

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
MAY 3, 1994**

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

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, April 26, 1994 (including the Planning and Zoning portion). Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) **Blue Cross/Blue Shield
Fiscal Year 1995**

Also Present: George Foster, Personnel Officer

The County Administrator presented a memorandum dated April 25, 1994 from the Personnel Officer relative to the county's Blue Cross/Blue Shield Insurance for Fiscal Year 1995. Mr. Foster reviewed the memorandum, pointed out that there will be an overall premium rate reduction of 11.3%, and pointed out the following:

- o There will be no change to the county's premium ratio of 90%-county/10%-employee.
- o Billing procedure has been changed from a retrospective basis to a modified retrospective payment.
- o Stop Loss Insurance limit changed from \$50,000 to \$75,000.
- o Open Enrollment will be held during June
- o Introduction of Integrated Health Management Program designed to identify high utilizers of health care services in the early stages of illness.
- o Mental Health Parity will expand inpatient hospital stays and increase payments for outpatient services.

2) **Communication Network Cooperative
Charles County Community College**

The County Administrator advised that Charles County Community College is submitting a grant application to the Department of Commerce, National Telecommunications and Information Administration for a Communication Network Cooperative (CNC) program. The College will be the lead agency for this area in the development and implementation of the telecommunications project because of its service to the Southern Maryland region. Letters of support have been requested by the Community College.

Therefore, County Administrator Cox presented correspondence addressed to President of Charles County Community College, John Sine indicating the St. Mary's County Commissioners' support for the Communications Network Cooperative.

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

7) **Budget Amendments**

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

**No. 94-
Board of Education**

To provide funding to cover the difference in project construction funds due to reduction of State funds for Park Hall Elementary School (\$135,519)

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

**No. 94-74
Planning and Zoning**

To provide funding for copier lease (\$2,400)

**No. 94-75
Planning and Zoning**

To provide funding for computer station at permits counter (\$2,500)

**No. 94-76
Planning and Zoning**

To provide additional funding for salaries through FY '94 (\$2,847)

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

4) **Information Release
Summer of Safety Grant**

The County Administrator presented an Information Release announcing the Alliance for Alcohol/Drug Abuse Prevention's receipt of a \$50,000 federal "Summer of Safety" grant. The grant will allow local agencies and organizations to provide structured summer camps at seven locations in St. Mary's County.

The Commissioners agreed to distribute the Information Release as presented.

5) **Certification of Environmental Assessment
Lexington Park Redevelopment Plan and Tulagi Place Renovation**

The County Administrator presented a memorandum from the Department of Economic & Community Development forwarding a Certification of Environmental Assessment which documents that the County has conducted its 1994 Environmental Review of the Lexington Park Redevelopment Plan and the Tulagi Place Renovation.

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

6) **Senior Care Grant Proposal**

On behalf of the Director of the Office on Aging, the County Administrator presented the Fiscal Year 1995 Senior Care Proposal for the period July 1, 1994 through June 30, 1995 to be submitted to the Maryland Office on Aging. The Grant proposal, in the amount of \$91,459, will provide medications, supplies, respite/day care, medical equipment, etc.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve and authorize Commissioner Loffler to sign the Grant Proposal as presented. Motion carried.

7) **Personnel
Recreation and Parks**

The County Administrator presented a memorandum dated May 3, 1994 from the Personnel Officer requesting the conversion of a seasonal ground maintenance foremen position held by Jeffrey Comb, to a contract employee position through June 1995. Mr. Comb was hired as a seasonal worker at the regional park, and since the responsibilities of maintaining the park have grown, it is anticipated that this position may become a year-round responsibility. County Administrator Cox indicated that the position would be reviewed during the development of the Fiscal Year 1996 Budget.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve the conversion as requested. Motion carried.

8) **Grant Application
Program Open Space (Swann Property)**

The County Administrator presented the referenced Program Open Space Grant Application in the amount of \$20,167 for the annual loan payment of the Swann property at Piney Point.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Grant Application as presented. Motion carried.

9) **Board of Education
Fiscal Year 1994 Grant Awards**

The County Administrator advised that the Board of Education has requested the inclusion of the following revised grant awards into the Fiscal Year 1994 Budget:

o	Bright Futures	\$18,000
o	Family Health Centers	10,000
o	Library Improvement	5,000

Commissioner Thompson moved, seconded by Commissioner Lancaster, to sign correspondence to the Board of Education approving the inclusion of the referenced grants into the Fiscal Year 1994 Budget. Motion carried.

10) **"Maryland You Are Beautiful" Coordinator**

The County Administrator presented correspondence from Governor Schaefer requesting the County to appoint a coordinator for the "Maryland's Most Beautiful People" Volunteer Awards project. The Director of the Office of Community Services, Cynthia Brown, has served in this capacity in the past, and County Administrator Cox recommended that she be designated for this year's program.

Commissioner Lancaster moved, seconded by Commissioner Bailey, to appoint the Director of the Office of Community Services as the County's Coordinator for "Maryland's Most Beautiful People" project.

EXECUTIVE SESSION

Commissioner Bailey moved, seconded by Commissioner Lancaster to meet in Executive Session to discuss a matter of 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 John G. Lancaster
Commissioner Barbara R. Thompson
Edward V. Cox, County Administrator
Charles Wade, Director of Finance
Mary Pat Pope, Administrative Officer
Judith A. Spalding, Recording Secretary

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

Topic: Personnel

Time Held: 9:50 a.m. - 10:05 a.m.

Action Taken: The Commissioners reviewed documentation relative to a personnel matter and agreed to take action during development of the FY '95 Budget.

PROCLAMATIONS

The Commissioners presented the following Proclamations:

National Day of Prayer

Designating Thursday, May 5, 1994 as a National Day of Prayer.

Historic Preservation Week

Designating the week of May 8-14, 1994 as Historic Preservation Week

Respect for Law Week

Designating the week of May 1 - 7, 1994 as Respect for Law Week

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) Fiscal Year 1995 Budget

Mr. Ichniowski distributed a handout setting forth the various projects for reconsideration that had been requested by his Department in the Fiscal Year 1995 Budget, but had been deleted in the Recommended Budget. Categories requested in the Operating Budget included: Airport, Building Maintenance, Solid Waste, County Highways, Engineering, Construction/Inspection, Development Review, and Recycling (totaling \$344,484); Capital Projects included: County Mapping, Overlay Programs, Building Additions, Arnold Building Addition, Route Evaluation Study, and Tidal Outfall Projects (totaling \$1,284,000).

The Commissioners indicated they would give consideration to the requests during deliberations of the Fiscal Year 1995 Final Budget.

2) Sandgates Road Revetment Loan Agreement

Mr. Ichniowski presented a Shore Erosion Control Project Agreement between the Department of Natural Resources and St. Mary's County setting forth the particulars for the repayment of the \$124,640 loan for the referenced shore erosion project. He stated that the project has been bid and was awarded to Coastal Design and Construction Company.

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

3) Addenda to Public Works Agreements

Mr. Ichniowski presented the following Addenda to Public Works Agreements for the Commissioners' review and consideration:

Trapp Hall Subdivision

Addendum to Public Works Agreement between Trapp Hall Limited Partnership and the Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to June 1, 1995. The Addendum is backed by a Letter of Credit with First National Bank of St. Mary's in the amount of \$76,100.

Richneck Subdivision, Section 2

Addendum to Public Works Agreement between Amos Ripple and the Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to May 1, 1995. The Addendum is backed by a Letter of Credit with First National Bank of St. Mary's in the amount of \$55,600.

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

IMPACT FEE COLLECTION

Present: Edward V. Cox, County Administrator
Joe Densford, County Attorney
Jon Grimm, Director, Planning and Zoning
Charles Wade, Director of Finance

The referenced individuals appeared before the Commissioners to request reconsideration for the time of payment of the economic impact fee. County Administrator Cox advised that when the economy was slow the Commissioners had changed the time of payment of the fee from the time of permit issuance to the time of occupancy. He pointed out that staff is now recommending that payment of the fee be changed back to the time of issuance of the permit. Mr. Cox indicated that this would one, provide a more timely collection of funds for capital projects, and secondly, provide for a more efficient and cost effective collection system.

Mr. Grimm distributed a handout indicating the number of overdue EIF payments (47) totaling \$88,500 plus penalty and interest and the number of payments that have been deferred from May 1, 1994 to May 1, 1995 (218) totaling \$435,000.

The Commissioners discussed the issue of whether changing the current system of payment of the fee was justifiable and concluded that they did not believe there was a impact to the County until the house was completed and occupied and, therefore, were not in favor of changing the time of payment of the economic impact fee to the time of issuance of the permit.

DEPARTMENT OF PLANNING AND ZONING AGRICULTURAL LAND PRESERVATION CERTIFICATION

Present: Jon Grimm, Director

As a follow up to previous discussions, Mr. Grimm appeared before the Commissioners to present the revised State Certification of County Agricultural Land Preservation Programs Application. He advised that in June of 1993 he had informed the Commissioners that the Maryland Office of State Planning had made a number of recommended changes to the original Application, and the document presented today reflects those changes.

Mr. Grimm reviewed the document and highlighted specific areas and stated that it contains a proposal for a second option to be considered by land owners rather than participating in the state program. The program is a County "Purchase of Transferable Development Rights" program wherein the county could explore the purchasing or leasing of development rights. The development rights would be held until such time as it would be determined that the land would no longer be significant for agricultural purposes. Mr. Grimm indicated that this program would allow the County to retain agricultural tax funds for the purpose of preserving agricultural land rather than returning the funds to the State.

In conclusion the Commissioners directed Mr. Grimm to prepare a Resolution adopting the county's purchase of TDR's and forwarding the Program Application for Certification to the Maryland State Office of Planning.

(Commissioner Bailey left meeting at 11:50 a.m.)

BOCA AND CABO BUILDING CODES

Present: Jon Grimm, Director, Planning and Zoning

As a follow up to the April 12 public hearing on the consideration of adoption of the 1992 edition of CABO, 1993 edition of the BOCA National Building Code and the 1993 BOCA National Energy Conservation Code, the Commissioners commenced discussion. Mr. Grimm indicated that the record had remained open for ten days after the hearing and that three letters had been received with comments.

The Commissioners discussed the proposed revisions and indicated that they believed the current codes were adequate and did not see a need to adopt the referenced revised Codes.

In conclusion the Commissioners agreed to maintain the current codes with the following revisions:

- o All Building Codes (BOCA, CABO, Energy, Electric and Plumbing) be consolidated into one document.
- o Delegation of authority to allow MDIA to issue "Stop Work" Orders when it finds an unsafe structure.
- o Allow an exemption for certain construction by changing from 100 square feet to 144 square feet (under 14(g) of the draft Resolution.

In conclusion the Commissioners directed Mr. Grimm to prepare a Resolution including the referenced amendments for the Commissioners' consideration.

Commissioner Thompson indicated that although the requirement for a drawing will not be included in the revised adopting Resolution, she suggested that people be encouraged to submit such a drawing to MDIA in order to ensure what they are doing is correct.

STAFF MEETING

The Commissioners attended the regular monthly staff meeting at the Carter State Office Building Public Meeting Room.

(Commissioner Bailey returned to the meeting - 1:30 p.m.)

MARYLAND YOU ARE BEAUTIFUL SENIOR ARTS COMPETITION

The Commissioners attended the Maryland You Are Beautiful Senior Arts Competition Awards at the Garvey Senior Center.

DEPARTMENT OF RECREATION AND PARKS CONCESSION FACILITY AT REGIONAL PARK PAVILION

Present: Phil Rollins, Director

As a follow up to last week's discussion, Mr. Rollins appeared before the Commissioners to present a revised proposal which scales back the original plan, in the amount of \$55,000 for the concession facility at the Regional Park pavilion. The revised plan, in the amount of \$17,408 provides for an enlarged and enclosed concession facility and meets ADA and Health Department requirements and provides for a basic concession operation for this year. It does, however, provide for expansion of services at a later date.

During discussion County Administrator Cox noted that the original request required a budget amendment, and that a budget amendment is no longer required. It will be change order to the project.

During review of the cost breakout sheet, Commissioner Loffler questioned the prices and requested Mr. Rollins to provide a more detailed breakdown.

Mr. Rollins will return next week with the information in order for the Commissioners to take action on the request.

ADJOURNMENT

The meeting adjourned at 4:00 p.m.

7:00 P.M.

PROCLAMATION NATIONAL REACT MONTH

The Commissioners presented the referenced Proclamation designating May as National REACT Month in St. Mary's County.

PUBLIC FORUM

The Commissioners conducted the regularly monthly public forum accepting questions and comments from the audience:

Vaughn McCall - (1) Indicated that at last month's forum he had expressed concern about virgin metals be dumped at the county landfill by a local heating/air conditioning company; (2) Recommended changing the name of transfer station to "Recycling and Transfer" Center; (3) Expressed concern relative to special interest groups attending the annual budget hearings, referring specifically to county employees' attendance. (Commissioner Loffler advised that county staff was required to attend in order to respond to any possible questions.)

Ken Hastings - Addressed areas of the Board of Education Budget, made recommendations for reducing that budget, and indicated that the Bd/Ed should be more cooperative in working with the County in the development of its budget. He also recommended doing away with an appointed school board.

Pat Richardson (Public Schools) - Requested each Commissioner to speak to his/her vision of the County in the next five years and beyond, particularly in relation to education, and how the Commissioners see the balance of economic development and environmental issues. Each Commissioner pointed out that education was a priority and offered the following comments:

Commissioner Loffler noted improvements in education and that education was one of the most powerful economic development forces in the community.

Commissioner Lancaster stressed the importance of developing individuals who can adapt to changes.

Commissioner Thompson indicated the need to teach students to learn

Commissioner Jarboe stated there is a wide range in the job market and it was important to look at the student's potential and interests.

Commissioner Bailey noted that the Education has received the most from increased taxes, and that the County provides sufficient funding; however, the Board of Education decides how it is spent.

Daphne McGuire - Expressed concern with the Community Service Program required by the Board of Education in order for students to graduate stating that her son was taken out of class all day to pick up trash at Point Lookout. She indicated that there was no recycling done and that the work was more punitive than educational.

Minnie Russell - (1) Stated her son attended private school and had to do community service, but it was done after school hours; (2) That the teachers should not be asking for a raise; they should be teaching students to read and write. (Commissioner Loffler responded that there were many more good teachers than poor ones and pointed out the many achievements and awards that the students of the County receive.) (3) She stated that she lives within her budget and that the Board of Education should live within its budget.

Pat Richardson - Explained the Community Service Program, which is mandated by the State, stating there were specific requirements. The County's plan had to be submitted to the State for approval and is intended to be part of the school curriculum and related to what is going on in the classroom.

Vaughn McCall - Related a successful experience he had in the 70's in New Hampshire where there was a joining together of industry and education. Business met with teachers in summer to let them know what industries' needs are and what is expected from students in the job market.

The Public Forum concluded at 8:45 p.m.

**Minutes Approved by Board of
County Commissioners on 5/10/94**

Judith O. Scolding
Recording Secretary