

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, March 5, 1991

Present: Commissioner Carl M. Loffler, Jr., President
 W. Edward Bailey, Commissioner
 Robert T. Jarboe, Commissioner
 John G. Lancaster, Commissioner
 Barbara R. Thompson, Commissioner
 Edward V. Cox, County Administrator
 Judith A. Spalding, Recording Secretary

CALL TO ORDER

The meeting was called to order at 9:05 a.m.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Bailey, to approve the minutes of the Commissioners' meeting of Tuesday,. Motion carried.

APPROVAL OF BILLS

Commissioner Thompson moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the Check Register as presented. Motion carried.

COUNTY ADMINISTRATOR'S ITEMS

Present: Edward V. Cox, County Administrator

1) DEPARTMENT OF PUBLIC WORKS

On behalf of the Department of Public Works, the County Administrator presented the following documents for the Commissioners' consideration:

- Public Works Agreement
 Wilderness Cluster Subdivision, Section 2

Dated January 3, 1991 between Potomac Savings Bank, FSB and St. Mary's County guaranteeing completion of Wilderness Drive, Woodmere Drive, Autumn Court, and Arbor Court by December 1, 1991. The Agreement is backed by a Letter of Credit with Potomac Savings Bank in the amount of \$131,800.

- Addendum to Public Works Agreement
 Cedar Cove Subdivision, Section IV

Between Heritage Manor Homes, Inc. and St. Mary's County extending the deadline for completion of improvements in Cedar Cove, Section IV, to March 1, 1992. The Addendum is backed by a reduced Letter of Credit with Maryland Bank & Trust Company in the amount of \$104,000.

- Addendum to Public Works Agreement
 The Moorings at Cedar Cove Subdivision

Between J. L. Millison and St. Mary's County Commissioners extending the deadline for completion of improvements in The Moorings at Cedar Cove to April 1, 1991. The Addendum is backed by a reduced Letter of Credit with Maryland Bank & Trust Company in the amount of \$48,000.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Public Works Agreement and Addendums as presented. Commissioner Loffler abstained. Motion carried.

2) **ECONOMIC AND COMMUNITY DEVELOPMENT
ON BEHALF OF PROGRAM**

The County Administrator presented correspondence addressed to the Community Development Administration transferring to CDA \$1,331,942 of the \$1,331,942 tax-exempt bond allocation for St. Mary's County for use in the issuing of housing bonds on behalf of St. Mary's County.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and sign the correspondence as presented. Motion carried.

3) **TRI-COUNTY COMMISSIONERS MEETING**

The County Administrator advised that correspondence was received from the Charles County Commissioners suggesting a Tri-County Commissioners dinner meeting to be held March 12.

Because of the Commissioners' schedule for March 12, the County Administrator was directed to inform Commissioner Middleton that the St. Mary's County Commissioners would not be able to meet on that date and requesting that it be rescheduled. The Commissioners further requested the County Administrator to get a date for the next quarterly meeting of the Tri-County Council.

4) **BUDGET AMENDMENTS**

The County Administrator presented the following budget amendments recommended for approval by the Director of Finance:

**NO. 91-42
Office of Planning and Zoning**

Justification: To transfer funds to allow payment of legal advertising for public hearings and for funds to complete this year's fiscal year printing costs.

**No. 91-43
Social Services**

Justification: Burial Assistance

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and sign the referenced Budget Amendments as presented. Motion carried.

**NO. 91-45
Planning and Zoning**

Justification: To provide funding to allow completion of training for personnel in Advanced Word Perfect, and training in Paradox due to office automation.

**No. 91-46
Planning and Zoning**

Justification: To complete the implementation of computer system.

**No. 91-47
Planning and Zoning**

Justification: To complete the implementation of computer system.

Commissioner Thompson moved, seconded by Commissioner Bailey, to approve and authorize Commissioner Loffler to sign the Budget Amendments as presented. Motion carried.

**4) MENTAL HEALTH AUTHORITY BOARD
APPROVAL OF BY-LAWS**

The County Administrator presented correspondence addressed to the chairperson of the Mental Health Authority Board indicating that the Board's by-laws have met the criteria in Resolution No. 88-03.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to approve the by-laws and to sign and forward the letter as presented. Motion carried.

5) CORRESPONDENCE TO U.S. SENATORS AND CONGRESSMAN

The County Administrator presented correspondence addressed to Senators Mikulski and Sarbanes and Congressman Gilchrest requesting information relative to rumors regarding closing or downsizing of Naval Electronics Systems Engineering Activity at St. Inigoes.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to sign and forward the letter. Motion carried.

6) PROPOSED COURT PSYCHOLOGIST POSITION

As a follow up to previous discussion, the County Administrator presented a breakdown of estimated cost savings for the Court Psychologist position. Mr. Cox reiterated the Court Psychologist Committee's request for a commitment of funding for Fiscal Year 1992 so that the individual hired would be able to continue. The State has provided grant funding for the remainder of Fiscal Year 1991.

The Commissioners agreed to defer a decision until completion of the review of the Fiscal Year 1991 proposed budget.

**7) CORRESPONDENCE TO LEGISLATORS
SB 295 AND HB 487 - REORGANIZATION OF STATE GOVERNMENT**

The County Administrator presented correspondence addressed to the St. Mary's Legislative Delegation conveying the Commissioners' concerns relative to SB 295 and HB 487 which propose the restructuring of Health, Social Services and Education Programs; creation of the Department of Income and Health Security; and change of the Department of Juvenile Services to the Department of Children, Youth, and Families Services. The letter indicates that the changes need more local review and opportunity to comment.

Commissioner Thompson moved, seconded by Commissioner Bailey, to sign and forward the letter. Motion carried.

8) INNOVATIVE AND ALTERNATIVE ON-SITE SEWAGE PROJECT

The County Administrator presented a Memorandum of Understanding between St. Mary's County and the Department of Environment, including St. Mary's County Health Department which will provide St. Mary's County with supplemental funds up to \$31,143 for innovative and alternative on-site sewage disposal projects.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Memorandum of Understanding as presented. Motion carried.

9) APPOINTMENTS

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

Adult Public Guardianship Review Board	Terms to Expire
Karen Walton - Public Health Nurse	12/31/94
Agriculture Commission	
Dan Donnelly	12/31/93/96
Mike Fisher	12/31/93
Phil Hayden	12/31/93
John L. Mattingly	12/31/93/96
Coastal Resource Advisory Committee	
Scott Kudlas	12/31/93
Housing Authority	
Robert Gant	12/31/95
Water Policy Task Force	
Steve King	06/30/91
James Lynch	06/30/91
George Payne	06/30/91
Rick Raley	06/30/91
Tom Russell	06/30/91
Gary Setzer	06/30/91
Hope Swann	06/30/91
Oran Wilkerson	06/30/91
Wicomico Recreational Complex	
Bernard A. Bailey, Sr.	No Term

LEAGUE OF WOMEN VOTERS

Present: Grace Horton, President
Jane Aldridge
Betty Kotowski
Julia Richardson
Kay Reed
Other League of Women Voters Members

The referenced members of the St. Mary's League of Women Voters appeared before the Commissioners to presented the third edition of the Know Your County booklet. Mrs. Horton expressed appreciation to the League members who worked on the booklet and to county staff who assisted.

Mrs. Horton reported on the League's projects including televising meetings and recycling.

Mrs. Horton advised that the the League of Women's Voters project for 1990-91 is devoted to study of the Ethics Commission and Building Authority and cited certain objectives and recommendations in this regard. Recommendations are as follows:

Ethics Commission

1. That the attorney for the Ethics Commission have no other legal assignment in county government.
2. That membership in the Ethics Commission be managed to insure that members of the real estate are not in the majority.
3. That the Commissioners consider a more active role for the Ethics Commission.

Building Authority Commission

1. That a public member be selected to serve.
2. That the Commissioners consider having one of its members serve as the Commission chairman.

In closing the Commissioners thanked the League of Women Voters for the breakfast held earlier this day and congratulated them for developing the Know Your County booklet.

**COMMUNITY SERVICES COORDINATION COMMITTEE
ANNUAL REPORT**

Present: Cynthia Brown, Director, Office of Community Services
Larry Harvey, Director, Marcey House
William Combs, Juvenile Services
Sam Bauman, Tri-County Youth Services Bureau
Gene Carter, Director, Office on Aging
Dana McGarity, Hospice
Carol Drury, Vocational Rehabilitation
Other CSCC Members

Members of the Community Services Coordination Committee appeared before the Commissioners to present the Committee's Annual Report for 1990.

During discussion the members discussed the proposed legislation which would combine service human service agencies, and the Commissioners expressed their concern regarding this stating that more review is needed.

A copy of the report is on file in the Commissioners' Office.

CHRISTMAS IN APRIL

Present: Judy Landau Pedersen, Public Information Specialist
John K. Parlett, Jr., President, Christmas in April
Christmas in April Officers and Volunteers

Mr. Parlett explained that the Christmas in April is a program whereby skilled and unskilled volunteers will join together on Saturday, April 27 to refurbish and repair homes of low-income, elderly, or handicapped homeowners. Repairs will include carpentry, plumbing, electrical, plastering, painting, weather stripping, and yard cleaning. Civic organizations and local businesses have donated money, materials,, supplies and services necessary to complete the repairs.

Representatives from local organizations and businesses presented checks to Mr. Parlett to assist in the Christmas in April program.

In closing Mr. Parlett thanked the Commissioners for the opportunity to share the joy of the Christmas in April Program with them and invited them to participate.

In conclusion the Commissioners presented Mr. Parlett with a Proclamation designating Saturday, April 27 as Christmas in April in St. Mary's County.

**PROCLAMATION
RED CROSS MONTH**

The Commissioners presented the referenced Proclamation designating the Month of March as Red Cross Month.

**PROCLAMATION
GIRL SCOUTS WEEK**

The Commissioners presented the referenced Proclamation designating March 11 - 17, 1991 as Girl Scouts Week.

**PROCLAMATION
SOCIAL WORK MONTH**

The Commissioners presented the referenced Proclamation designating the Month of March as Social Work Month.

HOME DETENTION PROGRAM

Present: Sheriff Pettit
Rick Smith, Pretrial Coordinator
Sgt. Stanley Williams
Barbara Dotson, Fiscal Specialist

The referenced individuals from the Sheriff's Department appeared before the Commissioners to discuss the Home Detention program, which had previously been presented to the Board at a Criminal Justice meeting. Sheriff Pettit presented a video which showed the use of the Mitsubishi Electronic Monitoring system that provides accurate visual identification of offenders.

Sheriff Pettit explained that the inmate would have to qualify for the Work Release Program and would have to pay a user fee of \$8 per day. The fee would allow the County to recoup the \$6.59 per unit/per day cost. It is proposed that the program would have ten participants. The current cost of housing ten inmates is \$2.013 per inmate. Approximately \$2,000 is needed to start the program, which Sheriff Pettit indicated could be absorbed in the Sheriff's Department's budget.

Sheriff Pettit requested authority to either handle the funds through his department (accepting user fees and paying expenses) or having the fee placed in the County's General Fund.

County Administrator Cox advised that, if the program is approved by the Commissioners, he would work with the Sheriff and Director of Finance to develop the appropriate accounting process.

After discussion Commissioner Bailey moved, seconded by Commissioner Jarboe, to authorize Sheriff Pettit to proceed with the Home Detention Program as outlined. Motion carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Lancaster moved, seconded by Commissioner Bailey, to meet in Executive Session. Motion carried. The Sessions were held as follows:

Litigation

Also Present: Sheriff Pettit

Held from 11:50 a.m. to 12:20 p.m.

Property Acquisition

Also Present: Dan Ichniowski, Director, DPW

Held from 12:20 p.m. to 12:40 p.m.

Litigation

Present: Joseph Densford, County Attorney

Held from 12:40 p.m. to 1:00 p.m.

CONSTRUCTION AND DEVELOPMENT USER FEES

Present: Mary Pat Pope, Administrative Officer
Dan Ichniowski, Director, Public Works
Jon Grimm, Director, Planning and Zoning
Charles Wade, Director of Finance

The referenced individuals appeared before the Commissioners to present proposed revisions to the county's construction and development user fees. Mr. Wade advised that when the current fees were adopted in 1989, the Commissioners had indicated that the fees should be reviewed from time to time.

Mrs. Pope reviewed with the Board services provided by the Department of Public Works and the Office of Planning and Zoning, percentage of time allocated for each category of projects and costs. She pointed out that the costs to be recovered reflect fiscal year 1991 funding and the fees reflect an average for Fiscal Years 1988, 1989 and 1990 work activity.

Presented for the Commissioners review were: list of current fees, proposed fees and resulting change; DPW and OPZ actions and services with related costs; and the proposed revised User Fees Resolution and proposed revised fee schedule.

After discussion Mrs. Pope requested the Commissioners concurrence to proceed with a public hearing on March 19, 1991 at 7:00 p.m. at the State Office Building.

The Commissioners gave approval to proceed with the public hearing as proposed.

FISCAL YEAR 1992 CAPITAL BUDGET

Present: Edward V. Cox, County Administrator
Charles Wade, Director of Finance

Mr. Cox and Mr. Wade appeared before the Commissioners to discuss the Fiscal Year 1992 Capital Budget. Mr. Wade advised that correspondence from the General Assembly regarding loss of revenues because of the economy and indicated that the State's FY '92 budget does not include any salary increases for state employees and suggesting that local governments maintain current salary levels for local employees. Mr. Wade stated that taking this action would still require an additional \$600,000 to be deleted from the recommended budget. He also advised that this does not include possible further reductions from the State.

Mr. Wade reviewed and explained the capital projects for Fiscal Year 1992, citing costs and source of funding.

After discussion Commissioner Wade recommended that the Commissioners approve the Capital Budget as presented to take to the public hearings in April. He pointed out that once the hearings are held, the Commissioners would again review the capital projects and make any necessary changes.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to proceed with the Recommended Fiscal Year 1992 Capital Budget as outlined. Motion carried.

Mr. Wade presented correspondence addressed to the Board of Education requesting the Board's plans for the existing Hollywood Elementary School, Bethune Elementary and the various relocatables involved prior to the finalization of the FY '92 General Fund and Capital Fund Budgets.

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

General Obligation Bond Sale

Mr. Wade advised that \$6,675,000 authorization remains for general obligation bonds, and stated that the County will have to go to the bond market in July. Therefore, he requested the Commissioners to appoint Piper & Marbury as the county's bond counsel and Alex Brown & Sons as the county's financial advisor.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept Mr. Wade's recommendation. Motion carried.

Nursing Home Project Bond Sale

Mr. Wade requested the Commissioner to approve using Piper & Marbury as bond counsel and Alex Brown & Sons as financial advisors for the Building Authority's Nursing Home expansion project's bond sale which will be held November or December 1991.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept Mr. Wade's recommendation. Motion carried.

COUNTY COUNCIL OF PTA'S

Present: John Roth, President
Joan Marsh, President, Board of Education
Jean Campbell "
Robert Kirkley, "
Al Lacer, "
Members of County Council of PTA's
Parents and Teachers

Mr. Roth, representing the County Council of PTA's appeared before the Commissioners to request the Board to go forward with three school projects: Green Holly addition, Sixth District Elementary School, and the Lettie Dent School addition. Mr. Roth presented school population figures at present capacity, FY '93 projected enrollment and FY '98 projected enrollment for the elementary schools in the county and pointed out the shortage of spaces for students. Mr. Roth also presented estimates indicating total costs of the three projects without planning costs, state's share of projects, county's share of projects, cost of borrowing state share if the state did not provide funding, annual increased costs to county at 5% inflation rate, and annual increase cost to county at 6% inflation rate. Mr. Roth urged the Commissioners to go forward with the projects even if the state funding is not forthcoming.

During his presentation Mr. Roth requested the following:

1. That the older mobile units be eliminated.
2. That a time line be put on the need to make developers aware that they are part of the solution and are part of the concern of the school system.

Commissioner Loffler advised that during preliminary budget discussions the Commissioners agreed to leave in Green Holly, Lettie Dent and Sixth District Elementary School.

Members of the audience expressed the following concerns:

- Overcrowding of Hollywood Elementary School;
- Overcrowding of Mechanicsville Elementary School;
- Children being bussed from Baptist Church Road to Dynard;
- Inability to implement School Performance Program because of conditions at Lettie Dent and Hollywood Schools;

Overcrowding in middle schools

Growth of development, but no additional schools.

Getting developers to assist with repairs through money, labor, or materials.

Projecting of school population

Classroom sizes

Difficulty in getting information about Sixth District School

ADJOURNMENT

The meeting adjourned at 9:20 p.m.

PUBLIC FORUM

The Commissioners conducted the regular monthly public forum accepting comments and questions from the audience.

Jim Shea - Expressed environmental concerns about actions taken by the Board of Appeals, particularly with regard to an application for a variance on St. Jerome's Creek.

Commissioner Loffler explained the process for appealing Board of Appeal's decisions and stated that the County Commissioners do not have the power to intervene.

Roy Fedders - Supported Mr. Shea's comments, stating that the Board of Appeals did not review the facts in the case.

John Johnson - Inquired as to why the county was increasing its bonding authority.

Commissioner Loffler explained that authority is given in increments of \$10,000,000 at a time and that in FY '92 a major part of the capital projects with bond proceeds.

Inquired as to the Tax Credit for the Elderly legislative proposal..

Commissioner Loffler advised that the difference in current authority and the proposed legislation is in they way revenues are received.

Tony Pitt - Thanked the Commissioners for appointing him to the Council on Children and Youth.

The meeting concluded at 10:10 p.m.

APPROVED,


Carl M. Loffler Jr.
President

