

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
NOVEMBER 30, 1993**

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

(Commissioner Bailey was not present at the beginning of the meeting.)

CALL TO ORDER

The meeting was called to order at 9:10 a.m.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, November 16, 1993. 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 ITEMS

Present: Edward V. Cox, County Administrator

1) Shipping Point Property

As a follow up to the November 16 report by Director of the Office on Aging, the County Administrator presented correspondence addressed to Director of the Maryland Office on Aging Abrams. The letter expresses the Commissioners' disappointment at not being informed about the negotiations by the State to turn the Shipping Point property back to the Colton heirs. Secondly the letter indicates that the money bequeathed to the State should be made available for services to the senior citizens of St. Mary's County.

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

**2) Guyther Building Lease
Office Space for State's Attorney**

As a follow up to previous discussion regarding the space needs of the State's Attorney, the County Administrator presented a proposed Lease Agreement between Oliver R. Guyther and The Board of County Commissioners of St. Mary's County. The five-year lease rents approximately 4,000 square feet on the lower floor of the Court Square Building in Leonardtown.

After review of the particulars of the lease, Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the lease as presented. Motion carried.

3) **Clearinghouse Project No. MD931027-0994
Historic Nomination - Christ Episcopal Church at Chaptico**

The County Administrator presented the referenced clearinghouse project and recommended that it be forwarded to the State with the comment that the project is consistent with the County's plans, programs, and objectives.

The Commissioners accepted the County Administrator's recommendation.

4) **Maryland Commission for Women**

The County Administrator advised that the Commission for Women has recommended the nomination of Janice Berry-Chen to represent St. Mary's County on the Maryland Commission for Women. Therefore Mr. Cox presented correspondence addressed to the Governor supporting the nomination of Ms. Berry-Chen as recommended.

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

(Commissioner Thompson left the meeting - 9:20 a.m.)

5) **Retirement of Drug Canine Dog**

The County Administrator presented a memorandum dated November 22 from the Sheriff's Department requesting the retirement of the drug canine dog "Cash," and that he be donated to his handler. The request is made because there is a German Sheperd that is cross trained in drug detection and there is a need for only one such animal.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve the request as presented. Motion carried.

6) **Disposition of Unclaimed Property
Christmas in April Auction**

As a follow up to approval received from a majority of the Commissioners, the County Administrator presented a memorandum dated November 22 from the Sheriff's Department requesting written approval for the donation of three unclaimed bicycles to the Christmas in April Auction held November 21.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to confirm the approval as requested. Motion carried.

7) **Contract for Provision of Higher Education Services to St. Mary's
County by the Charles County Community College**

The County Administrator presented the referenced Contract for Provision of Higher Education Services to St. Mary's County by the Charles County Community College for the Commissioners' review and approval. After negotiations and review the Contract has been signed by the Charles County Community College Board of Trustees.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the Contract as presented. Motion carried.

(Commissioner Thompson returned to the meeting - 9:25 a.m.)

8) **Correspondence to Planning Commission
"Community Appearance" Presentation**

As a follow up to previous discussions, the County Administrator presented correspondence addressed to the Planning Commission requesting assistance in exploring the concept and examples presented on November 9 by Mr. Edward McMahon of the American Greenways Program. The letter suggests the establishment of a subcommittee to assist in the analysis of development standards suitable to St. Mary's County and the development of recommendations for the Commissioners' consideration.

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

9) **Sludge Utilization Permit Applications**

In that the public meeting was held November 23 by the Maryland Department of Environment, the County Administrator presented correspondence addressed to MDE rescinding the County's request to hold the sewage sludge permit applications for Carbone (SM32), Ridgell (SM27), Morris (SM26), and Kenneth/Warren Burroughs (S-92-18-2910-ABE) properties.

In addition County Administrator Cox advised that three new applications have been received and presented correspondence addressed to MDE indicating that the County will not exercise its right to request a public informational meeting and reiterating concerns over environmental safety and land record notifications.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to sign and forward the letters as presented. Motion carried three to one with Commissioner Jarboe voting against.

10) **Budget Amendments**

The County Administrator presented the following budget amendments recommended for approval by the Director of Finance with justifications and amounts as indicated:

No. 94-35
Finance Department

Half-year rent for additional office space for State's Attorney's Office (\$19,483)

No. 94-36
Department of Social Services

Burial Assistance (\$650)

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the referenced budget amendments as presented. Motion carried.

PROCLAMATIONS

The Commissioners presented the following Proclamations:

Home Care Week
Designating the week of November 28 - December 4 as Home Care Week

National Drunk and Drugged Driving Prevention Month

Designating the month of December as National Drunk and Drugged Driving Prevention Month.

MARCEY HOUSE

Present: Larry Harvey, Director
Wayne Guy, Marcey House Board
Deputy Skip Stewart, "

As a follow up to the October 12 briefing on substance abuse treatment, the referenced individuals appeared before the Commissioners to discuss Marcey House budgetary shortfalls for Fiscal Year 1994. Mr. Harvey distributed a handout setting forth FY '94 budget figures, projections, and the variances and pointed out the shortfalls which resulted from personnel costs not funded by the State. The request to the Commissioners to cover the shortfall is \$26,266.

Areas of discussion included:

- o The contract with the State indicated that the County would provide the land and the State would fund the operation of Marcey House.
- o The State not providing the funding may be a default on its contract for the operation of Marcey House.
- o A third of the clients at Marcey House are from St. Mary's County, and St. Mary's should not have to fund 100% of the deficit
- o If additional funding was not forthcoming from the State or other sources, the program may have to be restructured.

In conclusion the Commissioners indicated their support of the Marcey House program, and directed that the County Administrator and County Attorney assist Marcey House in developing an aggressive plan to pursue the funding shortfall from the State.

COUNTY COMMISSIONERS' TIME SUPPLEMENTAL BUDGET

Commissioner Loffler suggested that the Commissioners should give any unanswered questions regarding the Supplemental Budget to the County Administrator and the Director of Finance and that time should be scheduled within the next two weeks for discussion.

DEPARTMENT OF RECREATION AND PARKS

Present: Phil Rollins, Director

- 1) **Piney Point Lighthouse Museum Project
No-Cost Extension of the Memorandum of Understanding**

Mr. Rollins presented the referenced extension agreement between St. Mary's County and the Department of Natural Resources which extends the project completion date for the Piney Point Lighthouse Museum and Park project with the National Geographic and Atmospheric Administration. The extension was necessitated due to delays in receiving final approval on the grant application.

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

- 2) **Park User Fee**

Mr. Rollins advised that the St. Mary's Soccer League has raised concerns regarding fees charged to their organization to use the soccer fields at the Regional Park. A Fee schedule had been adopted by the Recreation and Parks Board in February of 1992 for the use of lighted ballfields at county parks and fields at the Regional Park and were implemented at the Regional

Park effective spring of 1993. At the request of the Recreation and Parks Board staff met with soccer representatives and arrived at a revised fee for the just completed fall season that was more equitable. Mr. Rollins pointed out that this should resolve the short-term issue.

Mr. Rollins advised that the larger issue was the fee policy and schedule and requested direction from the Commissioners regarding the extent of the Commissioners' involvement in establishing the fees. Commissioner Loffler responded that the Commissioners should not be involved in the setting of the fees and should be left to those more closely involved with the day-to-day activities; however, he believed the Commissioners should be involved by hearing both sides if there are disagreements.

(Commissioner Bailey entered the meeting - 10:30 a.m.)

During discussion of the policy regarding fees charged at the Regional Park, Commissioner Thompson pointed out that no organization is being charged fees to use fields except at the Regional Park and therefore the controversy was raised. Mr. Rollins pointed out that if fees are charged at all fields, there will probably be higher expectations for maintenance, and that this was the purpose of the fee at the Regional Park.

After discussion Mr. Rollins indicated that within two months he will return to the Commissioners with a report on the fees from the Recreation and Parks Board.

3) Wicomico Golf Course Irrigation Project

Also Present: Pat Harden, Chair, Recreation and Parks
 Hal Bishop, "
 James Banagan, Wicomico Recreation Adv. Committee
 Mary Guyther, "
 Mel Reed, "
 Bob Bowes, Golf Course Manager

The referenced individuals appeared before the Commissioners to request advance funding from the County in the amount of \$250,000 towards the cost of a new irrigation system for the Wicomico Shores Golf Course. The estimated cost of the purchase and installation of the system

is \$400,000 and \$150,000 will be used from the Golf Enterprise Fund balance. The \$250,000 loan from the County would be paid off with interest over the next five years from golf revenues.

During discussion Mr. Rollins pointed out that the existing system is outdated, a continuous maintenance problem, and only provides water to the greens and tees, which results in a reduction of play and lost revenue.

After discussion Commissioner Bailey moved, seconded by Commissioner Lancaster, to advance fund up to \$250,000 for a new irrigation system for the Wicomico Golf Course, which will be handled through the County's procurement process, taken from cash flow, and repaid with interest over a five-year period. Motion carried.

EXECUTIVE SESSIONS

Commissioner Thompson moved, seconded by Commissioner Jarboe, to meet in Executive Session to discuss matters of Personnel (Consideration of Appointments to Boards, Committees, Commissions), as provided in Article 24, Section 4-210(a)1; Property Acquisition/Disposition (Wicomico Golf Course, Recreation and Parks, Henderson Park, and Great Mills High School Project); as provided in Article 24, Section 4-210a(11). Motion carried.

Property Acquisition/Disposition

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
Commissioner Barbara R. Thompson
Edward V. Cox, County Administrator
Phil Rollins, Director, Recreation and Parks
Charles Wade, Director of Finance
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)11
Topic: Property Acquisition/Disposition (Wicomico Golf Course)
Time Held: 11:05 a.m. - 11:15 a.m.

Action Taken: The Commissioners indicated concurrence and agreed to make a formal decision in open session later in the meeting.

Property Acquisition (Recreation and Parks)

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
Commissioner Barbara R. Thompson
Edward V. Cox, County Administrator
Phil Rollins, Director, Recreation and Parks
Charles Wade, Director of Finance
Judith A. Spalding Recording Secretary

Authority: Article 24, Section 4-210(a)11
Topic: Property Acquisition (Recreation and Parks)
Time Held: 11:15 a.m. - 11:40 a.m.

Action Taken: The Commissioners reviewed the proposal presented by Mr. Rollins for the acquisition of certain property, discussed the possible impact and requested staff to return with additional information for the Board's consideration.

Property Acquisition/Disposition

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
Commissioner Barbara R. Thompson
Edward V. Cox, County Administrator
Phil Rollins, Director, Recreation and Parks
Charles Wade, Director of Finance
Judith A. Spalding Recording Secretary

Authority: Article 24, Section 4-210(a)11
Topic: Property Acquisition/Disposition (Henderson Park)
Time Held: 11:40 a.m. - 11:45 a.m.

Action Taken: Mr. Rollins brought the Commissioners up to date with regard to the property exchange relative to Henderson Park.

Property Acquisition

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
Commissioner Barbara R. Thompson
Edward V. Cox, County Administrator
Aleck Loker, Director, Economic & Community Development
Charles Wade, Director of Finance
Judith A. Spalding Recording Secretary

Authority: Article 24, Section 4-210(a)11
Topic: Property Acquisition (Great Mills High School Project)
Time Held: 11:45 a.m. - 12:20 p.m.

Action Taken: The Commissioners reviewed a proposal regarding acquisition of property relative to the Great Mills High School project and directed staff to continue to pursue this project.

Personnel

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
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 Appts. to Boards and Committees)
Time Held: 12:30 p.m. - 1:00 p.m.

Action Taken: The Commissioners reviewed the current status sheet, made nominations and directed staff to prepare letters of appointment for next week's meeting.

PROCLAMATION

BAY DISTRICT VOLUNTEER FIRE DEPARTMENT - 50TH ANNIVERSARY

The Commissioners presented the referenced Proclamation recognizing the Bay District Volunteer Department's 50th Anniversary.

WICOMICO SHORES GOLF COURSE LAND EXCHANGE

Present: Phil Rollins, Director, Recreation and Parks

As a follow up to the earlier Executive Session, Mr. Rollins appeared before the Commissioners to request the Commissioners' approval for a land exchange between Wicomico, Inc. and St. Mary's County. The exchange will include 38,000 square feet of county property adjacent to the tenth green at the Wicomico Golf Course with the same amount of property owned by Wicomico, Inc. along the 11th fairway in front of the new wastewater treatment plant. He stated that the exchange will be beneficial to the golf course as the acquired site is better suited for constructing the long-term planned maintenance facility.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Deed between Board of County Commissioners of St. Mary's County and Wicomico, Inc. conveying Parcel A at Wicomico Shores to Wicomico, Inc. Motion carried.

ST. MARY'S COUNTY PUBLIC SCHOOLS

Present: Joan Kozlovsky, Superintendent of Schools
Robert Kirkley, Vice-President, Board of Education
Jean Campbell, "
Fred Wallace, "
Elaine Kramer, Director, Budget and Finance

1. Computerized Information System

At the request of the Commissioners the referenced representatives of the Board of Education and Public Schools appeared before the Board to provide detailed information on the proposed Computerized Information System which has been included in the Fiscal Year 1994 Supplemental Budget Request. The amount requested in the FY '94 Supplemental Budget is \$345,000, with overall cost of \$2.2M over a seven-year period. An option to out right purchase of the system would be a long-term lease.

Via an overhead slide presentation Mrs. Kramer reviewed the need for a new system and made the following points:

- o Current system is outdated and limited and support services may not be available
- o New system would allow all schools and offices to be on line on a system-wide network, appropriate training provided, improved paperwork turn-around time, increased productivity, and relevant software applications provided.
- o A committee was appointed to work on the system selection process, developed RFP's, and attended demonstrations and follow up.
- o Criteria taken into consideration in the selection of the system included: application software, conversion and implementation, ease of use, and adequacy of hardware and systems software.
- o The system would initially be used for financial and student data management with the possibility in the future for use by individual classrooms.

During discussion the Commissioners raised the following issues:

- o Life of the system and whether it will be outdated in seven years.
- o Assurance that support services are included in the contract
- o Concerns about return of investment
- o Whether there are similar systems in operation in other jurisdictions
- o Whether dollars spent on new system would reduce need for funds in the budget that support the current system.
- o Running parallel systems until old system is completely converted.

In closing the Commissioners requested Public School staff to work with the County's Director of Finance Wade to look at financing methods and return to the Commissioners with recommendations.

2) Step Increases for Teachers

Commissioner Loffler indicated that the Commissioners had allocated funding in the FY '94 budget for step increases for teachers; however, the Board of Education funded COLA's instead and now have placed the step increases as its number one priority in the FY '94 Supplemental Budget.

Mr. Wallace and Rev. Kirkley explained the rationale for giving COLA's stating that a 2% increase was given for the last month of FY '93 and not to fund it in FY '94 would have meant a pay cut to the teachers. Because there was not enough funds to do both COLA's and steps, the Board of Education agreed to the COLA which would affect all teachers whereas steps would not.

Commissioner Loffler stressed the importance of communication between the two boards in order to work efficiently together. He further indicated that COLA's should not be a part of the supplemental budget and should only be given consideration in the development of the fiscal year budgets to be effective July 1.

Discussion ensued regarding the negotiating process with the Board of Education and teachers' association and the timing of those negotiations. Rev. Kirkley also pointed out that the Bd/Ed does not know how much funds are coming from the State until the closing of the Legislative Session. He requested the Commissioners consideration to allow the Board of Education to submit its budget later than the first of January deadline so that the Board would have more relevant figures. Mrs. Kramer noted that staff has been trying to involve the schools more in the budget process and that additional time would allow that involvement.

In conclusion the Commissioners requested that the Bd/Ed submit a broad outline by the first of January with more detail by February 1.

CRIMINAL JUSTICE COMMITTEE

Present: Judge John Hansen Briscoe; Sheriff Wayne Pettit; Serita McFarling (Public Defender's Office); Joe Dick (Alliance); Frieda Overstreet (Treatment representative); Kathy O'Brien and Jean Hofmann (Walden); Christy Chesser (State's Attorney's Office); Greg Capado (Sheriff's Department); Doug Devanyns (Detention Center); Charles Wade (Director of Finance); Mary Pat Pope (Administrative Officer)

As a follow up to the August 31 Criminal Justice Meeting, a working group was established to focus on recidivism in St. Mary's County, and therefore, the group presented a Preliminary Report setting forth recidivism statistics, and short and long term alternatives. The short term goals focus on enhancing the effectiveness of current programs, and the long-term goals include an initiative to provide a comprehensive strategy to address recidivism.

After discussion the Commissioners and the Criminal Justice Committee agreed to accept the short-term items as general guidelines and to develop a proposal for a pilot program for the long-term initiative for an intensive community supervision program. The pilot program will be presented in January for consideration in the Fiscal Year 1995 budget.

(Commissioner Lancaster left the meeting at 4:30 p.m.)

(Judith Spalding left the meeting - 4:30 p.m. and the remainder of the meeting was recorded by Margaret Nelson)

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) **MedEvac Relocation**

Also Present: Dave Seeman

Mr. Seeman reported that the Airport Commission is presently working with the State Police, Steve Bildman, FBO, and NAS, looking into the feasibility of locating the MedEvac helicopter at St. Mary's Airport.

Commissioner Loffler stated that there has been a lot of discussion regarding the necessary requirements for the intended use as well as concerns regarding security and potential hazards it could impose. He also commented that once the helicopter is moved from NAS, it cannot be returned.

Mr. Ichniowski the Commissioners informed that concerns have been discussed with the State Police and Tri-County Council, and recommended that a representative of the State Police come before the Board in two weeks to present a progress report. As requirements were discussed, Mr. Ichniowski stated that an advantage of the Airport's close proximity to NAS was usage of NAS radar.

Mr. Seeman stated that all concerns will be taken into consideration before presentations will be made to either body. He agreed to return at a later date with a progress report from the Airport Commission.

2) **Office Space Needs Study**

Also Present: Ann Hicks, Partner, Probst-Mason Architects
Bruce Manger, Partner, " " "
Joe Mason, " " "
George Dyson, Consultant

Mr. Ichniowski reviewed the Space Needs Study background and representatives of Probst-Mason Architects reviewed the study.

Ms. Hicks explained the methodology used to determine space needs by each department, stating that she first obtained the number of personnel presently employed and future projections for five and ten years. Questionnaires were sent out to each department with follow-up interviews. Comparisons were then made to previous studies.

Of the six major recommendations in a previous study: Health Department, Sheriff's Department, County Office Building, Board of Education, Court House, Department of Public Works, only two recommendations have been met--the Health Department and Sheriff's Department have been reorganized.

The present Study determined the Board of Education, Court House, and Sheriff's Department are the most in need of additional space.

Mr. Dyson reported on the increased projections of Seventh Judicial Circuit and District Courts. A handout was distributed detailing all projections and is on file in the County Commissioners' Office.

During the space needs discussion, Commissioner Bailey commented that if space was correctly assigned within various departments, it could resolve some additional space requirements.

Mr. Ichniowski stated that the next phase is to look at alternatives to address the identified recommended space needs and establishing a committee consisting of general citizens and users.

Mr. Loffler added that the committee could review the personnel projections and flag those areas that seem excessive and document a thorough justification of the projectijons.

After discussion the County Commissioners agreed to give consideration to the request for the appointment of a committee to review the office space needs study and alternatives at a later date.

3) **Public Works Agreement Addenda
Correspondence Calling Surety**

Mr. Ichniowski presented the following documents for the Commissioners' review and consideration:

Forest Knolls
Addendum to Public Works Agreement

Between Dennis Frischholz, c/o D&E Construction Company and Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to December 1, 1994. The Addendum is backed by a Letter of Credit with First National Bank of St. Mary's in the amount of \$66,000.

Correspondence Calling Letters of Credit

Hickory Hills, Phase 1

To Fidelity & Deposit Insurance Company calling Bond #30424242 for Grading Permit #91-29.

Hollywood Plaza Shopping Center

To First National Bank of St. Mary's calling Letter of Credit #A1-11-8-1988 for Grading Permit #88-33 in the amount of \$11,250.

Commissioner Jarboe moved, seconded by Commissioner Bailey to approve the referenced documents as presented by the Director of Public Works. Motion carried.

ADJOURNMENT

The meeting adjourned at 5:39 p.m.

**Minutes Approved by Board of
County Commissioners on December 7, 1993**

Judith A. Spalding
Recording Secretary