

ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
SEPTEMBER 5, 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
Aleck Loker, County Administrator
Judith A. Spalding, Recorder

CALL TO ORDER

The meeting was called to order at 1:00 p.m.

APPROVAL OF MINUTES

Commissioner Brugman moved, seconded by Commissioner Jarboe, to approve the minutes of Tuesday, August 29, 1995 as corrected. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Aleck Loker, County Administrator

1) **Response Letters**
Clean Water Act

The County Administrator presented letters addressed to Mr. and Mrs. Tom Jones responding to correspondence regarding the Clean Water Act Amendments of 1995. The return letters expressed the Commissioners concern for water quality in the County and the Chesapeake Bay.

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

2) **Maryland Industrial and Commercial Redevelopment**
Fund Grant Agreement
Lexington Park Development District Market Study
Resolution No. 95-39

The County Administrator presented documents relative to the modification of an existing \$45,000 Maryland Industrial and Commercial Redevelopment Fund Grant Agreement. The purpose of the grant is for the market study of the Lexington Park Development District, which is Phase I of the Economic Development Diversification Study. The modification extends the date for disbursement of grant funds to March 1, 1996.

Therefore, Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and sign Resolution No. 95-39 authorizing the modification of the Grant's terms and conditions, to authorize Commissioner Thompson to sign the Modification to Grant Agreement, and to authorize County Attorney Durkin to sign the letter of transmittal to the Maryland Industrial and Commercial Redevelopment Fund Office, as presented. Motion carried.

On behalf of the Department of Planning and Zoning the County Administrator presented the Fiscal Year 1996 Grant Agreement and contract between the Department of Natural Resources and St. Mary's County for the period October 1, 1995 to September 30, 1996 for the Coastal Zone Chesapeake Bay Critical Area.

Commissioner Jarboe moved, seconded by Commissioner Chessser, to approve and authorize Commissioner Thompson to sign the Grant Contract and the letter of transmittal to the Department of Natural Resources. Motion carried.

4) **Voice Mail Proposal**

The County Administrator advised that staff discussed the possibility of voice mail in the Commissioners' Office, and the Procurement Office indicated the most effective method to effect was using Bell Atlantic, the county's current contractor for telephone services. Staff met with officials from Bell Atlantic on August 31 to discuss the establishment of voice mail in the County Commissioners/Administrator's and Attorney's Offices, and Mr. Loker indicated this would provide another avenue for the Commissioners to receive messages.

After discussing details for implementing and costs, Mr. Loker recommended going forward with the voice mail system, which could be operational by October.

The Commissioners indicated concurrence to proceed with acquiring Voice Mail.

5) **Budget Amendment No. 96-4
Social Services**

The County Administrator presented the referenced Budget Amendment with the following justification: To provide funds for burial assistance (\$650).

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

6) **Appointments
Boards, Committees, Commissions**

Commissioner Eagan moved, seconded by Commissioner Chessser, and motion carried, to make the following appointments with terms as indicated:

<u>Council on Children and Youth</u>	<u>Terms to Expire</u>
Laura A. Benjamin	6/30/96
Stephen R. Waters	6/30/96
 <u>Human Relations Commission</u>	
William R. May	6/30/96/2000

7) **Appreciation Letter**

The County Administrator presented correspondence to an individual no longer able to serve on a committee/commission for the Commissioners' signatures.

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

8) **Highway Safety Project Agreement
Comprehensive Traffic Safety Program**

On behalf of the Alliance for Alcohol and Drug Abuse Prevention, the County Administrator presented the referenced Highway Project Safety Agreement in the amount of \$40,000. The local project will implement various countermeasures to alleviate traffic safety problems as part of the comprehensive traffic safety program.

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

**PROCLAMATION
FORGET-ME-NOT MONTH**

The Commissioners presented the referenced Proclamation designating the month of September as Forget-Me-Not Month.

DETENTION CENTER EXPANSION PROJECT

Present: Sheriff Richard Voorhaar
Doug Devenyns, Administrator

Sheriff Voorhaar and Mr. Devenyns appeared before the Commissioners to explain the Detention Center modification/renovation project and to request a commitment from the Board for Fiscal Year 1997. Mr. Devenyns explained the elements of the project, base bid with modifications and prioritized alternates, which will provide the necessary equipment and space for the department. Funding is available for the base bid, which includes construction and renovations critical to the operation of the new housing unit, and four of the five prioritized alternates. There is not sufficient funding for the additional administrative storage space.

The projected cost for construction of the storage space is \$301,350 with only \$55,866 being available, leaving an unfunded difference of \$245,484. The county's share of the project (45%) is \$110,468. The State has not yet funded its match of \$425,021 and county representatives will be meeting with the State Department of Budget and Fiscal Planning to discuss the expansion project as well as funding requests and Mr. Devenyns requested a letter signed by the President of the Commissioners indicating the County's commitment of the \$110,468 to fund the storage space alternate.

After discussion of the Sheriff's Department's space needs, building space instead of leasing, Commissioner Chessser moved, seconded by Commissioner Jarboe, to authorize Commissioner Thompson to sign the Letter of Intent to fund \$110,468 in the Fiscal Year 1997 Capital Budget contingent upon receipt of the State's matching funds in the amount of \$425,021. Motion carried.

**OFFICE ON AGING
CHILD AND ADULT CARE FOOD PROGRAM**

Present: Gene Carter, Director
Jennie Page

Mr. Carter appeared before the Commissioners to present the referenced Child and Adult Care Food Program (CACFP) Application Renewal to be submitted to the Maryland State Department of Education. It is a federal program paid under the CACFP Project and is intended to enable sponsoring agencies to initiate, maintain, and expand non-profit food service programs in non-residential day care centers. Free and reduced-price meals are available to enrolled eligible participants depending on family income and size of the family.

Commissioner Jarboe moved, seconded by Commissioner Chessser, to authorize Commissioner Thompson to sign the Child and Adult Care Food Program Grant Application. Motion carried.

CHARLOTTE HALL LIBRARY EXPANSION

Present: Mary Wood, Director
Lynne Redmond, President, Library Board of Trustees
Henry Bonner, "
Fred Powledge, "
Charles Young, "

As a follow up to previous discussion the referenced individuals appeared before the Commissioners to present a proposal relative to the expansion of the Charlotte Hall Library. The Trustees are proposing to expand the library into the space currently occupied by the Southern Maryland Regional Library Association by January 1, 1996 at a total cost in Fiscal Year 1996 of \$29,977 (\$18,007 one-time cost for building modifications, shelving, and labor; \$23,940 recurring costs for electricity and two part-time staff).

Discussion ensued regarding the funding of the part-time positions, concerns with using the undesignated fund balance (which would require a public hearing), the possibility of establishing user fees (video rentals, etc.).

After discussion Commissioner Jarboe moved, seconded by Commissioner Chesser, to fund the one-time costs for construction in the amount of \$18,007 and to defer a decision on the recurring expenses until a later date. Motion carried.

A budget amendment will be presented to the Commissioners' next week to effect the allocation of funds for the project.

EXECUTIVE SESSION

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

Personnel

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

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

Time Held: 3:15 p.m. - 3:17 p.m.

Action Taken: The Commissioners discussed the Director of Finance position.

DIRECTOR OF FINANCE POSITION

Commissioner Chesser moved, seconded by Commissioner Eagan, to appoint Steven E. Welkos as the Director of Finance for St. Mary's County Government effective September 25, 1995. Motion carried.

CWSP #93-1057 - Villages at Leonardtown

Service area category change from W-6/S-6 to W-3D/S-3D to serve 100 single-family lots on 53.7 acres, zoned RL, located on the west side of MD Route 5, 500-1000 feet north of Route 234; Tax Map 32, Block 7, Part of Parcel 2.

CWSP #94-1878 - Buck Park East

Service area category change from W-6/S-6 to W-3D/S-3D. The property contains 50.22 acres, is zoned RL, and is located on the south side of Buck Hewitt Road approximately midway between its intersection with Chancellors Run Road and Three Notch Road in California; Tax Map 43, Block 7, Parcel 193.

CWSP #95B-0280 - Epic 2

Service area category change from W-1/S-6 to W-1/S-1. The property contains 7.5 acres, is zoned Commercial, and is located on the south side of MD Route 235, approximately 500 feet east of MacArthur Blvd.; Tax Map 43, Block 2, Parcels 223, 224, and 225.

CWSP #95A-0383 - Shanti Medical Center (Shanti II)

Service area category change from W-6/S-6 to W-1/S-1 for medical center complex on 28.2 acres, zoned RTC, located on Route 235 in the Hollywood Town Center; Tax Map 27, Block 19, Parcel 421

CWSP #95-0046 - Shannon Run Subdivision

Service area category change from NPS to RW (Rural Water). The property contains 230 acres, is zoned RPD, and is located on the southeast side of Mechanicsville-Chaptico Road; Tax Map 12, Block 18, Parcel 67.

CWSP #95-1723 - Chaney Enterprises

Hollywood Batch Plant; Tax Map 34, Block 15, Parcel 433

CWSP #90-0444 - Oak Crest Center

Hollywood; Tax Map 34, Block 10, Parcel 292

Requesting sewer category change for both properties from S-6 to S-3D

.(Chaney Enterprises Application was withdrawn. Mr. Grimm will determine whether Oak Crest Center was also withdrawn.)

Mr. Grimm noted that the Planning Commission and Planning and Zoning staff have recommended approval of the following five applications: The Villages at Leonardtown; Buck Park East; Epic 2; Shanti Medical Center (Shanti II); and Shannon Run.

During discussion relative to The Villages, Mr. Grimm noted that letters of petition against the project during the ten-day open record period. In addition correspondence was received from the Mayor of Leonardtown addressing the annex issue indicating that annexation is considered on an individual basis and stating that the Town has never annexed properties not contiguous with existing boundaries. Mr. Grimm noted that there is adequate sewage capacity in Town the project is consistent with the zoning for the property, and the Planning Commission had granted a concept plan for 100 cluster homes.

Mr. Grimm indicated that there were details that needed to be resolved including if the water/sewer category is changed in order to provide public water from the Town of Leonardtown and the property is not annexed, under the Town's current policy the project would not get the public water; however, the Town may be changing that policy to allow for the sale of water outside the Town. The Planning Commission has recommended that the County retain some design control over the way the project is developed.

After discussion Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve the water/sewer amendments as recommended by the Planning Commission for The Villages; Buck Park Estates; Shanti Medical Center; Shannon Run and Epic. Motion carried.

In closing Commissioner Thompson expressed the hope that the developer of The Villages would work with the community to ensure that whatever takes place is not harmful, particularly with regard to drainage and aesthetics.

outside the Town. The Planning Commission has recommended that the County retain some design control over the way the project is developed.

After discussion Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve the water/sewer amendments as recommended by the Planning Commission for The Villages; Buck Park Estates; Shanti Medical Center; Shannon Run and Epic. Motion carried.

In closing Commissioner Thompson expressed the hope that the developer of The Villages would work with the community to ensure that whatever takes place is not harmful, particularly with regard to drainage and aesthetics.

COUNTY COMMISSIONERS' TIME

Commissioner Jarboe expressed concern relative to the legislation being introduced in the State restricting crabbing. He requested that a letter be drafted to the Governor addressing the Board's concerns. County Administrator Loker pointed out that he believed it was an amendment to the Department of Natural Resources Regulations rather than a change to the law. Further research was directed.

STRATEGIC PLAN PRESENTATION

Present: Mary Pat Pope, Administrative Officer

As a follow up to previous discussions and presentations, Ms. Pope presented a summary of the Strategic Plan Surveys that were presented to various organizations throughout the County. She advised that there had been approximately 50 presentations with 1,000 to 1,200 individuals participating, and 279 completed surveys returned. She further noted that 71 individuals signed up to participate in subsequent planning sessions. Ms. Pope reviewed the results of the survey, explained the survey process, summary of total responses and ranking of scores, summary of responses by organization, and detail of responses by organizations.

After discussion Ms. Pope distributed an Information Release summarizing the Strategic Plan process and advising that the next phase will be to present the results to the community and initiate a community planning process. The results of the community planning process will be presented to the Board of County Commissioners in December 1995 for use in developing the Community Strategic Statement.

EXECUTIVE SESSION

Commissioner Brugman moved, seconded by Commissioner Jarboe, to meet in Executive Session to discuss a matter of Litigation (The Skydiving Center), as provided for in Article 24-§4-210(a)8. Motion carried.

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
Aleck Loker, County Administrator
Doug Durkin, County Attorney
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 4:47 p.m. - 6:10 p.m.

Action Taken: The County Attorney discussed the referenced matter of litigation and received direction from the Commissioners.

Vaughn McCall - As a follow up to his recommendation at last month's forum, he presented information relative to digitizing public records; recommended that the County consider night court. (The Commissioners explained reasons given to them as to why night court would be difficult, e.g., staffing, jury participation after working during the day; scheduling, and court security.)

Lee Soderberg - Advised that a Citizen Coalition to Preserve Myrtle Point has been established and would like to work with the County in acquiring the property.

Ann Woodley - Spoke in support of preserving Myrtle Point; advised that the Coalition to Preserve Myrtle Point is gathering list of people interested in providing funds; working on how to proceed to acquiring the property; and would like to work with Commissioners.

Chris MacKinon - (1) Questioned the Commissioners about their activities on Tuesday mornings in light of changes to the Commissioners' agendas (meeting in the afternoons). (The Commissioners explained that it was an opportunity for them to read their mail, make calls, gather information for the meetings. Mr. Loker explained that the change was also made to accommodate the public by allowing them to attend meetings later in the afternoon.) (2) Inquired whether the Commissioners violated the Open Meetings Law by conducting interviews. (Commissioner Thompson explained that it was part of the hiring process and not a violation of the open meetings law. Commissioner Eagan emphasized that she did not want the media to misconstrue the purpose of the use of Tuesday mornings by the Commissioners pointing out that the Board would not violate the Open Meetings Law.)

Doug Ritchie - Referred to comments made by Commissioner Jarboe that the consultant, George Dyson, had indicated he would remove back of Courthouse and add three floors with a courtroom on each floor. (Commissioner Jarboe responded that Mr. Dyson had said that if the parking problem in Leonardtown could be resolved.) Mr. Ritchie recommended that the Courthouse remain in Leonardtown.

Ken Hastings - (1) Inquired when the Commissioners were going to discuss Myrtle Point. (The Commissioners responded that it was scheduled for discussion on September 12 at 4 p.m.) (2) Inquired as to the status of the legislative package. (The deadline for submission was August 11; however, items can be submitted at the September 26 public meeting.)

Pat Richardson, Director of Instruction, Public Schools - Reported on the enrollment figures for the school year--projected - 13,825; actual 13,741 (99.4% accuracy). September 30 is the date for final figures.

ADJOURNMENT

The meeting adjourned at 8:10 p.m.

Minutes Approved by Board of
County Commissioners on 9/12/95
Judith G. Spalding
Recording Secretary