Funding)

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

6. **Information Releases**
a. Earth Day – Second National *Clean Your files Day* – April 22, 1998
b. Nursing Center Director (Announcing the appointment of Patricia Horne-Newman)

The Commissioners agreed to distribute the referenced Information Releases.

7. **Office of Aging Revenue Shortfall Issues**

Mr. Kachmar advised that the Weisman Center has been experiencing a decline in the number of medical assistance funds, which is due primarily to a number of people moving on to long-term care facilities and the death of a number of participants. He stated that this will be an agenda item for next week for discussion and presentation of alternatives for consideration.

**PROCLAMATION
FAIR HOUSING MONTH**

The Commissioners presented a proclamation designating the Month of April 1998 as Fair Housing Month in St. Mary's County.

**PUBLIC HEARING
FISCAL YEAR 1998 SUPPLEMENTAL APPROPRIATIONS**

Present: Steve Welkos, Director of Finance

The Commissioners conducted a public hearing on the following supplemental appropriation requests:

Marcey House

\$23,792 in State grant funds for the purpose of purchasing new equipment and supplies, supplemental salaries, and day-to-day operations.

Office of Community Services

\$11,700 in State grant funds for the purpose of providing funds for the following youth programs: "Hooked on Fishing Not Drugs," "Kids on the Block," Summer of Safety Arts and Reading Camps," and for adult registration fee scholarships for the Annual Prevention Conference.

Department of Recreation and Parks

\$25,000 in State Waterway Improvement grant funds for ramp and bulkhead repairs at Bushwood Wharf.

Department of Recreation and Parks

\$25,000 in State Waterway Improvement grant funds for ramp and bulkhead repairs at Chaptico Wharf.

Hearing no comments the public hearing was closed. The record will remain open for ten days after which the Commissioners will take action on the referenced supplemental appropriation requests.

MCI SYSTEMHOUSE

Present: Lawrence Consalvos, Managing Dir., MCI
James Dundas, Project Manager, “
Peter Barlis, Finance Director, “

As a follow up to previous presentations the referenced representatives of MCI Systemhouse appeared before the Board to present solutions relative to a public safety communications center for St. Mary's County. The presentation included a review of Business Drivers (condition of the present public safety communication system, outdated hardware and software, and that a new communications infrastructure be viewed as a tool—to control and manage growth, reduce crime, manage traffic congestion, safety response); profile of the current environment (obsolete public safety communications infrastructure, separate dispatching centers for Sheriff's Department and EMA, Information Management shortfalls; costs of the current environment (with assumptions and qualification; ten year projected costs at 15 and 20 year bonding) and risks and timeline issues; in house implementation (building a new radio system and replacing the Sheriff's Computer-Aided Dispatch system; consolidation of the two independent dispatching centers; upgrade to full Enhanced 911 service; and upgrade training and certification of dispatch center personnel; observations of the Griffin Radio Study (expand scope of Griffin recommendations for long term radio service; gross costs for additional components; service model costs of St. Mary's County In House Implementation.

Included in the presentation was the third model of the Phase II costing process which indicated that MCI is now prepared to outline its pricing to provide the County with professional calltaking, dispatching, and emergency communication services in a consolidated state-of-the industry county-wide emergency communications center which would take 12 to 14 months to complete.

Discussion ensued relative to the critical need for improvements to the County's Emergency radio system and funding issues including the costs to implement the communications system, budgetary impact over the next ten years, and debt service issues.

After discussion Commissioner Jarboe moved, seconded by Commissioner Brugman, to authorize staff to begin negotiations with MCI Systemhouse for a payment schedule. Motion carried.

In closing Commissioner Thompson requested information as to process used in soliciting for the emergency radio system and was told that an ad was placed in the newspaper.

Later in the meeting (after the Public Hearing on the Budget) the County Administrator presented a letter of intent addressed to MCI Systemhouse for St. Mary's County to enter into negotiations with MCI Systemhouse for the implementation of professional services for the operation of a public safety communications system.

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

DEPARTMENT OF PLANNING AND ZONING (ZONING TEXT/MAP AMENDMENTS – DISCUSSION/DECISION)

MINUTES OF THE ST. MARY'S BOARD OF COUNTY COMMISSIONERS MEETING Tuesday, April 14, 1998

All Commissioners were present. DPZ staff present were Jon Grimm, Director; and Peggy Childs, Recording Secretary.

TEXT/MAPPING CHANGES TO ZONING ORDINANCE To correct errors in Zoning Ordinance.

This public hearing was conducted on March 31, 1998. Mr. Grimm distributed copies of his April 6, 1998 memo answering questions raised at the public hearing and forwarding a draft Ordinance for adoption by the Commissioners.

The Commissioners questioned Ordinance revisions previously discussed, i.e., the prohibition of private detention centers and juvenile facilities, and a revision to allow banners to be displayed for 30 days on trailers for churches and other non-profit organizations, and asked why these had not been included with the mapping errors? Mr. Grimm replied that the subject revisions were already in process when the Commissioners directed the change regarding banners, however a package has been prepared and will be coming forward very soon. He said, until a couple of months ago when the Commissioners directed the Ordinance change, he thought staff was handling banners in a satisfactory manner by finding ways they could be displayed within the confines of the Ordinance.

Regarding the County Attorney's opinion that mapping guidelines should not be used as a basis for determining mistake, Mr. Grimm said it is the Commissioners who must accept or reject findings that the mappings were in error. However, he said he has removed any reference to mapping guidelines from attachment B.

Following discussion, Commissioner Chesser moved to adopt the Ordinance as prepared by staff, with the clarification to Attachment B noted by the Planning Director. The motion was seconded by Mr. Brugman and passed by 5-0.

A second motion was made by Commissioner Jarboe to direct staff to draft an Ordinance revision to include the following:

- (1) A provision for the prohibition of private detention centers and juvenile facilities;
- (2) A provision to allow banner signs on trailers for churches and non-profit organizations; and
- (3) The Planning Commission shall review the "change in the neighborhood" argument for the rezoning of properties presently under review.

The motion was seconded by Commissioner Eagan and passed by a vote of 5-0.

DIVERSE TECHNOLOGIES CORPORATION YEAR 2000 COMPUTER ISSUES

Present: Ann Anderson, MIS Director
Sam Moyle, Diverse Technologies Corporation
Robert DeSesselle, "

Representatives of Diverse Technologies appeared before the Board to explain the impact of the Year 2000 as it relates to software and hardware. Because computers have been designed using 19xx, there will be a number of problems when the Year 2000 arrives. Errors in software and hardware will cause inaccurate interest calculations, record deletions, wrong expiration dates, wrong dates and times, incorrect scheduling, and inaccurate rate structures and billing schedules. DTC pointed out the impact among federal, state and local agencies, the impact on shared of information, and that there was not enough coordination among the agencies.

COUNTY COMMISSIONERS' TIME

Chestnut Ridge/Chestnut Hills Developments – Flooding

Commissioner Brugman advised that since the completion of the Chestnut Ridge and Chestnut Hill Subdivisions, a number of flooding problems have occurred on adjacent properties. He stated that it evidently was not a SHA or a developer's problem, but was created by the County. He stated that he would be talking to Public Works about it.

Tri-County Council Regional Summit

Commissioner Thompson requested a copy of the Economic Development Commission's and Director's report that will be presented at the TCC meeting next week.

EXECUTIVE SESSION

Commissioner Chesser moved, seconded by Commissioner Eagan, to meet in executive session to discuss a matter of Personnel (Mental Health Authority, as provided for in Article 24, Section 4-210(a)1. Motion carried four to one with Commissioner Jarboe voting against.

Executive Session – Personnel

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

(The following representatives of the Mental Health Authority attended the session from 5:05 p.m. – 6:00 p.m.: Dr. Ebenezer Israel, Sandra Kolwey, Marilyn Carifi, David McKay, Rita Bean, Linda Lytle)

Authority: Article 24, Section 4-210(a)1
Time Held: 4:48 p.m. – 6:00 -p.m.

Action Taken:: The Commissioners continued discussion of the Mental Health Authority personnel matter.

**PUBLIC HEARING
CONSTANT YIELD TAX RATE
FISCAL YEAR 1999 RECOMMENDED BUDGET (Board of Education)**

The Commissioners conducted public hearings as follows:

Constant Yield Tax Rate

Public Hearing on the proposal to increase property taxes by keeping the tax rate at \$2.08 per \$100 of assessment (this tax rate would be 1.5% higher than the constant yield tax rate and will generate \$571,809 in additional property tax revenues.

Board of Education Budget

The follow individuals spoke in favor of fully supporting the Board of Education's requested budget for Fiscal Year 1999:

John Dixon, Chad Rivers, Cathy Allen, Lori Werrell, Wayne Parsons, Anne Franc, Gary E. Lohman, Leslie Funk, Becky Helmuth, Marilyn Crosby, Suzanne Cartwright, Cindy Cartwright, Alice Willingham, Charles Purcell, Susan Minucci, Joe Gardner, Donna Gardner, Kurt Engel, Kim Rowne, Kathy Harvey, Stephen Kracinovich, Sherri St. Clair and JW, Pat White, Beverly Hargraves, Shelia Dietz.

ADJOURNMENT

The meeting adjourned at 9:35 p.m.

Minutes approved by the
Board of County Commissioners on 4/21/98

Judith A. Spalding
Judith A. Spalding, Recorder