

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
December 8, 1998**

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
John J. Kachmar Jr., County Administrator
Mortimer L. Smedley, Assistant County Administrator
Judith A. Spalding, Recorder

CALL TO ORDER

The meeting was called to order at 10:00 a.m.

EXECUTIVE SESSION

Commissioner Mattingly moved, seconded by Commissioner Guazzo, to meet in Executive Session to discuss a matter of personnel (appointments to Tri-County Council Executive Board and Maryland Association of Counties), as provided for in Article 24, Section 4-210(a)1. Motion carried.

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a) 1
Time Held: 10:05 a.m. – 10:16 a.m.

Action Taken: The Commissioners considered appointments to the Tri-County Council Executive Board and the Commissioner representative on the Maryland Association of Counties and agreed to take action in open session.

Follow Up to Executive Session

Commissioner Mattingly moved, seconded by Commissioner Raley, to appoint Commissioner Joseph Anderson to the Tri-County Council Executive Board. Motion carried.

Commissioner Raley moved, seconded by Commissioner Mattingly, to appoint Shelby Guazzo as the Commissioners' representative to the Maryland Association of Counties. Motion carried.

SELECTION OF VICE-PRESIDENT

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to nominate Joseph Anderson as the Vice-President of the County Commissioners. Motion carried with Commissioner Anderson abstaining.

APPROVAL OF CHECK REGISTER

Commissioner Mattingly moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to sign the check register, as presented. Motion unanimously carried.

ADDITIONS/DELETIONS TO AGENDA

Commissioner Anderson moved, seconded by Commissioner Raley, to accept the agenda as amended (to add the process for filling the vacancy on the Board of Education). Motion carried.

PROCLAMATION DOMESTIC VIOLENCE AWARENESS MONTH

Present: Roberta Loker
Gwen Bankins

The Commissioners presented the referenced Proclamation designating the Month of December as Domestic Violence Awareness Month.

COUNTY ADMINISTRATOR

Present: John J. Kachmar Jr., County Administrator

- Calendar of Events
 - Draft Agenda for December 15, 1998 and
List of Appointment Requests for December 22 Meeting
(The Commissioners reviewed the draft agenda for December 15 and the list of requests for December 22 and made amendments to both)
1. Budget Amendment 99-16
Office of Capital Projects
(To cover inspector's overtime costs associated with Airport Air Carrier Terminal Project - \$2,000)

Also Present: Steve Welkos, Director of Finance

Mr. Welkos explained that there was additional work in this project that had not been anticipated in the budget.

Discussion ensued relative to the amount of staff hours used in preparing budget amendments in small dollar amounts and that a more efficient method should be considered (e.g. looking at the remainder of the year rather than a one-at-a-time request).

Commissioner Mattingly moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to sign Budget Amendment No. 99-16 as presented. Motion unanimously carried.

2. Department of Public Works
Modification to 1999 Scrap Tire Recycling Amnesty Day Agreement

(The modification changes the funding of the collection, transportation and disposal of scrap tires up to a maximum of 75 tons rather than the 150 tons initially anticipated for the April 24, 1999 Amnesty Day.)

Commissioner Guazzo moved, seconded by Commissioner Anderson, to authorize Commissioner Randall to sign the Modification as presented. Motion unanimously carried.

3. Signature Forms from Nations Bank to update signature authorization on the county's Payroll, general, and CDBG bank accounts.

Commissioner Anderson moved, seconded by Commissioner Raley, to authorize Commissioner Randall to sign the Signature Forms as presented. Motion carried.

4. Information Release

(Announcing that the Commissioners are accepting applications to fill the vacancy on the St. Mary's County Board of Education)

The Commissioners approved the distribution of the referenced Information Release.

ST. MARY'S PUBLIC SCHOOLS

Present: Dr. Patricia Richardson, Superintendent of Schools
Brad Clements, Director of Facilities Management

The referenced representatives of the St. Mary's Public Schools appeared before the Commissioners to review the Capital Improvement Program for the public schools and to request the Commissioners' support for the projects that will be appealed to the Interagency Committee (IAC).

Mr. Clements reviewed school projects that are in the design phase or under construction; costs of past construction programs showing the increasing funding; construction funding from Fiscal Year 1993 through Fiscal Year 1999 (with State and Local funds); status of projects as of December 1998; and the Capital Improvement Program for Fiscal Year 2000.

During the discussion Dr. Richardson pointed out that the following projects will be appeared to the IAC on December 14: Leonardtown High School; Leonardtown High School relocatables; Leonardtown Middle School roof replacement; and Esperanza Middle School renovations. Dr. Richardson invited any or all of the Commissioners to attend the appeal meeting.

After discussion Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve correspondence to the Interagency Committee for School Construction in support of the projects being appealed. Motion carried.

In closing Superintendent Richardson reported to the Commissioners that St. Mary's Public Schools received a higher MSPAP composite score than the State average.

NURSING CENTER BRIEFING

Present: Mortimer L. Smedley, Assistant County Administrator
Gary Waitt, Interim Administrator
Monica Hayden, Director of Nursing
Steve Helwig, CPA for Nursing Center

The referenced individuals appeared before the Board to give a briefing on the St. Mary's Nursing Center. The presentation included an overview of nursing center administration and operation, rules and regulations and a list of involved agencies by Mr. Smedley; administrative briefing including services provided by the Center by Mr. Waitt; health services and clinical presentation including a listing of nursing and other facility staff; fiscal briefing including rate structure, budget statistics, financial strength, and medicare issues by Mr. Helwig.

The Commissioners visited the Nursing Center for lunch and a tour; however, because of time constraints and the need to complete the referenced briefing, the tour was postponed to a later date.

1999 LEGISLATIVE PACKAGE REVIEW

Present: Steve Welkos, Director of Finance
Fred Wallace, Chair, Board for the Community College at St. Mary's
Other members of the Board for the Community College
John V. Baggett, Chair, Ethics Commission

The County Administrator presented and reviewed the proposed 1999 Legislative Package with actions taken as follows:

ITEM NO. SUBJECT

1. **Public Facilities Bond**

To request additional authorization for the issuance of General Obligation Bonds in an amount not to exceed \$35,000,000 (changed from the initial request of \$25M for future Capital Projects).
(Submitted by Director of Finance)

Action: Commissioner Mattingly moved, seconded by Commissioner Anderson, to support Item No. 1. Motion carried four to one with Commissioner Raley voting against.

Discussion included the list of projects and whether the Commissioners would support all of them; and the five-year CIP.

In addition the Board agreed to have a debt affordability study as mentioned by Director of Finance Steve Welkos.

2. **Tri-County Regional Community College**

To provide legislation to establish a tri-county regional community college consisting of Calvert, Charles and St. Mary's Counties.

(Submitted by Board for the Community College at St. Mary's)

Discussion included whether all three counties would support the proposal; issues raised two years ago in developing the proposal (land ownership and representation on the Board of Trustees from each county); and financial issues.

Action: Commissioner Anderson moved, seconded by Commissioner Mattingly, to support the request of the Board for the Community College moving forward with legislation for the creation of a regional community college structure. Motion unanimously carried.

3. **Ethics Commission – Open Meetings Law Exception**

To request the addition of the Ethics Commission to the list of excepted agencies from the Open Meetings Law Act for certain instances.
(Submitted by Ethics Commission)

Areas of discussion included need for confidentiality, particularly with regard to advisory opinions and complaints; correspondence of 12/1/95 from the firm of Kenney and Lacer giving opinion regarding applicability of the law regarding executive sessions;

Action: The Commissioners deferred action on Item No. 3, but will take action prior to the opening of the Maryland General Assembly. The Chair of the Ethics Commission, however, will be presenting the proposal at the December 10 public meeting.

ITEMS SUBMITTED AND ACTED ON BY FORMER BOARD

4. **Compensation Review Board**

To request authority for the establishment of a Compensation Review Board for St. Mary's County.

(Submitted by Barbara R. Thompson) Letter signed by Board of County Commissioners forwarding legislative proposal to St. Mary's Legislative Delegation.

No Action Required by Current Board

5. **Partial Birth Abortion**

To encourage State and Federal elected officials to enact legislation to ban the Partial Birth Abortion Procedure.

(Submitted by Larry D. Jarboe) Resolution Signed by Board of County Commissioners and forwarded to St. Mary's Legislative Delegation.

No Action Required by Current Board

COUNTY COMMISSIONERS' TIME

Board for the Community College at St. Mary's

Commissioner Anderson moved, seconded by Commissioner Guazzo to accept the resignation of Thomas A. Mattingly from the Board for the Community College at St. Mary's. Motion carried 4-0-1 with Commissioner Mattingly abstaining.

Expression of Appreciation

The Commissioners expressed appreciation to staff and participants relative to the Oath of Office held December 7.

Commissioner Anderson expressed appreciation to staff who stayed all night to get the paychecks out when the computer went down.

Commissioner Anderson expressed appreciation to county staff for making the Commissioners feel welcome.

Letter from Sheriff – Request for RFP for Promotion Process Study

The Commissioners referred to December 2 correspondence requesting county staff to write a Request for Proposal (RFP) for a review of the promotion process in the Sheriff's Office.

The Commissioners agreed to request the Sheriff to meet with the Board at a future meeting.

ADJOURNMENT

The meeting adjourned at 4:50 p.m.

**Minutes Approved by the
Board of County Commissioners on 12/8/98**

Judith A. Spalding
Judith A. Spalding, Recorder