

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
JANUARY 10, 1995**

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 Eagan moved, seconded by Commissioner Jarboe, to approve the minutes of the County Commissioners' meeting of Tuesday, January 3, 1995. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) **Christmas in April
Fairgrounds Lease**

The County Administrator presented a Lease Agreement among the St. Mary's County Fair Association, Board of County Commissioners and Christmas in April which has been executed by the Fair Association and Christmas in April. The Agreement provides for the leasing of a 4800 square feet area at the fairgrounds for the construction of a storage shed for the Christmas in April building supplies.

After discussion Commissioner Jarboe moved, seconded by Commissioner Chesser, to authorize Commissioner Thompson to sign the Lease as presented. Motion carried.

2) **Response Letter
Solid Waste Advisory Committee**

The County Administrator presented correspondence responding to Larry Donmoyer's letter of December 14 relative to the Solid Waste Advisory Committee and the Solid Waste Management Plan. The return letter advised that the Commissioners have requested the Maryland Department of Environment to return the Plan for further review. In addition a meeting has been scheduled with the Committee for January 19 to initiate the review and foster communication with the Committee.

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

3) **HUD Special Purpose Grant
Community College Expansion**

The County Administrator advised that because of the deadline for submission of the referenced HUD Special Purpose Grant in the amount of \$1M for the Community College, Commissioners Thompson, Chesser, and Eagan gave concurrence in the signing of the grant to be forwarded to the State. Therefore, County Administrator Cox requested affirmation by the Board to approve Commission Thompson's signing of the grant.

Commissioner Chesser moved, seconded by Commissioner Brugman, to authorize Commissioner Thompson to sign the HUD Special Purpose Grant as presented. Motion carried.

4) **Response Letter
Library - Salary Study**

The County Administrator advised the Commissioners of the Library Board of Trustee's discussion with the past Board of Commissioners relative to salaries and salary/classification study for library employees. He presented correspondence addressed to the President of the Board of Library Trustees requesting that it submit the Fiscal Year 1996 budget as per the budget instructions from the Finance Department. The letter stated that if during the budget process a classification and/or salary study is approved, county departments will be advised.

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

5) **Solid Waste Advisory Committee Bylaws**

The County Administrator presented the bylaws submitted by the Solid Waste Advisory Committee for the Commissioners' review and approval.

During discussion Commissioner Thompson suggested that under Purpose the following be added: "Reviewing and Recommending Amendments to the Solid Waste Ordinance."

After discussion Commissioner Jarboe moved, seconded by Commissioner Brugman to sign and forward the letter to the Solid Waste Advisory Committee approving the bylaws as amended. Motion carried.

6) **Ordinance No. 95-01
Ethics Ordinance Amendments**

As a follow up to the December 20 public hearing, the County Administrator presented Ordinance No. 95-01 amending the St. Mary's County Public Ethics Ordinance. He pointed out that during the ten day period that the record remained open, no comments had been received.

Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve and sign Ordinance No. 95-01 as presented. Motion carried.

7) **Maryland Association of Counties
1995 Buddy System**

The County Administrator distributed a Memorandum dated January 2 from the Maryland Association of Counties requesting the Commissioners to pair up with a legislator as part of the "buddy system." The list was distributed among the Commissioners to sign up to contact certain legislators during the 1995 session regarding key issues.

8) **Appointments
Boards, Committees, Commissions**

The County Administrator presented the following letters of appointment for the Commissioners' review and consideration:

<u>Commission on Aging</u>	<u>Terms To Expire</u>
Thomas D. Clay	06/30/97

Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve the appointment as presented. Motion carried.

<u>Commission for the Disabled</u>	
Kevin Suggs - <i>REAPPOINTMENT</i>	12/31/99

Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve the appointment as presented. Motion carried.

<u>Emergency Services Committee</u>	
Russell Holmes - <i>Leonardtown Rescue Rep.</i>	NO TERM
Thomas F. Lee - <i>Ridge Rescue Squad Rep.</i>	NO TERM
Donald Morgan - <i>7th District Fire Dept. Rep.</i>	NO TERM
Peter "Rocky" Woodburn - <i>ALS Representative</i>	NO TERM

Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve the appointments as presented. Motion carried.

<u>Recreation and Parks Board</u>	
John P. Harden - <i>REAPPOINTMENT</i>	12/31/98
Felton Rothwell - <i>REAPPOINTMENT</i>	12/31/98
John (Jack) P. Rue	12/31/94/98
Scott A. Verbic	12/31/98

Commissioner Jarboe moved, seconded by Commissioner Brugman, to approve the appointments as presented. Motion carried four to one with Commissioner Thompson voting against stating she was not voting against the group, but against one individual.

<u>Board of Trustees for the St. Clement's Island Potomac River Museum</u>	
Robert Arnold - <i>REAPPOINTMENT</i>	12/31/99
Robert H. Kopel - <i>REAPPOINTMENT</i>	12/31/99

Commissioner Brugman moved, seconded by Commissioner Chesser, to approve the appointments as presented. Motion carried.

9) **Response Letter
Alliance of Concerned Taxpayers**

The County Administrator presented a response to the Alliance of Concerned Taxpayers' letter of December 12 relative to the Fiscal Year 1996 budget process. The return letter explains the budget presentations being made at the monthly public forums and the public school's budget development schedule which provides opportunity for public participation. The letter also forwards a copy of the law relative to public hearing requirements for the budget.

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

10) **Community Character Committee Workshop
Request to Provide Refreshments**

The County Administrator presented a memorandum dated January 9 from Director of Planning and Zoning Grimm advising that the Planning Commission's Community Character Committee will be conducting a workshop on January 18 from 3 to 7 p.m. Mr. Grimm requested approval to provide light refreshments (sandwiches, cookies) to tide the participants over the dinner hour. The costs for the food would be provided from the Coastal Zone Management grant.

After discussion Commissioner Jarboe moved, seconded by Commissioner Chesser, to allow Mr. Grimm to provide refreshments for the January 18 Workshop. Motion carried three to two with Commissioners Brugman and Eagan voting against.

**BALTIMORE GAS AND ELECTRIC
CALVERT CLIFFS UPDATE**

Present: Charles Cruse, Plant Manager
Tom Forgette, Director, Emergency Planning
John Smith. Public Relations Office

The referenced representatives of BG&E appeared before the Commissioners to present an update on the Calvert Cliffs Power Plant. The following points were made by the representatives.

- Achieved its electric generation goal
- Reduced operating budget by \$28M (16% reduction)
- Inspected by Institute of Nuclear Power Operations and received a "good" grade
- Completed 500,000V power line between plant and Chalk Point
- Setting goals for a world class energy facility
- Unit 2 will be shut down for refueling in March

In conclusion the BG&E representatives invited the Commissioners for a tour of the Calvert Cliffs facility. Commissioner Chesser suggested that the tour take place during the Unit 2 shutdown. It was agreed that the tour be scheduled for April.

**DEPARTMENT OF SOCIAL SERVICES
ORIENTATION PRESENTATION**

Present: Ella May Russell, Director
Roberta Loker, Chair, Social Services Board

The referenced representatives of the St. Mary's County Department of Social Services appeared before the Commissioners as part of the new Board of County Commissioners' orientation program. Mrs. Russell reviewed the various Income Maintenance Programs offered by the Department of Social Services including Aid to Families with Dependent Children; Disability Assistance Loan Program; Assistance to Pregnant Women; Public Assistance to Adults; Emergency Assistance to Families with Dependent Children; Food Stamps; Electronic Benefit Transfer System; and Medical Assistance.

Mrs. Loker explained the Income Maintenance Initiatives: Primary Prevention; Project Independence; Health Nurse; and Health Share. In addition Mrs. Russell reviewed Service Programs including Adult Protective Services; Respite Care; Adult Foster Care; Senior Care; Project Care/Home; Disability Assistance Loan Program; In-Home Aide Services; Neighbors Assisting Neighbors; Child Protective Services; Family Services/Families Now; Infants and Toddlers Program; Foster Care; Independent Living Program; Adoption Services; Day Care; and Homeless Services.

In conclusion Mrs. Russell reviewed the DSS's organizational chart, staff's participation in the County's boards and committees and the projected budget for Fiscal Year 1996. She stated that local funds requested total \$184,986; however, with incentives returned back to the County (AFDC; Non-AFDC and Support Enforcement) the actual amount from the County is \$102,405.

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

ENHANCED 911 UNIFORM ADDRESSING SYSTEM BRIEFING/REQUEST FOR PUBLIC HEARING

Present: Paul Wible, Chair, 911 Task Force
Phil Cooper, Chair, Addressing Subcommittee
Connie Johnson, Addressing Technician
Betty Johnson, Addressing Technician
Mary Pat Pope, Administrative Officer

The referenced individuals appeared before the Commissioners to present an overview of the Addressing System Task Force's efforts to implement the new addressing system and to request authorization to proceed with two public hearings: one for administrative changes (during the day) and another for remaining road name changes. The Uniform Addressing System in the Zoning Ordinance, the Official Road Name List and the Addressing Manual were adopted on July 13, 1993 and the guidelines for the naming and renaming of roads were incorporated into the Manual on April 26, 1994.

Mrs. Johnson explained that public hearings had been held to rename a number of roads and the Board of County Commissioners adopted Resolutions with those changes. Subsequent to those changes additional required road name changes have been identified. Also, petitions requesting road name changes have been received and that meet the requirements for a public hearing. In addition, Mrs. Johnson noted that the issue of the request to rename "Leonardtown Road" needs to be addressed. She stated that two petitions have been received and staff is in the process of validating them to see if they meet the requirements for a public hearing.

Discussion ensued regarding the following:

- Scheduling of the public hearings as recommended;
- whether additional help or volunteers could be enlisted to assist with the validation process of the Leonardtown Road petitions. The Task Force will report the results when the validation is complete.
- whether the public hearing should be advertised through a mailing to all postal patrons in the County.

After discussion Commissioner Brugman moved, seconded by Commissioner Chesser to approve scheduling the public hearings, the mailings and advertising as proposed. Motion carried.

Later in the meeting during County Commissioners' time Commissioner Jarboe inquired whether the Commissioners could rename "Leonardtown Road" without going to a public hearing in order to not delay the process. County Administrator Cox advised that the road has officially been named "Leonardtown Road" and the process for renaming requires a public hearing. Mr. Cox stated that staff is looking into the possibility of accelerating efforts to get the Leonardtown Road petitions certified. If so, Leonardtown Road could possibly be included in the public hearing for the other roads.

MEMORIAL SERVICE MARY LOU OWENS - OFFICE ON AGING

The Commissioners conducted a memorial service for Mary Lou Owens who recently passed away.

**ANNUAL REPORT
ST. MARY'S COUNTY ETHICS COMMISSION**

Present: John Gatton, Chair
John Baggett
Mike Gardiner
Serita McFarling
Joe Densford, Attorney

The referenced individuals appeared before the Commissioners to present the Ethics Commission's 1994 Annual Report. Mr. Gatton reviewed the Commission's membership composition and selection process, purpose, meetings, complaint procedures, advisory opinions, and the filing of financial disclosure statements. Mr. Gatton referenced the revisions to the Ethics Ordinance which were approved by the Commissioners earlier in the meeting.

During discussion of the appointment process, Mr. Gatton stated that the Commission would like to begin the interviews to fill the current vacancy. The Commissioners requested that the Ethics Commission submit the top two or three candidates after the interviews.

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

**RESOLUTION NO. 95-02
INMATE MEDICAL FEES**

Present: Sheriff Voorhaar
Doug Devenyns, Administrator, Detention Center

The referenced individuals appeared before the Commissioners to present a proposed Resolution imposing a \$4 fee for certain medical services received by inmates. Mr. Devenyns stated that the fee is intended to reduce the number of frivolous or unnecessary requests for medical services. A 1994 amendment to Article 87, Section 46 of the Annotated Code of Maryland authorizes the governing body of each county to establish a fee not to exceed \$4 for certain medical services.

In response to concerns expressed by Commissioner Chesser, Mr. Devenyns explained that the fee would not apply to certain medical visits, including: required as part of the intake process; required for an initial physical examination; due to a referral by a nurse or physician assistant; initiated, as a follow up visit, by a medical professional from the detention center; initiated by a medical or mental health staff member of the detention center; or required for necessary treatment.

After discussion Commissioner Brugman moved, seconded by Commissioner Eagan, to approve and sign Resolution No. 95-02 as presented. Motion carried four to one with Commissioner Chesser voting against.

By memorandum dated January 10 the Sheriff suggesting working with the Procurement Office to obtain the services of a credit/collection agency in an effort to recoup money spent insuring inmates receive adequate medical care. Mr. Devenyns stated he would present further information on this issue to the Commissioners at a later meeting.

EXECUTIVE SESSIONS

Commissioner Brugman moved, seconded by Commissioner Jarboe, that the discussion of Property Disposition - Airport Lease be held in Open Session and the two matters of Litigation (Airport Rules Enforcement and The Skydiving Center) be held in Executive Session, as provided in Article 24, Section 4-210(a)8. Motion carried.

Property Disposition - Airport Lease
Aircraft Refinishing Technology

Present: Joseph R. Densford, County Attorney
Dave Seeman, Chair, Airport Commission
Glen Gardiner, "
William McGarity, "
Richard Wilson, "
Pete Weiskopf "
Tony Schaefer, Aircraft Refinishing Technology (proposed tenant)

The referenced representatives of the Airport Commission appeared before the Commissioners to advise that the Airport Commission and county staff have been working on a lease with Aircraft Refinishing Technology for the construction of a hangar at the St. Mary's County Airport. Mr. Schaefer, the proposed tenant, would like to occupy the facility for 25 years in order to recoup his investment.

During discussion Mr. Densford pointed out that the County has adopted new rules and standards for operation of the Airport and all leases and lease renewals will have to comply. Aircraft Refinishing will be the first lease to come under these new rules and standards.

In conclusion Mr. Densford advised that most of the issues relative to the lease have been resolved and the Airport Commission plans to review and recommend approval of it at its meeting this evening. Once it is approved by the Airport Commission, the lease will be submitted to the Board of County Commissioners for approval. He pointed out that the FAA has not yet signed off on the lease.

EXECUTIVE SESSIONS

Litigation - Airport Rules Enforcement

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
Joseph R. Densford, County Attorney
Charles Wade, Director of Finance
Lt. Robert Hall, Sheriff's Department
Bill Chen, Attorney, LGIT
Dave Seeman, Chair, Airport Commission
Glen Gardiner, "
William McGarity, "
Richard Wilson, "
Pete Weiskopf "
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)8
Time Held: 2:10 p.m. - 2:55 p.m.

Action Taken: The Commissioners and Airport Commission members discussed the issue of violations of the Airport Rules and Minimum Standards and procedures for enforcement.

Litigation - The Skydiving Center

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
 Joseph R. Densford, County Attorney
 Charles Wade, Director of Finance
 Bill Chen, Attorney, LGIT
 Dave Seeman, Chair, Airport Commission
 Glen Gardiner, "
 William McGarity, "
 Richard Wilson, "
 Pete Weiskopf "
 Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)8
 Time Held: 2:55 p.m. - 3:50 p.m.

Action Taken: Attorneys Chen and Densford briefed the Commissioners on the status of The Skydiving Center's legal action against the County.

**1995 LEGISLATIVE PROPOSALS
 COUNTY COMMISSIONERS' POSITIONS**

As a follow up to the December 20 public meeting and subsequent discussion with the legislators, the Commissioners took the following positions on the 1995 Legislative Proposals:

Item	Support	No Support	No Position	Comment
1. Public Facilities Bond	1,2,3,4,5			
2. Recreation and Parks Payment by Credit Card	1,2,3,4,5			If legislation is needed
3. Appearance Fees	1,3,5	2	4	
4. Required School Days Election Days		1,2,3,4,5		
5. Alcohol Beverage License Class C - Clubs				Hold for more information
6. State Grant - Servicing Surplus Navy ADP Equipment	1,2,3,4,5			W/ understanding of tri-county matching funds
7. County Open Meetings Act Personnel	2,4,5	1,3		
8. County Open Meetings Act Boards/Committees	2,5	1,3,4		
9. County Open Meetings Act Property Acq./Disp.	2,5	1,3,4		
10. County Open Meetings Act Board of Education	1,2,3,4,5			Presuming it is not now covered
11. County Treasurer Position	1,2,4,5	3		

12. Bank Trap Prohibition	2,5			Hold for more information. 1,3,4
13. Potomac River Fisheries Commission Compact	2,3,4	1,5 *		*Based on initiatives being pursued by the Legislators
14. Regulation of Municipal Solid Waste Compost	1,3,4,5	2		
15. Taxation- Publicly Consumed Beverages		2,3,4,5	1	
16. Title Change - President Bd of County Commissioners		3,4,5	1,2	
17. Oversight Committee - Board of Education	2,3,4,5		1	County/Leg are in process of doing this
18. Tax Reform		2,3,4,5	1	
19. Forestation Exemption	2	3,4,5	1	
20. Bay Nutrient Reduction	1,2,3,4,5			Hold for more information
21. Chronic Absenteeism Public Schools		2,4		1,3,5 Hold
Code System to Identify Positions Thompson 1; Brugman 2; Chesser 3; Eagan 4; Jarboe 5				

COUNTY COMMISSIONERS' TIME

County Commissioners' Conference Room Table

Commissioner Jarboe advised that the Commissioners had discussed the possibility of a "U"-shaped table for the Commissioners' conference room at a cost of \$1200; however, he stated that he could get local hard wood donated by local contractor for the table and that a cabinetmaker could construct it with volunteers being used to the finish work.

The Commissioners indicated support of this effort.

Responses to Citizens Submitting Applications Boards, Committees, Commissions

Commissioner Jarboe inquired whether individuals submitting applications for Boards and Committees were sent response letters. County Administrator Cox pointed out that the standard process is to send a letter to the applicant thanking him/her for the application, stating that it has been placed in the file, and advising that the individual's name has been placed on the board or committee list for future consideration.

Planning Commission/Board of Appeals Agendas

Commissioner Jarboe inquired whether the Enterprise was continuing to publish the Planning Commission's and Board of Appeals' Agendas. Viki Volk of the Enterprise stated that the Enterprise had been publishing these agendas; however, as of the first of the year it had been discontinued. The Department of Planning and Zoning and the manager of the Enterprise are currently in discussion about this issue

Correspondence
Request for Grant Assistance

Commissioner Brugman referred to January 4 correspondence from an individual who is a paraplegic with a mentally retarded son and is seeking assistance in getting a grant to send her son to a residential center for care.

Administrative Officer Mary Pat Pope advised that she is contacting the Public School's Student Services department to see if it could provide assistance. She will follow up with a report to the Commissioners on the outcome of her research.

BUDGET AMENDMENT NO. 95-17
JUDICIAL

The County Administrator presented the referenced budget amendment recommended for approval by the Director of Finance with the following justification: to provide supplemental funds to the Law Library (\$3,000)

Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Budget Amendment as presented. Motion carried.

ADJOURNMENT

The meeting adjourned at 4:55 p.m.

**Minutes Approved by Board of
County Commissioners on 1/17/95**

Judith A. Spalding

Recording Secretary