

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS  
DECEMBER 6, 1994**

Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chesser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
Edward V. Cox, County Administrator  
Judith A. Spalding, Recording Secretary

**CALL TO ORDER**

The meeting was called to order at 9:00 a.m.

**APPROVAL OF MINUTES**

Commissioner Thompson approved the minutes of Tuesday, November 29, 1994.

**APPROVAL OF BILLS**

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

The Commissioners requested that the Check Register be available on Monday afternoon for their review on Monday afternoons.

**COUNTY ADMINISTRATOR ITEMS**

Present: Edward V. Cox, County Administrator

**1) County Commissioner Board Vice President**

The County Administrator advised that in the past the Commissioner Vice- President was selected in alphabetical order at the beginning of each calendar year and inquired whether this Board wished to continue this practice.

The Commissioners indicated concurrence with the referenced system of selecting a vice-president.

**In accordance with this practice, Commissioner Eagan moved, seconded by Commissioner Chesser, to select Commissioner Brugman as Vice-President for the remainder of Calendar Year 1994 and for Calendar Year 1995. Motion carried.**

**2) Reimbursement of County-Incurred Expenses**

The County Administrator presented a handout setting forth the county's policy for reimbursement for county-incurred expenses and inquired if the Commissioners wished to continue this policy.

**Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve the Reimbursement for County-Incurred Expenses Policy as presented. Motion carried.**

3) **Resolutions**  
**NationsBank**

The County Administrator presented the following Resolutions, which authorize Commissioner President Barbara R. Thompson and Vice-President D. Christian Brugman to draw and sign checks against various bank accounts for the Commissioners' review and consideration: No. 94-28 NationsBank General Account (2000 600510) No. 94-28 NationsBank Cash Concentration Account (2305 004061), and No. 94-27 NationsBank Payroll Account (2000 600502)

**After discussion Commissioner Eagan moved, seconded by Commissioner Brugman, to approve and sign the Resolutions as presented; however, that in the future the county's bidding process be used for the County's banking needs. Motion carried.**

4) **Personnel**

The County Administrator presented the following items of personnel for the Commissioners' review and consideration:

**Circuit Court - Law Library Clerk**

Memorandum dated December 6 from the Personnel Officer advising that Judge Briscoe has requested that the newly appointed Law Library Clerk, Lillian F. Himmelheber, be appointed at a Grade 13, Step 4 based on her education and experience. Approval of appointments above the base rate may be granted by the Board of County Commissioners.

**Commissioner Chesser moved, seconded by Commissioner Eagan, to accept Judge Briscoe's recommendation. Motion carried.**

**Office on Aging - Transportation Assistant**

Memorandum dated December 6 advising that the Director of Office on Aging has requested a waiver to the Personnel Manual and authorization to noncompetitively selected Ms. Joanne Redmond for the newly established Transportation Assistant, grant-funded, regular, part-time, Grade 11, position. The individual has been functioning as a Manpower Temporary employee for the past 19 months.

Discussion ensued regarding costs of using Manpower versus county hire, whether to advertise the position or to maintain the Manpower position.

**After discussion Commissioner Chesser moved, seconded by Commissioner Jarboe to not waive the Personnel Manual requirements, but to advertise the position competitively. Motion carried three to two with Commissioners Thompson and Brugman voting against.**

**Later in the meeting during County Commissioner Time, Commissioner Eagan moved, seconded by Commissioner Brugman, that the Manpower Temporary employee position remain. The motion was placed on the table until later in the meeting in order to get an explanation of the position from the Director of the Office on Aging.**

**Later in the meeting after the Director of Office on Aging's presentation and explanation of the position, discussion ensued regarding the position including the costs of contracting with Manpower versus placing the individual in the county's system, a vote was taken on the referenced motion. The motion was carried four to one with Commissioner Jarboe voting against.**

The Commissioners agreed to discuss the general issue of grant positions (contracting versus county employment) at a later meeting.

**Office on Aging - Change of Vacant Position**

Memorandum dated December 6 from the Personnel Officer advising that the Director of the Office on Aging has requested that the Secretary II/Typing, Grade 12, position be changed to an Administrative Assistant, Grade 14, position. The position is currently vacant and Director of Office on Aging Carter has indicated that there is a need for administrative support at the Loffler Center. The position has been reviewed in accordance with County policy and the Personnel Officer has recommended that authorization of a Secretary IV would be more appropriate than the Administrative Assistant.

**After discussion Commissioner Brugman moved, seconded by Commissioner Eagan, to not grant the upgrade from Grade 12 to Grade 14. Motion carried four to one with Commissioner Thompson voting against.**

**5) Orientations/Tours**

The County Administrator suggested that the Commissioners continue the orientation sessions. He further suggested that the Board have a number of visits to the various county facilities.

**6) Budget Amendment No. 95-14  
Accounting Office**

The County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Finance with the following justification: To provide funds for the purchase of a Sheriff's Office vehicle to replace the vehicle that had been involved in a serious accident.

**Commissioner Eagan moved, seconded by Commissioner Chesser to approve and authorize Commissioner Thompson to sign the Budget Amendment as presented. Motion carried four to one with Commissioner Brugman voting against.**

**FINANCIAL/AUDIT REPORT**

Commissioner Thompson requested that staff to provide the Commissioners with an explanation of how the County's money is handled, invested, collected, the various accounts, etc. as well as a report on the year-end fund balance for Fiscal Year 1994.

County Administrator Cox advised that the auditors will be presented the Audit Report for the period ending June 30, 1994 on December 20.

**MARYLAND INDUSTRIAL AND COMMERCIAL REDEVELOPMENT FUND (MICRF)**

Present: Aleck Loker, Director, DECD  
Sue Wilkinson, Economic Development Coordinator

The County Commissioners conducted a public hearing regarding the technical assistance grant from the Maryland Industrial and Commercial Redevelopment Fund (MICRF). Mr. Loker explained that the \$45,000 MICRF grant will be used to inventory, evaluate, and plan for development in the Lexington Park Development District and adjacent around the county airport. He noted that special emphasis will be placed on the needs of incoming defense contractors and the need to diversify the economy of the County. Phase I of the study will focus on the development district and the air park. Phase II will include an analysis of the entire county and within the perimeters of the Navy Base.

Mr. Loker explained that this \$45,000 grant will become a component of an Economic Development grant in the amount of \$75,000 (if approved by EDA)..

During discussion Mr. Loker explained that the MICRF Grant Application had been approved by the previous board and the Grant Agreement, Resolution and related closing documents must now be approved by this Board.

Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and sign the Grant Agreement, Resolution No. 94-30, correspondence forwarding the closing documents for the MICRF Grant and other related documents as presented. Motion carried.

In conclusion the Commissioners agreed to keep the record open for ten days.

#### COMMUNITY COLLEGE BUILDING COMMITTEE

Present: Elizabeth Dufresne, Chair, Building Committee  
George Bailey, "  
Gay Boecker, "  
Charlotte Young, "  
Elaine Ryan, Vice-President, Charles County Community College  
Jane Sypher, Dean, Community College at St. Mary's  
Fred Wallace, Board for the Community College at St. Mary's  
Dan Ichniowski, Director, DPW  
George Erichsen, Deputy Director, DPW  
Jay McGrath, Engineer, "

The referenced individuals appeared before the Commissioners to present a status report on the St. Mary's campus of the community college building project. Mrs. Dufresne explained the background of the project and the rationale for the new campus at St. Mary's which include expansion of programs at St. Mary's, the public school's Tech Prep program, and the condition of the current building in Great Mills. Included in the report by Mrs. Dufresne were the following points:

- 95% Construction documents have been submitted to the County, Town, and to the Department of General Services
- No further archaeological investigations are required for Phase I
- The demolition project has been awarded to Recovery Resources Development Corporation, the lowest bidder at \$89,585
- There is a possibility of a Small Business Grant for tree planting, which will require matching funds (which could be in-kind)

During her presentation Mrs. Dufresne reviewed the budget for the community college project which indicated Department of Public Works estimates dated May 17, 1994, architect's Estimates dated July 20, 1994 and Department of Public Works Estimates dated October 17, 1994 for design, construction, inspection, utilities and furniture and equipment.

During discussion Mr. George Bailey advised that at a meeting with Dr. Sine, Dean, Charles County Community College, there was discussion as to ways of establishing a "Friends" group which would explore ways to get the community involved including the area of scholarships.

In closing Mrs. Dufresne advised that there will be a submission to the County for the Fiscal Year 1997 Budget for Phase II of the project, the amount of which has not yet been determined. However, the request to the State will be in the amount of \$8M.

The Commissioners thanked Mrs. Dufresne for the status report and requested to be kept informed in the future.

#### EMERGENCY MANAGEMENT AGENCY ORIENTATION PRESENTATION

Present: Paul Wible, Director

Mr. Wible appeared before the Commissioners as part of the orientation program by the various county departments and agencies. He explained EMA's functions and described the

various activities of his department including Emergency Management, 911/Communications Center, Animal Control, Advanced Life Support, Fire Departments/Rescue Squads and Safety. Included in the report were organizational charts of EMA's activities, Personnel Roster and Budget Summary as well as a listing of challenges, issues and concerns.

At the conclusion of the presentation Commissioner Brugman requested Mr. Wible to submit an opinion to State Highway Administration regarding the impact of the single lane on Route 5 from Ridge to St. Mary's City should there be an emergency requiring evacuation. Commissioner Jarboe requested that this opinion also be sent to the Board of County Commissioners.

#### **COUNTY COMMISSIONERS' MEETINGS**

Commissioner Chesser moved, seconded by Commissioner Jarboe, that because of the growth of the county and the volume of matters that come before the Board, the Board of County Commissioners meet twice a week, Tuesdays and Thursdays, starting the middle of January. Motion unanimously carried.

Commissioner Thompson suggested that the Thursday meetings be an opportunity for work sessions.

#### **INVENTORY OF CONFISCATED VEHICLES**

Commissioner Jarboe requested an inventory of the Sheriff's Office's confiscated vehicles and that the Commissioners evaluate whether any of these vehicles could be used as replacement vehicles. County Administrator Cox stated he would get the inventory list and pointed out that the County does currently make available the confiscated vehicles for use by other departments and agencies.

#### **SOUTHERN MARYLAND WOOD TREATMENT PLANT**

Commissioner Thompson advised that the Environmental Protection Agency in conjunction with the Army Corps of Engineers is in the process of developing the Record of Decision relative to the Southern Maryland Wood Treatment Plant Superfund Site. She stated that she anticipates the Wood Treatment Plant Task Force coming before the Commissioners in a few weeks to give an update on the clean up project.

#### **PEARL HARBOR DAY**

Commissioner Thompson advised that the County has received a request to fly the flag at the Governmental Center at half mast in recognition of Pearl Harbor Day on December 7.

#### **ELECTED SCHOOL BOARD**

Commissioner Thompson advised that Senator-elect Dyson has expressed an interest in forming a task force to look at the specifics for an elected school board and will be looking to the Commissioners for recommendations to serve on the task force.

#### **APPOINTMENTS**

##### **TRI-COUNTY COUNCIL AND MARYLAND ASSOCIATION OF COUNTIES**

Commissioner Brugman suggested that the County Commissioner appointments to Tri-County Council Executive Committee and the Maryland Association of Counties be done in open session and not in executive session as listed on the agenda.

**After discussion Commissioner Brugman moved, seconded by Commissioner Jarboe, to meet in Open Session to discuss the County Commissioner appointments to the Tri-County Council Executive Committee and the Maryland Association of Counties. Motion unanimously carried.**

**Tri-County Council Executive Committee**

**Commissioner Brugman moved, seconded by Commissioner Jarboe, to appoint Commissioner Eagan to the Tri-County Council Executive Committee. Motion carried.**

**Maryland Association of Counties**

Commissioner Brugman moved, seconded by Commissioner Eagan to appoint Commissioner Thompson to the Maryland Association of Counties. Commissioner Thompson declined because as president of the board, she would not have the time that would be required to devote to that position.

**Commissioner Jarboe moved, seconded by Commissioner Eagan, to appoint Paul Chesser as the County's representative to MACo and that Commissioner Brugman serve as alternate. Motion carried.**

Commissioner Thompson requested that the representatives to TCC and MACo keep the Commissioners informed in a timely manner of important issues being addressed during those meetings.

During discussion of the motion the Commissioners addressed the issue of making appointments of individuals to boards, committees, and commissions in open or in executive session particularly when discussing their character.

**STAFF MEETING**

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

**OFFICE ON AGING  
ORIENTATION PRESENTATION**

Present: Gene Carter, Director  
Jennie Page, Deputy Director, Elderly Programs  
Vivian Betton, Chair, Commission on Aging  
Norman Breslauer, "  
Ernest Etherton "

The referenced representatives of the Office and Commission on Aging appeared before the Commissioners as part of the new Board's orientation program. Mr. Carter present a notebook containing four documents for Fiscal Year 1995 relative to OOA: Area Agency Plan; Transportation Grant; Americans with Disabilities Act Paratransit Update; and Department of Health and Mental Hygiene Grant for the Medical Adult Day Care and explained each of these programs. During his presentation Mr. Carter explained the staffing, organization structure and budgets (revenues and expenditures by categories)

**OFFICE OF COMMUNITY SERVICES  
ORIENTATION PRESENTATION**

Present: Cynthia Brown, Director  
Becky Stevens, Community Services Coordinator  
Joe Dick, Director, Alliance for Alcohol Drug Abuse Prevention  
Walt Biscoe, Alliance Coordinator  
Judy Pedersen, Information Specialist

The referenced representatives of the Office of Community Services appeared before the Commissioners as part of the new Board's orientation program. Mrs. Brown reviewed the functions and activities of the OCS including providing staff and administrative support to a number of county- appointed boards. Mrs. Stevens reviewed the programs of the various boards and committees under the OCS. Messrs. Biscoe and Dick presented information relative to the Alliance for Alcohol and Drug Abuse Prevention Programs.

In conclusion OCS staff reviewed organizational charts, budgets and pointed out the challenges, issues and concerns of OCS including maintaining required agency representation on certain boards, funding, and space needs.

**7:00 P.M.**  
**PUBLIC FORUM**

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

**Mary Ann Chasen** - (1) Inquired as to what the next step will be regarding an elected school board, whether there will be a task force and if so, she was interested in serving. (2) Requested that the County Commissioners' minutes reflect each Commissioner's vote on each issue.

**Vaughn McCall** - (1) Suggested that all alternatives for selecting a school board be considered. (Commissioner Thompson indicated that it was her understanding all alternatives will be addressed.) (2) That the citizens expect the Commissioners to act on their behalf and to listen to them.

**Ken Hastings** - Suggested that consideration of appointments to Boards and Committees be done in Open Session and that there be a method of notifying individuals who have submitted applications, but were not selected. (Commissioner Thompson advised that on most occasions the Commissioners have selected a certain individual more than not selecting someone.)

**Pat White** - Referred to her past membership on the Southern Maryland Resource Conservation Board as a alternate and mentioned an individual who had been appointed as the regular member, but never attended meetings.

**Keith McGuire** - Pointed out comments from Mr. Govin, who had been a consultant with FERST at its Baltimore plant, regarding the application of municipal solid waste compost on farm land and the need for it to be further composted or it could result in crop failure. Mr. McGuire stated that questions have been addressed to MDE regarding the compost (is it garbage or compost; whether farmers can store compost on their own land; and whether Mr. Pickett (FERST) had withdrawn his application to use compost as he had indicated it had been. Mr. McGuire stated that MDE gave no responses to these questions and suggested that the County continue to pursue this. (County Administrator Cox suggested that this be brought to the attention of the Commission on Environment.)

**Ken King** - (1) Questioned the use of county vehicles for personal business. (Commissioner Brugman suggested that he get tag numbers and report it to the County.) (2) Questioned the use by the base of out-of-state vehicles for fuel distribution. (3) Expressed concern for safety on Md. Rte 243 between Wathen Road and Bull Road where there is a passing zone and suggested that it be removed. (4) Inquired as to the status of the naming of Rte. 243 (Newtowne Neck Road). (County Administrator Cox stated that the County Commissioners' Office will notify him of the date of the "cleanup" hearing, which will include this road.)

**Daphne McGuire** - (1) Stated that the previous Board of County Commissioners forwarded the Solid Waste Plan to the State without giving enough consideration to the recommendations by the Task Force. She requested that the new Board get the Plan back from MDE and address the Task Force's comments. (2) Expressed concern that the Planning Commission's actions regarding FERST--that the developer requested allowing 17 trucks a day and the Commission approved 50 trucks a day.

**Jay Hanks** - (1) Suggested that recycling containers be placed at the entrance to the landfill so that the contractors can participate. (2) Suggested that if the past Commissioners acted with misinformation or on expected definitions that did not materialize from the State, that the new Board start over again relative to the FERST landfill project. (3) Suggested that the Commissioners consider acquiring the Myrtle Point property from the U. S. Government, make part of it a nature preserve, and sell the remainder for upscale development to generate funds to pay for the acquisition. (4) Suggested that the county reevaluate the TDR program and make the program more attractive for developers to build in the development and town center areas. He also referred to the use of PDR's (purchase development rights) as an alternative.

**Viki Volk** - Queried each Commissioner, since it was the first meeting of the new Board, as to what was the most important thing they learned today.

Commissioner Eagan: how well the members of the Board were able to work together.

Commissioner Jarboe: Today was a day of cooperation.

Commissioner Chesser: That today was a long and productive day.

Commissioner Brugman: That it takes a lot of consideration before speaking on a subject.

Commissioner Thompson: That the Board will have meaningful discussions, will be able to learn from one another, and will continue to communicate with each other.

**Alan Moore** - Stated that the County reported its recycling goal at 15.3% and the State will report it as 15.1%.

**Minnie Russell** - (1) Reiterated her concern about the double yellow lines on the road through St. Mary's City going north about six miles. (2) Advised that a citizen of Ridge has a complaint about not getting cable hooked up. (Commissioner Thompson advised that the county is the franchise authority for cable television and that there is a cable advisory committee that will accept complaints and concerns.

**Alicia Ferarri** - Complained about American Cable television and how long it took to get service.

**Steve Nystrom** - Emphasized the importance of long-range planning and asked the Commissioners to keep in mind the impact of the Commissioners' decisions 20 years from now.

**Vaughn McCall** - Regarding cable concerns, he suggested that citizens contact the corporate office if they do not get satisfaction from the local company.

**Keith McGuire** - Reminded Commissioner Jarboe of his campaign promise to donate 10% of his Commissioners' salary to the school system. (Commissioner Jarboe stated that he will keep that promise and will set up a non-profit fund to go towards various educational needs.

**Viki Volk** - Inquired who will administer those funds and make the decisions where they will go. (Commissioner Jarboe stated there will be a citizens' advisory committee on education to make this determination and that two people will be required to sign the checks.)

**Ed Fitzgerald (Assistant Superintendent of Schools)** - Reported that there is a shoe fund in the school system )

## ADJOURNMENT

The meeting adjourned at 8:30 p.m.

Minutes Approved by Board of  
County Commissioners on 12/13/94

  
Recording Secretary