

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
JUNE 20, 1995**

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
Charles H. Wade, Acting 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 Tuesday, June 13, 1995 and the Planning and Zoning portion of the June 13 Commissioners' meeting. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Charles H. Wade, Acting County Administrator

1) **Clean Water Act Amendments**

As a follow up to last week's discussion Mr. Wade re-presented correspondence prepared by the Commission on the Environment addressed to the Chair of the Committee on Environment and Public Works indicating the Commissioners' concerns that no action be taken on H.R. 961, Clean Water Amendments of 1995 that might degrade the streams, rivers, and buffers that impact the Chesapeake Bay.

Commissioner Jarboe moved, seconded by Commissioner Thompson, to sign and forward the letter as presented. Motion failed four to one.

During discussion of the motion the Commissioners agreed to defer a decision on signing the letter until they have an opportunity to review H. R. 961

2) **Letters of Appreciation
Community College at St. Mary's Groundbreaking**

Mr. Wade presented letters addressed to Governor Glendening, Community College Building Committee Chair, and the St. Mary's County Department of Public Works expressing appreciation for participation/assistance in the groundbreaking ceremonies for the Community College at St. Mary's in Leonardtown.

Commissioner Brugman moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign the letters as presented. Motion carried.

3) **Eagle Scout Award**
Robert E. Lockard II

Mr. Wade presented correspondence addressed to Robert E. Lockard II expressing congratulation on his achievement of attaining the rank of Eagle Scout.

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

4) **JTPA Grant Agreement**
Youth Summer Employment and Training Opportunities

Mr. Wade presented the referenced Youth Summer Employment and Training Opportunities JTPA Grant Agreement certified by County Administrator Edward V. Cox.

Commissioner Jarboe moved, seconded by Commissioner Chesser, to affirm the County Administrator's Certification for the Grant Agreement as presented. Motion carried.

5) **Walden/Sierra Operating Agreement**

Present: Kathy O'Brien, Director, Walden/Sierra
Jim Haley, Procurement Officer

Mr. Wade presented the Operating Agreement for Walden/Sierra Counseling Center and requested the Commissioners' approval for Commissioner President Thompson to sign the Agreement.

After discussion relative to the provision of the services listed in the Contract with Walden and the issue of whether other agencies can provides those services, Commissioner Eagan moved, seconded by Commissioner Chesser to authorize Commissioner Thompson to sign the Agreement as presented. Motion carried

6) **By-Law Changes**

Mr. Wade presented revised by laws for the following committees:

Commission on the Environment

Revision to include provision for a roll call vote

Cable Advisory Committee

Increasing membership from five to seven members.

Commissioner Brugman moved, seconded by Commissioner Chesser, to approve the revised by-laws as presented. Motion carried.

7) **Appointments**
Boards, Committees, Commissions

Commissioner Eagan moved, seconded by Commissioner Jarboe, to make the following appointments with terms as indicated:

Adult Public Guardianship Review Board
Alexis Zoss

Terms To Expire
NO TERM

Board for the Community College at St. Mary's
William E. Curtis - *Reappointment*

6/30/2000

Appointments (continued)

Cable Advisory Committee

David L. Taylor

12/31/97/2000

Commission on Aging

Ernest A. Etherton - *Reappointment*

6/30/98

Antonietta D. Miller - *Reappointment*

6/30/98/2002

Community College Building Committee

Paul J. Manchak, Sr.

NO TERM

Council on Children and Youth

Brenda J. Bates

12/31/97/2000

Nikcole Hebb - *Reappointment*

6/30/96

Emergency Services Committee

Zandra Mahoney

NO TERM

Ethics Commission

Serita F. McFarling - *Reappointment*

6/30/98

Mental Health Authority Board

Jennine Miller

12/31/98

Plumbing Board

Charles F. Hammett, Sr.

6/30/98

John E. O'Grady

6/30/98

Private Industry Council

Dennis England

6/30/96/2000

Safety Committee

Phil Cooper

NO TERM

9) **Letters of Appreciation for Service**

Mr. Wade presented letters of appreciation to those individuals no longer able to serve on a board, committee or commission.

The Commissioners agreed to sign the letters as presented.

10) **Response Letter
Clark Hilltop Lane**

Mr. Wade presented correspondence addressed to Minnie C. Russell and Carolyn Fenwick responding to theirs of June 19 regarding the naming of "Clark Hilltop Lane." The return letter explains that a petition was received with five signatures representing three properties requesting "Clark Hilltop Lane" and their petition with two signatures representing one property. Under the adopted petition process, "Clark Hilltop Lane" was approved.

The Commissioners agreed to defer a decision on the letter until they had an opportunity to review all the information submitted by Mrs. Russell.

11) **Management Review and Compensation Study**

Mr. Wade advised that he placed a memorandum in the Commissioners' boxes on June 19 indicating that the Commissioners need to make a decision relative to selection of a consultant to conduct a Management Review and Compensation Study for the County.

COMMENDATIONS

The Commissioners presented Commendations to Dena Nicole Holland and Rosemarie Therese Stanek recognizing their service as VISTA workers in the Office of Community Services.

SCHOOL BUS TRANSPORTATION SYSTEM REPORT

Present: Jim Haley, Procurement Officer
Mary Duke, Assistant Supervisor of Transportation
Fran Hammett, Transportation Assistant

Public School Representative Present: Joan Kozlovsky, Superintendent

As requested by the Commissioners at last week's meeting, the referenced representatives of the Procurement Office appeared before the Board to discuss non-public school enrollment and ridership projections through the year 2000 and to review the bus drivers' hourly pay and percentage increases for the past seven years.

After a review of the enrollment and ridership projections and future requirements including additional two buses each year for the next five years, Mr. Haley explained that his department works closely with the public school transportation office to ensure that hourly rates are equal. He pointed out that if the Board of Education Budget is approved the increase to the bus drivers will be 2.5%.

In response to inquiries from Commissioner Eagan, Dr. Kozlovsky explained the number of buses owned by the Board of Education, number of public school drivers, number of contractors and contractor buses, the uses of these buses, and the fact that all bd/ed drivers and contractors receive the same amount of pay. It was up to the contractors how much they paid their drivers.

In conclusion Commissioner Eagan requested additional information about the cost per year per bus from the Board of Education prior to the Commissioners making a decision on the 2.5% COLA increase for bus drivers.

BOARD OF EDUCATION FISCAL YEAR 1996 BUDGET CATEGORIES

Present: Joan Kozlovsky, Superintendent of Schools
Ed Fitzgerald, Assistant Superintendent
Elaine Kramer, Director, Budget and Finance
Pat Richardson, Department of Instruction

The referenced individuals appeared before the Commissioners to review the Board of Education's Fiscal Year 1996 Budget and to request the Commissioners' concurrence in the FY '96 Budget by category. Superintendent Kozlovsky and public school staff reviewed particulars of the budget, including staffing (reductions/additions); classroom sizes, and funding comparisons from Fiscal Year 1995 versus Fiscal Year 1996.

Discussion ensued relative to instructional technology (lease purchase, installation, upgrade) and the placement of 25 computers in each of the high school labs.

After the presentation the Commissioners indicated they would make a decision on the Fiscal Year 1996 budget by category at next week's meeting.

SHERIFF'S DEPARTMENT

Present: Sheriff Richard Voorhaar
Doug Devenyns, Administrator, Detention Center
Frank Abate, Detention Psychologist
Charles Wade, Director of Finance/Acting County Administrator

1) Mental Health Services Received By Indigent Inmates

The referenced individuals appeared before the Commissioners to discuss the issue of responsibility for payment for mental health services received by indigent inmates. Mr. Wade reported that the matter has been resolved stating that the Maryland Association of Counties has advised that Governor Glendening will intervene and the State will no longer charge the jurisdictions for these mental health services.

2) Housing of Illegal Immigrants

Mr. Devenyns advised the Commissioners that on Sunday, June 18 he received a telephone call from the Immigration and Naturalization Service (INS) requesting the use of excess space at the detention center to house approximately 15 illegal immigrants. The County will receive \$60 a day per individual. Sheriff Voorhaar indicated that he would like to do this on a temporary basis and if successful to look at doing it as a long-range program. This could conceivably bring in hundreds of thousands of dollars to the County.

Sheriff Voorhaar and Mr. Devenyns requested the Commissioners consideration to allow the Sheriff's Department to apply the funds from the INS toward mental health services at the detention center.

EXECUTIVE SESSIONS

Commissioner Brugman moved, seconded by Commissioner Jarboe, to meet in Executive Session to discuss matters of Property Acquisition, as provided for in Article 24, Section 4-210(a)11 and Litigation, as provided for in Article 24, Section 4-210(a)8. Motion carried.

Commissioner Eagan moved, seconded by Commissioner Chesser, to meet in Executive Session to discuss matters of Personnel, as provided for in Article 24, Section 4-210(a)1. Motion carried three to two with Commissioners Brugman and Jarboe voting against.

Property Acquisition/Disposition of Police Forces)

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
Charles Wade, Acting County Administrator
Joe Densford, County Attorney
Jon Grimm, Director, Planning and Zoning
Sheriff Richard Voorhaar
Dave Williams, Charles County Sheriff's Department
Barbara Dotson, Sheriff's Department
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)11/9
Time Held: 11:50 a.m. -12:20 p.m.

Action Taken: The Commissioners discussed the issues of a proposed lease.

Personnel (Sheriff's Department)

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
Charles Wade, Acting County Administrator
Sheriff Richard Voorhaar
Barbara Dotson, Sheriff's Department
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)1
Time Held: 12:25 p.m. -12:45 p.m.

Action Taken: Sheriff Voorhaar discussed a matter of personnel with the Commissioners. The Commissioners agreed to continue discussion.

Litigation (Critical Area Growth Allocations)

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
Charles Wade, Acting County Administrator
Joe Densford, County Attorney
Jon Grimm, Director, Planning and Zoning
Ron Serey, State Critical Area Commission
Mike Whitson, "
Mary Owens, "
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)1
Time Held: 12:45 p.m. -1:25 p.m.

Action Taken: County staff discussed a possible settlement relative to the referenced legal matter.

TAX CREDIT HOUSING PROJECTS

Present: Aleck Loker, Director, DECD
Dennis Nicholson, Deputy Director, DECD
Michael McCauley, Chair, Housing Authority
Robert Gant, "

Because of recent discussion regarding the Laurel Glen Affordable Housing project, the referenced individuals appeared before the Commissioners to discuss the state's tax credit housing program. Mr. Loker reviewed the Fiscal Year 1995 Median Family Income levels, percent of median, and tax credit project target population.

Mr. McCauley reviewed his June 5 letter to the Commissioners explaining the State's program and the fact there is a competition for tax credits. He pointed out that the State allows local government the opportunity to set priorities, and that the Housing Authority has established a suggested set of nine criteria for the Board's consideration. During his discussion Mr. McCauley suggested that the Commissioners may want to consider giving local incentives such as waiver of the impact fee.

Referring to the letter the Commissioners signed last week to the Maryland Department of Housing and Community Development regarding a local review process, Mr. Loker indicated that the next step would be for the Commissioners to task the Housing Authority to review the projects each time there is a competition for tax credits using the nine criteria.

Commissioner Thompson suggested that since the second round of state competition is scheduled for July 12 that if St. Mary's County does not receive a response to its letter to MDHCD that the Commissioners consider relooking at the three projects that have received county endorsement. If the Commissioners do not get an opportunity to review these projects and to set priorities that the Board would consider withdrawing endorsement of all three projects.

The Commissioners indicated concurrence. Mr. Loker stated he would inform the State of the Commissioners' position.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) Tulagi Place Deed

Relative to the streetscape revitalization project of Tulagi Place, Mr. Ichniowski advised that the State Highway Administration required a small parcel of land for the deceleration lane (0.197 acres) and an easement area for a park and ride facility (1.780 acres).

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

2) Kingston Creek Waterway Improvement

Mr. Ichniowski presented a handout that will be distributed at the July 6 Public Informational Meeting relative to the maintenance dredging of the channel and the repair of the existing east jetty in Kingston Creek.

Relative to Little Kingston Creek Mr. Ichniowski reported that he has received a petition from 82% of the property owners and that the design plans will be completed after which a public hearing will be scheduled.

3) Waterway Improvement Fund Grant Applications

Mr. Ichniowski presented the following Waterway Improvement Fund Grant Applications for the Commissioners' consideration:

- In the amount of \$15,000 for removal of derelict boats and obstructions to navigation within the waters of St. Mary's County
- In the amount of \$25,000 for maintenance dredging of channel at Church Cove, located four miles upstream from the mouth of the St. Mary's River.
- In the amount of \$25,000 for repair of existing east jetty and maintenance channel dredging of Kingston Creek located five miles upstream from the mouth of the Patuxent River
- In the amount of \$25,000 for repair of the sheeting and piles on the existing south side of the timber jetty and maintenance dredging of Little Kingston Creek.

Commissioner Brugman moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign the Waterway Improvement Grant Applications as presented. Motion carried.

4) Road Resolutions

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

R95-03

Posting a "No Parking Zone" sign on Lincoln Avenue, beginning approximately two tenths of a mile from Maryland Route 235 on its southern side for a distance of approximately 200 feet in a westerly direction.

R95-09

Posting White Point Road at 25 miles per hour for its entire length.

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

**5) Addendum to Public Works Agreement
Trapp Hall**

Mr. Ichniowski presented an Addendum to the Public Works Agreement between Trapp Hall Limited 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 a Letter of Credit with First National Bank of St. Mary's in the reduced amount of \$18,000.

Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Addendum as presented. Motion carried with four Commissioners voting in favor and Commissioner Eagan abstaining.

6) Higher Education Facility Deed

Mr. Ichniowski advised that the Waldschmitts had donated land to the County for a higher education facility under a Memorandum of Understanding. In compliance with the understanding, Mr. Ichniowski presented a Deed between Alice R. Waldschmitt and the Board of County Commissioners of St. Mary's County granting Lot 1 of St. Mary's Higher Education Subdivision, containing 24.74 acres.

Commissioner Chesser moved, seconded by Commissioner Brugman, to approve and authorize Commissioner Thompson to sign the Deed as presented. Motion carried with four Commissioners voting in favor and Commissioner Eagan abstaining because she serves on the Board of Governors of the Higher Education.

EXECUTIVE SESSION

Commissioner Eagan moved, seconded by Commissioner Chesser to meet in Executive Session to discuss a matter of Personnel, as provided for in Article 24, Section 4-210(a)1. Motion carried four to one with Commissioner Brugman voting against.

Personnel (Director of Finance)

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
Charles Wade, Director of Finance
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)1
Time Held: 2:45 p.m. - 3:00 p.m.

Action Taken: The Commissioners discussed a Personnel matter with the Director of Finance.

Personnel (County Administrator/County Attorney Positions)

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe

Personnel Officer George Foster attended the Session from 3:45 p.m. - 4:10 and
5:45 p.m. to 6:30 p.m.

Authority: Article 24, Section 4-210(a)1
Time Held: 3:00 p.m. - 6:40 p.m.

Action Taken: The Commissioners continued discussion of the filling of the
referenced positions.

ADJOURNMENT

The meeting adjourned at 6:40 p.m.

**Minutes Approved by Board of
County Commissioners on 7/27/95**

Judith A. Spalding
Recording Secretary

