

**ST. MARY'S COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**MAY 16, 1995**

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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 Jarboe moved, seconded by Commissioner Chesser, to approve the minutes of Tuesday, May 2 and Thursday, May 4, 1995 and the Solid Waste Plan public hearing minutes of April 20, 1995. Motion carried.

**APPROVAL OF BILLS**

Commissioner Jarboe 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) **Clearinghouse Project No. MD950428-0488**  
**Green Holly School Erosion Control and Stormwater Retrofit Project**

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.

Commissioner Eagan questioned the source of the \$20,000 local share for this project. County Administrator Cox will get the information and re-present the letter at next week's meeting.

2) **Budget Amendments**

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

**No. 95-46**

**Emergency Management Agency**

Justification: Animal Control Pagers (\$400)

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

**No. 95-47**

**Department of Public Works**

Justification: To provide funding for compactor replacement (\$168,000)

The Commissioners requested information on the compactor prior to approving the budget amendment.

Later in the meeting Mr. Ichniowski advised that the loader, which was requested in the FY '95 budget, was an additional piece of equipment to help with composting. He stated that before the County bought equipment with the buy-back that the compactor was a necessity and more of a priority rather than losing the buy-back

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

3) **Sheriff's Department**

**Retirement of Canine "Tarras"**

The County Administrator presented correspondence dated May 2 from Sheriff Voorhaar requesting authorization to donate the canine "Tarras," which will be taken out of service, to his handler, William Bell. Therefore, County Administrator Cox presented a memorandum to Sheriff Voorhaar approving the request.

**Commissioner Brugman, seconded by Commissioner Jarboe, to sign the memorandum as presented. Motion carried.**

**Bullet-Proof Vests**

The County Administrator presented correspondence dated May 2 from State's Attorney Walter Dorsey regarding the need for adequate protective vests for members of the Sheriff's Department and inquiring whether funds could be made available in the supplemental budget.

Mr. Cox presented a memorandum addressed to Sheriff Voorhaar requesting his comments on this and indicating that the Commissioners share the concern for safety and well-being of the officers.

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

4) **Leonardtown Mayor and Council  
Response Letter**

The County Administrator presented correspondence in response to issues raised by representatives from the Town of Leonardtown relative to the dissolution of Leonardtown. The letter addresses the questions raised at the April 11 meeting with the County Commissioners and indicates that the Board is neither in favor nor opposed to the dissolution

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

5) **Tri-County Youth Services Bureau  
Group Counseling Project**

The County Administrator presented correspondence addressed to the Governor's Office of Justice Administration, Juvenile Justice Advisory Council indicating the County Commissioners' support of the group counseling project managed by Tri-County Youth Services Bureau aimed at juvenile delinquency prevention and treatment for young women residing at the Cheltenham Youth Facility.

**Commissioner Brugman moved, seconded by Commissioner Eagan, to sign and forward the correspondence as presented. Motion carried.**

6) **Homeless Families Program  
Section 8 Program**

On behalf of the County Department of Economic & Community Development the County Administrator presented correspondence addressed to U. S. Department of Housing and Urban Development in support of the application for three Section 8 vouchers and certificates under the Homeless Families Program.

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

7) **Personnel**

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

**Recycling Coordinator**

Memorandum dated May 16 from the Personnel Officer advising that the Director of Public Works recommending the appointment of Amelia Von Gohren be appointed as Recycling Coordinator. He further requested that the position be changed from full time (40 hours per week) to Regular Part Time (30 hours per week). The request is based upon the fact that the individual would only be willing to accept the position if she is allowed to work no more than 30 hours per week.

**Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve the appointment of the Recycling Coordinator and to change the position from full time to part time as requested. Motion carried.**

**Director of Corrections**

Memorandum dated May 16 from the Personnel Officer requesting that the Acting Capacity appointment of Douglas C. Devenyns as the Director of Corrections be converted to Permanent Merit and further to request a waiver of the competitive selection process of the Personnel Manual.

**Commissioner Jarboe moved, seconded by Commissioner Eagan, to approve the conversion from Acting Capacity to Permanent for the Director of Corrections and to approve the waiver of the Personnel Manual procedures for competitive employment process in filling the position. Motion carried.**

8) **Grants**

The County Administrator presented the following grants for the Commissioners' review and consideration:

**Board of Education**

Request to include grant award in the amount of \$10,000 for an "Inclusion Facilitator" in the Fiscal Year 1995 Budget.

**Commissioner Jarboe moved, seconded by Commissioner Chessser, to approve inclusion of the \$10,000 grant in the Board of Education's Fiscal Year 1995 budget. Motion carried.**

**Walden/Sierra, Inc.**

**Basic Center Grant**

Fiscal Year 1996 Grant Application for Basic Center Grant Continuation for Runaway and Homeless Youth in the total amount of \$185,659.

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

9) **Letter of Appreciation  
Social Services Board**

The County Administrator presented correspondence addressed to the Chair of the Social Services Board expressing appreciation for the presentation of the 1994 Annual Report.

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

10) **Sewage Sludge Permit Applications**

The County Administrator presented the standard letter addressed to the Maryland Department of Environment waiving the County's right for a public hearing/meeting on the sewage sludge utilization permit applications for the Amos Stoltzfus, Samuel Stoltzfus, and John Hertzler properties, as forwarded by May 10 correspondence and John Hertzler and George Reeves properties, as forwarded by May 12 correspondence from MDE. The letter reiterated the County's ongoing concerns over environmental safety and land records notification.

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

10) **Expression of Concern  
William E. Barloon**

The County Administrator presented correspondence addressed to William E. and Linda Barloon expressing the Board's concerns regarding Mr. Barloons incarceration in Iraq.

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

11) **Resolution No. 95-23  
Ambulance Company Funding Formula**

The County Administrator presented the referenced Resolution setting forth the funding formula for the volunteer ambulance companies in St. Mary's County which provides a \$15 per response allowance for response by a utility vehicle to either an Advanced or Basic Life Support call when in lieu of an ambulance response.

**Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and sign Resolution No. 95-24 as presented. Motion carried.**

12) **Vanmeter Response Letter**

The County Administrator presented correspondence addressed to Mrs. Margaret Vanmeter responding to her inquiry of April 27 regarding personal property tax applicable to her logging business. The return letter advises that under State law her business does not qualify for a tax credit and points out that the Maryland Department of Assessment and Taxation makes that determination. With reference to her comments that counties in Western Maryland have a tax credit program for personal property used in manufacturing, the response letter advises that St. Mary's County does not tax personal property used in manufacturing and therefore cannot provide a tax credit like those counties.

**Commissioner Eagan moved, seconded by Commissioner Chesser, to sign and forward the letter as presented. Motion carried with four Commissioners voting in favor and Commissioner Jarboe abstaining.**

**PROCLAMATION  
SAFE BOATING WEEK**

The Commissioners presented a Proclamation designating the week of May 16 - 20 as National Safe Boating Week in St. Mary's County.

**ASSOCIATION FOR RETARDED CITIZENS**

Present: Connie Thompson, President, ARC  
Kate Rollason, Executive Director  
Kim Gscheidle, Family Support Services  
Terry Lefevre  
Jodi Stevens (and daughter Sarah)

The referenced individuals appeared before the Commissioners to introduce themselves, to give an overview of the services provided by the Association for Retarded Citizens, and to explain the funding sources and uses.

Ms. Thompson explained that the purpose of the ARC, a community based organization established in 1971, was to provide services to developmentally disabled citizens in the community. She advised that through the Southern Maryland Project demonstration grant, the ARC determined that individuals who were severely retarded deserved to be in their home communities with needed supports rather than in institutions and this has been a main focus of ARC. She reported that 46 individuals are served in residential services which includes 24-hour awake staff to minimal staff support to people living in their own places, but need assistance with shopping, doctors' appointments, or taking care of finances. ARC currently employs 101 people, 45 of which are part-time staff.

Ms. Gscheidle and Ms. Stevens pointed out the services provided through the family support services and the emotional and financial benefits it provides to the families with children with disabilities.

Ms. Rollason explained to the Commissioners the funding sources for ARC which includes grant funding from the Maryland Developmental Disabilities Administration, private contributions, and from St. Mary's County. Other issues discussed included funding provided for job coaching through rehabilitation services.

After discussion the ARC representatives pointed out the possibility of decreased funding from federal and state sources and requested the Commissioners' support through advocacy of their community development block grants. The Commissioners requested to be kept informed of the funding situation.

**DEPARTMENT OF PUBLIC WORKS**

Present: Dan Ichniowski, Director

- 1) **Ordinance No. 95-24  
Clover Dale Acres Court**

As a follow up to the April 18 public hearing (and continued on May 2), Mr. Ichniowski presented the referenced Ordinance approving the establishment of a Special Taxing District for improvements to Clover Dale Acres Court from the intersection with Hurry Road to the cul-de-sac, a distance of approximately 725 feet. Mr. Ichniowski advised that five of the seven property owners have signed the petition for the taxing district. He further noted that because the gravel and materials for the road are adequate the Ordinance has been prepared with revised assessment amounts.

After discussion Commissioner Jarboe moved, seconded by Commissioner Eagan, to approve and sign Ordinance No. 95-24 as presented. Motion carried four to one with Commissioner Chesser voting against stating he was concerned for the individual who had indicated she could not afford the tax.

2) **Addendum to Contract of Sale  
Peggs Road Project - Wetland Mitigation Agreement**

Mr. Ichniowski presented an Addendum to Contract of Sale between Joseph D. Knott and Deborah F. Knott and the Board of County Commissioners of St. Mary's County. The Knotts had entered into a contract of sale for a land exchange relative to the Peggs Road project and have requested an extension of the contingency period.

**Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Addendum to Contract of Sale as presented. Motion carried.**

3) **Road Resolutions**

Mr. Ichniowski presented the following Road Resolutions for the Commissioners' consideration:

**Melody Acres**

Designating Gershwin Drive as a Stop Street as it intersects with Bach Drive

**Old Tall Timbers Road**

Designating Old Tall Timbers Road as a Stop Street as it intersects with Tall Timbers Road

**Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Road Resolutions as presented. Motion carried.**

4) **Addenda Public Works Agreement**

Mr. Ichniowski presented the following Addenda to Public Works Agreements:

**Jenni's Dawn**

Between Pyles Family Ltd Partnership and Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to November 1, 1995. The Addendum is backed by an amended Letter of Credit in the amount of \$194,000 with Peoples Bank.

**Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Addendum as presented. Motion carried.**

**Laurel Glen PUD**

Between 235 Partnership and Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to June 1, 1996. The Addendum is backed by an amended Letter of Credit in the amount of \$88,000 with First National Bank of St. Mary's.

**Commissioner Jarboe moved, seconded by Commissioner Eagan, to approve and authorize Commissioner Thompson to sign the Addendum as presented. Motion carried with four Commissioners voting in favor and Commissioner Eagan abstaining because she is on the First National Bank of St. Mary's Board of Directors.**

**BUDGET AMENDMENT NO. 95-45  
ST. MARY'S COUNTY PUBLIC SCHOOLS**

Present: Elaine Kramer, Director, Budget and Finance  
Pat Richardson, Director, Department of Instruction

As a follow up to last week's discussion relative to Budget Amendment No. 95-45 for Public Schools, the referenced individuals appeared before the Commissioners to clarify the request.

Mrs. Kramer explained that \$61,000 covers expenditures where actuals will exceed budgeted amounts. Secondly, after a review of revenues and expenditures, staff looked at available fund to use for classroom needs. Revenues are expected to be lower than budgeted by \$201,433 and expenditures are expected to be lower than budgeted by approximately \$454,000. The request is to use the excess \$252,000 for instructional purposes in FY '95, which had been requested in the FY '96 budget. Mrs. Kramer explained that projections are made as closely as possible and the request for use of available funds is made consistent with the goals and objectives of the school system, which is meeting the needs of the classroom.

**After discussion Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign Budget Amendment No. 95-45 as requested. Motion carried.**

**FISCAL YEAR 1996 BUDGET**

Present: Charles Wade, Director of Finance  
Martha Jones, Budget Analyst

As a follow up to the public hearings and previous budget discussions, Mr. Wade presented the following documents for the Commissioners' approval:

**Resolution No. 95-25**

Mr. Wade presented the referenced Resolution approving the County's Operating Budget in the amount of \$79,410,783; the Capital Budget in the amount of \$18,709,441; the Recreation and Parks Enterprise Fund in the amount of \$1,421,238; the Wicomico Shores Enterprise Fund in the amount of \$891,045; the Adult Day Care Enterprise Fund in the amount of \$782,148; the Special Assessments Fund in the amount of \$33,807; Energy Tax Rates are \$0.00389 per kilowatt-hour for electricity, \$0.05257 per gallon for liquefied petroleum gas and \$0.04922 per gallon for fuel oil; and the County's Property Tax Rate is assessed at \$2.13 per \$100 of assessed valuation.

**Commissioner Eagan moved, seconded by Commissioner Brugman to approve Resolution No. 95-25 as presented. Motion carried four to one with Commissioner Chesser voting against stating he did not agree with the \$2.13 tax rate because he felt that it would not meet the needs of the County.**

In response to an inquiry from Commissioner Jarboe, Mr. Wade advised that no action would be taken on the Judicial Center without first coming to the Board.

**Resolution No. 95-26**  
**Fire Tax**

Mr. Wade presented the referenced Resolution assessing a Fire Tax on every \$100 of assessed valuation of all real and personal property as follows: Election Districts 1 at \$.09; 2 at \$.09; 3 at \$.06; 4 at \$.11/\$.09; 5 at \$.09; 6 at \$.11; 7 at \$.11; 8 at \$.11; and 9 at \$.09.

**Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and sign Resolution No. 95-26 as presented. Motion carried.**

**Approved Budget in Brief**

Mr. Wade presented "A Message from the County Commissioners" with an "Introduction to the Budget in Brief" for the Commissioners' review and approval.

**Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and sign the Approved Budget in Brief letter as presented. Motion carried.**

**Approved Estimate of Revenues and Appropriations**

Mr. Wade presented a handout approving the Fiscal Year 1996 Budget document with approved estimate of revenues and appropriations for the Commissioners' approval and inclusion in the Budget Document.

**Commissioner Eagan moved, seconded by Commissioner Brugman, to approve and sign the document approving the Estimate of Revenues and Appropriations as presented. Motion carried.**

**COUNTY COMMISSIONERS' TIME**

**Camp Merryelande**

**As a follow up to previous discussions, Commissioner Brugman moved, seconded by Commissioner Jarboe, to correct from 9 to 10 the allocation of EDU's for Camp Merryelande based on the determination that a burned out unit was not abandoned, that the additional EDU would not intensify the nonconforming use, and that a growth allocation request would not be necessary to accommodate the replacement unit. Motion carried.**

**St. Mary's County Efficiency Commission**

Commissioner Brugman recommended to the Commissioners the establishment of a St. Mary's County Government Efficiency Commission and presented draft by-laws for future discussion. He suggested that the Commission, which should consist of five to seven members, be established to look at the various county departments, identify redundancies and waste and make recommendations to the Commissioners.

**After discussion Commissioner Brugman moved, seconded by Commissioner Chesser to approve the concept of an Efficiency Commission with the details and nature of the Commission to be discussed at a later meeting. Motion carried.**

**ADJOURNMENT**

The meeting adjourned at 11:50 a.m.

**Minutes Approved by Board of  
County Commissioners on 5/23/95**

**Judith A. Spalding  
Recording Secretary**