

4. Various individuals regarding Wicomico Shores Special Taxing District.
 - a. John F. Pohle
 - b. Robert H. Proudman
 - c. H. James Rhodes
 - d. Ron Sugarman
 - e. Eugene A. Festa
 - f. Michael Burns
 - g. Arthur F. Nathan
 - h. Clifton E. Harkleroad
 - i. Vincent S. Daley
 - j. Shawn L. Slagle
 - k. Wilbur S. and Dorothy E. Thomas

5. Various individuals regarding public boat ramp at Leonardtown Wharf.
 - a. James R. Dalrymple
 - b. David Calvano

Commissioner Thompson requested that Letter 3(a) be pulled for correction.

Commissioner Brugman moved, seconded by Commissioner Jarboe, to approve the Consent Agenda with the exception of Letter No. 3(a). Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: John J. Kachmar Jr., County Administrator

1. Board of Education FY 1998 Grant Award
 Gifted and Talented Improvement - \$8,019.79
 (Letter to Board of Education Approving Grant Award)

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

2. Resolution No. 98-30
 Designating the Mental Health Authority as the Core Service Agency and Removing Appointment Authority and Bylaw approval from the County Commissioners.

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

3. St. Mary's Interagency Children's Council
 Letters of Appointment

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

St. Mary's Interagency Children's Council	<u>Terms To Expire</u>
Barbara Bershon, <i>Community Rep.</i>	6/30/99
Juliet Brown, <i>Tri-County Youth Services Bureau rep.</i>	6/30/2000
Mary Cecchini, <i>Juvenile Justice Rep.</i>	6/30/2001
Eileen Clancy, <i>Walden/Sierra Rep.</i>	6/30/99
Susan Copsey, <i>Child Care Rep.</i>	6/30/2000
A. Joseph Donick, <i>Drug Prevention program Rep.</i>	6/30/2001
Bonnie Elward, <i>Tomorrow's Child Rep.</i>	6/30/99
Suzanne E. Gibbs, <i>Library Rep.</i>	6/30/2000
Joshua D. Glaser, <i>Operation Link Rep.</i>	6/30/2001
Linda Himmelheber, <i>Public Schools, Early Childhood Rep.</i>	6/30/99
Cheri Jehu, <i>Tri-County Community Action Head Start Rep.</i>	6/30/2000
Janet Kellam, <i>Public Schools, Ridge Elem. School rep.</i>	6/30/2001
Phyllis D. Leighton, <i>Naval Air Warfare Center Child Development Program</i>	6/30/99
Margaret A. Maupin, <i>Legal Rep.</i>	6/30/2000
Addie McBride, <i>Community Rep.</i>	6/30/2001
Karen A. McCleaf, <i>St. Mary's Hospital</i>	6/30/99
Sally McErlean, <i>Navy Family Service Center Rep.</i>	6/30/2000
Sonia Molloy, <i>The Family Center of St. Mary's</i>	6/30/2001
Mary Novotny, <i>Health Dept. Rep.</i>	6/30/99
Virginia (Jody) Payne, <i>Private Child Care Sector Rep.</i>	6/30/2000
Anthony W. Pitt, <i>Parent Rep.</i>	6/30/2001
Carol Poe, <i>Public Schools, secondary school administrator Rep.</i>	6/30/99
Linda Reeves, <i>Public Schools, teen pregnancy prevention rep.</i>	6/30/2000
Juliet Rogers, <i>Community Rep.</i>	6/30/2001

Mark Smith, <i>Public Schools, Special Education/student services rep.</i>	6/30/99
Liesl Stark, <i>Dept. of Social Services Rep.</i>	6/30/2000
Becky Stevens, <i>Community Services Coordinator</i>	6/30/2001
Jean Valentine, <i>Child Care Coordinator from R&P</i>	6/30/99
Beth Weeks, <i>Infants and Toddlers Rep.</i>	6/30/2000
Patricia Wince, <i>Public Schools, School Nurse Rep.</i>	6/30/2001
Alexis Zoss, <i>Dept. of Social Services Rep.</i>	6/30/99

4. Correspondence to Ken Hastings regarding Myrtle Point map prepared by County Attorney and Ethics Commission's proposed amendment to Ordinance regarding filing of financial disclosures.

During discussion Commissioner Thompson requested a number of changes to the letter; staff was directed to make the changes and resubmit it later in the meeting.

Later in the meeting after review of the revised letter, Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and sign the letter as revised. Motion carried four to one with Commissioner Chesser voting against.

5. Correspondence expressing appreciation to rescue squads and responders to the school bus accident on Thursday, May 21.

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

6. Resolution Confirming Organizational Nature and Authority for the St. Mary's Nursing Center as a Department or Agency of County Government.

The Commissioners deferred action until next week in order to give the Commissioners an opportunity to review the document.

COUNTY COMMISSIONERS' TIME

Public Safety Issues

Commissioner Brugman reiterated his concerns relative to the site distance problem caused by shrubbery growing at the intersection of Lady Baltimore Avenue and Leonard Street. The Department of Public Works has been unable to locate the property owner (there is no house on the property).

After some discussion Commissioner Brugman moved, seconded by Commissioner Chesser, to direct the County Attorney's Office and the Department of Public Works to develop an Ordinance to allow the county to enter onto private property when a public safety issue exists. Motion carried.

County Administrator's Evaluation

Commissioner Thompson advised that she received notice from the Director of Human Resources indicating that it was time for the Commissioners to do the County Administrator's evaluation. She inquired whether it was acceptable to use the same format as last year and to put it on the agenda for a future executive session. The Commissioners requested that a copy of the form be placed in each of their boxes prior to the executive session being scheduled.

EXECUTIVE SESSION

Commissioner Eagan moved, seconded by Commissioner Chesser to meet in executive session to discuss a matter of personnel (County Attorney). Motion carried three to two with Commissioner Brugman and Jarboe voting against.

Personnel (County Attorney)

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: 1:55 p.m. – 2:05 p.m.

Action Taken: The Commissioners discussed a personnel item relative to the County Attorney's voice mail and agreed to meet with the Attorney at a later executive session.

SIGNING OF FISCAL YEAR 1999 BUDGET AND RELATED ORDINANCES

Present: Steve Welkos, Director of Finance
Marty Jones, Budget Analyst

Mr. Welkos reviewed the budget adjustments as directed by the Commissioners during the work sessions, the budget summary of allocations to spending units, revenue outlook for FY 2000, and the FY '99 Capital Improvement Budget.

Ordinance No. 98-31

Appropriation Ordinance

Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and sign Ordinance No. 98-31 enacting appropriations and capital improvement program for Fiscal Year 1999 (Total General Fund: \$100,198,893; total Capital Improvements Fund: \$146,001,063). Motion carried.

Commissioner Thompson stated she voted for the motion but that she would have preferred to have slowed Myrtle Point down and not taken funds from the landfill account. Commissioner Jarboe stated that Myrtle Point should go forward and get in compliance with ADA requirements. Commissioner Chesser stated he would have preferred to have the tax rate set at \$2.10 rather than \$2.08 in order to fund necessary programs.

Ordinance No. 98-32

Ordinance for Levying Rates for Revenue Taxes:

Income Tax Rate, Fire Tax Rates, Property Tax Rate, Energy and Fuel Tax Rates, and Special Taxing District Tax Rates

Commissioner Jarboe moved, seconded by Commissioner Thompson, to approve and sign Ordinance No. 98-32 assessing the referenced tax rates (Fire Tax: Elections District 1, 2 and 9 - \$.09; Property Tax Rate - \$2.08 per \$100 of assess valuation; Energy and Fuel Tax Rate: Electricity - \$.00397 per kilowatt hour, Liquefied Petroleum Gas - \$.05621 per gallon, Fuel Oil - \$.05558 per gallon; and various Special Taxing District Rates). Motion carried.

Fiscal Year 1999 Signature Page for Approved Operating and Capital Budgets

Commissioner Jarboe moved, seconded by Commissioner Eagan, to sign the Signature Page for the Fiscal Year 1999 Operating and Capital Budgets. Motion carried.

PUBLIC HEARING

ALPD #98-0968 – JAMES SPENCE

Present: Donna Sasscer, Agricultural/Seafood Specialist
James Spence, Applicant

(application for the establishment of an ALPD and Sale of Development Rights Easement on a total of 48.43 acres, Seventh Election District, Tax Map 38, Block 4, Parcel 6 and 271)

Ms. Sasscer explained that certified letters were sent to all adjoining property owners; however, she had learned that the property had not been posted. She inquired whether she could

get concurrence from the Commissioners regarding the applicant so that the project can be included in the state's program for this year. Ms. Sasscer pointed out that, if required, she will redo the application and schedule a new public hearing.

At the request of the Commissioners County Attorney Douglas Durkin entered the meeting and advised that he would have to research the issues to determine whether posting was required as a matter of law or if it was done as a matter of policy.

After doing research, Mr. Durkin advised that an ALPD is considered a rezoning and therefore, the property must be posted before it can be rezoned. Since it was not posted, the County does not have jurisdiction, and the public hearing cannot be conducted today. He further pointed out that the approval must be done by Ordinance, so that once the public hearing is rescheduled, there will be a ten day waiting period prior to the Board making a decision.

In order to try to resolve the time issue of the application, Mr. Durkin advised that the Commissioners could informally indicate their concurrence in order to "keep the project alive" with the State.

After some discussion each of the Commissioners indicated he/she looked favorably upon the application subject to the required public hearing.

Commissioner Brugman moved, seconded by Commissioner Jarboe, that the cost of advertising for the hearing be taken out of Planning and Zoning's budget because DPZ was responsible for the error in not posting the property. Motion carried three to two with Commissioners Thompson and Chesser voting against.

EMERGENCY RADIO SYSTEM DISCUSSION

Present: Larry Consalvos, MCI Systemhouse
 James Dundas, Jr., "
 Ty Hughes, "
 Joe Cooney, "
 Steve Welkos, Director of Finance
 Jim Haley, Director, Office of Central Services
 Paul Wible, Director, EMA
 Representatives of Emergency Management
 Representatives of the Sheriff's Department
 Representatives of Fire/Rescue Departments

As a follow up to last week's discussion, the referenced individuals appeared before the Commissioners to address questions raised by members of the Board.

Mr. Haley opened the meeting with the history of the bidding and RFP process for the analysis of the current emergency radio system and recommendations for improvements and upgrading. Mr. Haley explained that county procurement procedures were followed; RFP's were sent to those on bidding list in addition to others contractors in the field; and one responsible proposal was received, which was from MCI; Correspondence was forwarded to MCI requesting a detailed cost proposal; the Commissioners approved the expenditure of \$250,000 for MCI to proceed with Phase I (the analysis); in March MCI presented a proposal to proceed with Phase II (preliminary solution), and the Commissioners signed a letter on April 14 to designate the County Administrator as the County's coordinator for negotiations.

Mr. Welkos reviewed with the Commissioners his financial perspective for the funding of an emergency radio system (which included implementation of the Griffin Study; MCI's recommended solution; shortcomings of the Griffin Study; and a ten-year cost summary of the various alternatives ((1) to maintain present environment using General Obligation Bonds or Lease/ Purchase; (2) in-house implementation of MCI solution using GOB or Lease/:Purchase; and (3) MCI's Fixed Price Agreement over ten years. In closing Mr. Welkos noted that outsourcing of emergency communications may be the sound managerial and technical approach; however, an assumption of cost savings should not be the compelling factor in the decision.

Areas of discussion included:

- That Commissioners Thompson and Chesser have requested a list of companies receiving RFP's;

- Whether a prebid conference was held (Mr. Haley responded that it had not and explained how a determination is made whether a conference is held);
- Comparisons between the Griffin Study and the MCI proposal (Griffin's shortcomings in order to accomplish what is needed (Mr. Wible explained that the Griffin study only provided for three towers and did not use the 90/90 coverage requirement));
- Concerns regarding personnel issues if the County proceeds with the MCI solutions (transition of current employees, job security, retirement plan, how accumulated leave would be handled, etc.) Mr. Consalvos advised that MCI will take the responsibility to get MCI's and the County's human resource teams together to work out the personnel issues as part of the contract negotiations, and that this team would sit down with each employee that was interested in applying and explain the impact on them;
- Replacement of pagers (Mr. Consalvos advised that MCI will provide the pagers, but needed to know the correct number;
- The need for a breakdown of costs (which will be presented during contract negotiations);
- Impact on future budgets and tax rate;
- That the MCI system will be as current in ten years as it when it is first installed;

References to the April 14, 1998 letter authorizing contract negotiations;

After discussion Commissioner Thompson moved, seconded by Commissioner Chesser, to rescind the portion of the April 14, 1998 letter designating the County Administrator as the negotiator with MCI and to authorize the establishment of a Negotiating Team comprised of the Director of Finance (Steve Welkos), (Director of EMA (Paul Wible), Manager of MIS (Ann Anderson), County Administrator (John Kachmar), Procurement Officer (Jim Haley), and a representative of the Sheriff's Department.

During discussion of the motion Commissioner Thompson indicated the reason for the motion was to allow these individuals an opportunity to look at the numbers and make sure every aspect is being addressed from the standpoint of the County.

Because of concerns regarding the delay of the project, Mr. Consalvos offered a suggestion that there be a 30-day window for the team to complete the negotiations.

Commissioner Brugman moved, seconded by Commissioner Eagan, to amend the main motion to provide for a 30-day window to have the negotiations completed and back to the Board of County Commissioners. Motion carried.

Vote on the amended main motion was four to one with Commissioner Jarboe voting against, stating that he was prepared to authorize MCI to proceed with the next phase.

During discussion the motion was clarified that the negotiating team will not be reassessing the technical solutions of the proposal but looking at the payment schedule and the economics of the proposal.

ADJOURNMENT

The meeting adjourned at 6:15 p.m.

Minutes approved by the Board of County Commissioners on 6/2/98

Judith A. Spalding

Judith A. Spalding, Recorder