

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS**

TUESDAY, OCTOBER 26, 1993

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

(Commissioner John G. Lancaster was not present.)

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve the minutes of the Commissioners' meeting of Tuesday, October 19, 1993. Motion carried.

APPROVAL OF BILLS

Commissioner Bailey moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the Check Register as presented.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

- 1) **Sheriff's Department
Donation of Non-serviceable Equipment**

The County Administrator presented correspondence dated October 10 from the Sheriff's Department advising that the Sheriff's Office has 27 patrol jackets that are in non-serviceable condition and requesting authorization that they be donated to the Maryland Sheriff's Youth Ranch.

Commissioner Bailey moved, seconded by Commissioner Jarboe to authorize the Sheriff's Department to donate the jackets as requested. Motion carried.

- 2) **Metropolitan Commission
Request for Insurance Coverage through LGIT**

The County Administrator presented correspondence dated October 20, 1993 from the Metropolitan Commission requesting St. Mary's County to sign and forward a letter to LGIT agreeing to sponsor MetComm in obtaining primary liability and excess liability through the Local Government Insurance Trust. Sponsorship obligates the County to guarantee premium payments to LGIT.

After discussion Commissioner Bailey moved, seconded by Commissioner Thompson, to sign and forward correspondence to Local Government Insurance Trust agreeing to sponsor MetComm as requested. Motion carried.

3) **FY 88-89 Community Development Block Grant
Close Out Agreement - Day Care Center at Tubman Douglass**

The County Administrator presented a memorandum from the Department of Economic & Community Development forwarding the original Close Out Agreement for the Child Day Care Center at Tubman Douglass Estates.

Commissioner Thompson moved, seconded by Commissioner Bailey, to authorize Commissioner Loffler to sign the Close Out Agreement as presented. Motion carried.

4) **Establishment of Addressing Technician Position
Department of Planning and Zoning**

The County Administrator presented a memorandum dated October 26 from the Personnel Officer requesting approval to establish an Addressing Technician I position as a full time, Grade 12, grant-funded County position. Tentative approval for grant funding was received from the Department of Public Safety and Correctional Services, Emergency Systems Board. The position would be contingent upon grant funding.

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve the establishment of the position as requested contingent upon grant funding. Motion carried.

5) **Easement Agreement - Old Railroad Right-of-Way
DAVCO Restaurants**

The County Administrator presented an Easement Agreement among the Board of County Commissioners of St. Mary's County, Southern Maryland Electric Cooperative and DAVCO Restaurants granting access across the railroad right-of-way in front of the new Wal-Mart Store on Route 235 in California.

Commissioner Jarboe moved, seconded by Commissioner Thompson, to approve and authorize Commissioner Loffler to sign the Easement Agreement as presented. Motion carried.

6) **Correspondence Calling Letters of Credit**

On behalf of the Director of Public Works, the County Administrator presented the following correspondence calling Letters of Credit:

Laurel Ridge, Section 4A

To Maryland Bank and Trust Company calling Letter of Credit #436-B in the amount of \$47,000 for a Public Works Agreement.

Evans Drywall

To First National Bank of St. Mary's calling Letter of Credit #A1-10-17-91 in the amount of \$33,000 for Grading Permit No. 91-14.

Sycamore Hollow - Wildewood

To First National Bank of St. Mary's calling Letter of Credit #A1-03-02-93 in the amount of \$38,000 for a Public Works Agreement.

Commissioner Jarboe moved, seconded by Commissioner Thompson, to authorize Commissioner Loffler to sign the correspondence calling Letters of Credit, to be forwarded if necessary. Motion carried.

7) **Response Letters**
St. Mary's River State Park, Site II

The County Administrator advised that correspondence was received from Mr. John Horton and Mr. Bob Boxwell recommending a proposal to make St. Mary's River State Park, Site II, part of the Maryland Wildlands System. The return letters indicated that the Commissioners have requested the Recreation and Parks Board to review the proposal and reports its findings to the Commissioners.

In additional County Administrator Cox presented correspondence requesting the Recreation and Parks Board to review the history of the State Park, examine the state's plans for park land, and analyze the effect of the proposed wildland designation.

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

8) **Budget Amendments**

The County Administrator presented the following Budget Amendments recommended for approval by the Director of Finance with justifications as indicated:

No. 94-31

Department of Public Works

To provide funding for additional topographical maps to effectively study drainage areas and watershed and stormwater management feasibility project (\$100,000)

No. 94-32

Department of Public Works

To provide funding for land acquisition for future development at Wicomico Shores (\$126,250)

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

9) **Appointment**
Zoning Board of Appeals

Commissioner Bailey moved, seconded by Commissioner Jarboe, to appoint Richard F. Metz as a regular member to the Zoning Board of Appeals for a term to expire 12/31/95/99. Motion carried with Commissioner Thompson voting against and Commissioner Loffler abstaining.

MARYLAND YOU ARE BEAUTIFUL PRESENTATIONS

Present: Cynthia Brown, Director, Office of Community Services
Floraine Applefeld, Governor's Md. You Are Beautiful Office

The referenced individuals appeared before the Commissioners to introduce the volunteers nominated for St. Mary's County's Maryland Most Beautiful People Awards. Volunteers recognized were: William Battenfield, F. Elliott Burch, Jr., Shirley Butler, Carrie Glascoe, Dennis Gordge, Jessica Holmes, Grace Horton, Mary Jones, Francis Klear, Patricia Klear, Aurilee Maddox, Russell Maddox, Linda Mason, Beth McCoy, Joseph Norris, Jane Sothoron, Jack Witten. The Grand Winner was Carrie Glasco.

Commissioner Loffler on behalf of the Board of County Commissioners expressed congratulations and appreciation to all of the volunteers recognized.

**PROCLAMATION
NATIONAL HOSPICE MONTH**

The Commissioners presented the referenced Proclamation designating the month of November as National Hospice Month in St. Mary's County.

HELEN VETERANS' MEMORIAL

Present: James E. Weber, Captain, USMC, Ret.
Dutch Mast
James Dallis Hill

The referenced individuals appeared before the Commissioners to request a letter of support from the Board of the efforts of the Veterans of Helen in obtaining an E-2C Hawkeye Aircraft from the Navy to be placed at the established Veterans' Memorial at Helen. Capt. Weber advised the Commissioners that when the U. S. Postal Service was consolidating small rural post offices, veterans of U. S. armed forces who resided in Helen established the Veterans' Memorial in order to keep Helen on the map. He stated that he had forwarded correspondence to the Commander of Naval Air Systems requesting the transfer of the referenced aircraft and learned that he would need a letter of support from the Commissioners.

In addition Capt. Weber pointed out that this year marks the 90th Anniversary of the establishment of the post office in Helen and in order to mark this event the residents of Helen would like to place a banner across Maryland Route 5 at Helen.

After discussion Commissioner Bailey moved, seconded by Commissioner Jarboe, and motion carried to sign and forward the following letters:

- o To Commander, Naval Air Systems Command giving formal endorsement of the efforts of the Veterans of Helen, Maryland to secure a surplus aircraft to enhance the already established Veterans' Memorial at Helen.
- o To the Maryland Department of Transportation endorsing the request by the residents of Helen to place a banner across Maryland Route 5 marking the 90th anniversary of the establishment of the Helen Post Office.

**THREE OAKS HOMELESS SHELTER
PRESENTATION OF LEASE**

Present: Joseph Densford, County Attorney
Rona Harding, Three Oaks Homeless Shelter
Aleck Loker, Director, DECD
Dennis Nicholson, Deputy Director, DECD
John Wells, Project Manager

The referenced individuals appeared before the Commissioners to present a Lease Agreement between the Board of County Commissioners of St. Mary's County and Three Oaks Homeless Shelter, Inc., a Maryland non-profit corporation, for a homeless shelter for men located in Lexington Park. The shelter will be located on a 1.6 acre parcel of land located on the northwest side of Lei Drive on which there are currently four buildings which will be demolished and replaced by a 5,000 square foot building. The term of the lease will be for a period of 15 years with an annual rent of \$1.

Discussion ensued regarding grounds maintenance, day-time activities of the residents (job training and interviews, doctors' appointments, counseling, etc.) concerns of the Library Board because of its close proximity to the Lexington Park Library. County Administrator Cox suggested that the Three Oaks Homeless Shelter Board meet with the Library Board to allay these concerns.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler sign the Lease Agreement as presented. Motion carried.

In conclusion the following comments were offered regarding the homeless shelter:

- o Commissioner Thompson expressed concern that the project be compatible with the Lexington Park Master Plan.
- o Mr. Loker advised that state grant funds will be used to begin the planning process and demolition. Other available grant funds are being sought.
- o In response to a request from Commissioner Loffler, Mr. Loker indicated that he would give this project a high priority.
- o Rona Harding inquired whether the Commissioners would consider waiving or paying for site plan review and other fees. The Commissioners indicated that the County does not waive fees but may reimburse those fees. The Commissioners directed that the request be made in writing and that staff prepare a budget amendment for the Board's consideration.

FISCAL YEAR 1995 BUDGET INSTRUCTIONS

Present: Charles Wade, Director of Finance

Mr. Wade appeared before the Commissioners to present the Budget Instructions for Fiscal Year 1995 that will be distributed to all spending units. He advised that the instructions include the following:

- o Continues total requirements
- o Includes step increases in submissions
- o No COLA's included
- o Adds a requirement to provide activity counts, workload data or outputs.

Mr. Wade advised the Commissioners that he would be returning to the Board in late November or early December regarding revenue projections and on November 9 regarding the Homestead Tax Credit.

After discussion Commissioner Jarboe moved, seconded by Commissioner Thompson, to sign and distribute the FY '95 Budget Instructions. Motion carried.

WALDEN SIERRA VANS

Mr. Wade advised the Commissioners that Walden Sierra needs to acquire three new vans to replace its current vehicles and has requested the Commissioners for a loan which will be repaid over a three-year period with interest. He stated that the amount requested is \$50,000 and he would create a Receivable Account, and acquire the vehicles through the County's procurement system. He suggested that the County maintain the vehicles once acquired by Walden.

After discussion Commissioner Jarboe moved, seconded by Commissioner Bailey, to authorize a loan in the amount of \$50,000 for the purchase of three vans for Walden-Sierra through the County's procurement system, and the loan to be repaid over a three-year period with interest. Motion carried.

DRAFT COUNTY ANNUAL REPORT

Commissioner Thompson reviewed with the Commissioners a draft St. Mary's County Annual Report stating that the purpose is to put together in one package a compilation of the county's activities, projects of the past and a look toward the future as to what types of things the Commissioners will be dealing with.

Suggestions from the Commissioners included:

- o Commissioner Loffler suggested that the report be expanded; that it include comparison figures with other counties (tax rate, population, number of employees)
- o Commissioners Jarboe and Bailey recommended that it include a breakdown of Board of Education staff.
- o Commissioner Jarboe suggested that it include future capital projects.

After discussion the Commissioners agreed to discuss the Annual Report next week and to make a decision whether to proceed.

EXECUTIVE SESSIONS

Commissioner Thompson moved, seconded by Commissioner Bailey, to meet in Executive Sessions to discuss matters of Personnel (consideration of appointments to boards, committees, commissions and Sheriff's Department Personnel), as provided in Article 24, Section 4-210(a)1. Motion carried.

Personnel

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner Barbara R. Thompson
Edward V. Cox, County Administrator
Sheriff Wayne Pettit
Capt. Greg Copado
Doug Devenyns, Correctional Facilities Adm.
Judith A. Spalding, Recording Secretary

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

Topic: Personnel - Sheriff's Department

Time Held: 11:30 a.m. - 12:20 p.m.

Action Taken: The Commissioners reviewed the Sheriff's request regarding personnel in his department and gave concurrence to the reclassification request and agreed to consider the other requests after completion of the FY '93 Audit.

Personnel

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

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

Topic: Personnel - Consideration of Appointments to Boards, Committees, Commissions

Time Held: 12:30 p.m. - 1:05 p.m.

Action Taken: The Commissioners reviewed the current status sheet, made nominations and directed staff to prepare letters of appointment.

**DEPARTMENT OF TRANSPORTATION
ANNUAL STATE HIGHWAY PRESENTATION**

The Commissioners attended the Annual Department of Transportation State Highway presentation held at the Carter State Office Building Public Meeting Room.

7:00 P.M.

**PUBLIC MEETING
1994 LEGISLATIVE PACKAGE**

The Commissioners and Legislators conducted a public meeting on the 11 items thus far contained in the St. Mary's County 1994 Legislative Package. Additional items submitted are as follows:

12. **Referendum for an Elected School Board**
To provide for a referendum on the issue of an elected school board
(Submitted by Republican Central Committee)
13. **Compost - Revision to HB 1088**
To repeal Section 5 of HB 1088 and to revise Section 6-22(A) to remove loopholes from the bill
(Submitted by Ken Hastings)
14. **Limitation on Automobile Liability Claims**
To set limitations on the amount of fee claimed by an attorney to settle automobile liability claims to an amount less than the current 30%
(Submitted by Doug Ritchie)
15. **Board of County Commissioners - Term Limitations**
To limit the Board of County Commissioners' terms to two four-year terms
(Submitted by Alliance of Concerned Taxpayers)
16. **Board of Education/St. Mary's Education Commission**
To abolish Board of Education and establish a St. Mary's Education Commission
(Submitted by Alliance of Concerned Taxpayers)
17. **Tax Reform**
To abolish property tax and local piggy-back tax and impost a flat-rate income tax
(Submitted by Alliance of Concerned Taxpayers)
18. **Change of Fiscal Year**
To change the county's current Fiscal Year from July 1 to October 1 in order to more accurately project income tax and property tax revenues.
(Submitted by Alliance of Concerned Taxpayers)

A tape of the proceedings is on file in the Commissioners' Office.

ADJOURNMENT

The meeting adjourned at 9:15 p.m.

**Minutes Approved by Board of
County Commissioners on 10/5/93**

Judith A. Spalding
Recording Secretary