

ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
NOVEMBER 28, 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 Jarboe moved, seconded by Commissioner Chesser, to approve the minutes of Tuesday, November 21, 1995 as corrected. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Aleck Loker, County Administrator

1) **Housing Authority**

Also Present: Ella May Russell, Director, Social Services

The County Administrator presented a memorandum dated November 26 setting forth his recommendation that the Housing Authority be realigned under the Department of Social Services. He pointed out that Mrs. Russell, Director of Social Services has concurred in the proposal. Mr. Loker indicated that the County would continue to provide its current level of financial and payroll support, office space at the Governmental Center, and other resources. The Commissioners would continue to make appointments to the Housing Authority Board. The Department of Social Services would provide oversight and supervision through Director Russell.

During the presentation Mr. Loker stated that this realignment would allow the Department of Economic to focus its energies more appropriately on local business development. He further noted that with proposed federal and state budget cuts, the realignment would put the County in a better position to deal with these reductions and still maintain services to the citizens. The same clientele would use services provided by Social Services and the Housing Authority and the realignment would provide a case management approach. Mrs. Russell indicated her support of the proposal and referred to welfare reform with emphasis on assisting the working poor gain independence.

In closing the presentation Mr. Loker advised that if the Commissioners concurred an operating agreement would be developed among the County Commissioners, Department of Social Services and the Housing Authority to establishment the particulars of the realignment.

Prior to making a decision on the realignment, the Commissioners requested comments on the proposal from the Social Services Board and the Housing Authority Board.

2) **Response Letters**

The County Administrator presented the following response letters for the Commissioners' review and signatures:

- To Coalition to Protect Maryland Burial Sites, Inc. regarding recent legislation pertaining to human burial sites in Maryland

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

- To Blackhawk Investigations, Inc. regarding proposal to provide services to St. Mary's County.

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

- To Chair, Efficiency Task Force, regarding Policy Memorandum 93-1 - Privatization Studies.

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

2) **Correspondence**

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

- To Calvert County Commissioners regarding regional solid waste transfer station and solid waste exporting.

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

- To Charles County Commissioners regarding the Tri-County Animal Shelter draft policy.

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

3) **Proposed Public Hearings**

Also Present: Steve Welkos, Director of Finance

The County Administrator presented a Notice of Public Hearing for December 12, 1995 on the following issues:

Seventh District Volunteer Fire Department Pumper Truck

To consider an Application of the Seventh District Volunteer Fire Department for the purchase of a Custom Saulsbury Pumper Truck to be financed through a lease purchase agreement in an amount not to exceed \$325,000. No county funds are involved.

(Later in the meeting Mr. Loker indicated that the County Attorney advised that a public hearing would not be necessary on this issue in that the fire department conducted a hearing which satisfied the requirement of the Internal Revenue Service Code of 1986.)

Supplemental Appropriation - Blue Cross/Blue Shield Refund

To consider a supplemental appropriation of \$105,000 from County General Fund balance to refund to County employees their share of a health insurance premium refund received by the County for Fiscal Year 1994 settlement period.

Relative to this proposal, Mr. Welkos referred to his November 27 memorandum setting forth the specifics of the proposal. He explained that because of favorable claims experience during that period the County received a refund check in the amount of \$1,231,423 and that the County employees' share would amount to approximately \$105,000. (Later in the meeting, the amount was changed to \$111,000 in order to reflect interest.)

Mr. Welkos noted that should the County have a bad year claim experience, it would be liable for an additional amount up to five (5%) percent. A reserve account has been established with employer/employee contributions of five percent. In addition Mr. Welkos indicated that the refund is the county employees' share of contributions and not taxpayers' funds.

Supplemental Appropriation - Library Board of Trustees

To consider a supplemental appropriation of \$11,970 from the Library Fund Balance to the Board of Library Trustees for recurring operating costs as the result of the expansion of the Charlotte Hall Library.

After discussion Commissioner Chesser moved, seconded by Commissioner Jarboe, to take the referenced issues to public hearing on Tuesday, December 12, 1995 at 4:30 p.m. and with the understanding that the hearing for the Seventh District Fire Department Loan Application may not be necessary. Motion carried.

**4) Resolution No. W/S 95-03
Comprehensive Water and Sewer Plan Amendments**

As a follow up to the July 18, 1995 and August 9, 1995 public hearings and the Commissioners; approval on September 5, 1995, the County Administrator presented Resolution No. W/S 95- approving the following amendments to the Comprehensive Water and Sewer Plan: CWSP 93-1057 - Villages at Leonardtown; CWSP 94-1878 - Buck Park East; CWSP 95A0383 - Shanti Medical Center; CWSP 95B0280 - Epic 2; CWSP 95-0046 - Shannon Run.

Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and sign Resolution No. W/S95- as presented. Motion carried.

**5) Resolution No. 95-47
Alcohol and Drug Testing Policy/Non Public School Bus Drivers**

The County Administrator presented the referenced Resolution adopting new St. Mary's County non-public school bus driver alcohol and drug testing policy in accord with the U. S. Department of Transportation Drug Testing Regulations which include testing of school bus drivers who have a Commercial Driver's License. The Commissioners had adopted Resolution No. 93-43 which approved polices and procedures for drug testing of non-public school bus drivers, and the proposed Resolution combines the drug testing and alcohol testing requirements.

Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve and sign Resolution No. 95-47 which rescinds Resolution No. 93-43 and adopts the- Non-Public School Bus Drivers Alcohol and Drug Testing Policy. Motion carried.

**5) Metropolitan Commission
Water Quality Bond**

Also Present: Doug Durkin, County Attorney
Joseph Mitchell, Attorney, MetComm

Relative to the issuance of Metropolitan Commission Water Quality Bond in the amount of \$4,275,682, proceeds of which are to be used for improvements to wastewater treatment facilities in Lexington Park, Mr. Durkin appeared before the Commissioners to present the following documents for the Commissioners' approval and signatures:

- Guarantee Agreement attached to the Metropolitan Commission Bond document.

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

- General Certificate of County Commissioners of St. Mary's County

Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve and authorize Commissioner President Thompson and County Attorney Durkin to sign the General Certificate as presented. Motion carried.

- Supplemental Certificate of the County Attorney

Commissioner Jarboe moved, seconded by Commissioner Eagan, to approve and authorize County Attorney Durkin to sign the Supplemental Certificate as presented. Motion carried.

BOARD FOR COMMUNITY COLLEGE PROJECT STATUS REPORT

Present: Tom Mattingly, Chair
Elizabeth Dufresne
Ed Fitzgerald
Charlotte Young
Jane Sypher, Assistant Dean
John Frye, Consultant

The referenced individuals appeared before the Commissioners to present a status report on the progress of the Community College at St. Mary's Project. Mr. Mattingly noted that because of anticipated growth in the county and the community's interest in furthering their education, the Board's concerns center around projected enrollment and that it appears that the new college will not be able to accommodate this growth. Temporary classrooms or classes conducted off site may be necessary.

Members of the Board discussed the components of Phase I of the project, student enrollment, and space requirements, and noting that items had been deleted because of budget limitations. The Board expressed the need and importance to proceed with Phase 2. Because of Governor Glendening's commitment to education and community college funding, the Board for the Community College indicated it would advise him of the financial needs for the Community College at St. Mary's. Funding requirements are as follows: FY '97 - \$167,000 - County and \$283,00 - State for planning funds; FY '98 - \$2,340,000 - County and \$4,606,000 - State for construction funds; FY '99 - \$236,000 - County and \$464,000 - State. Total expected cost of Phase 2 is approximately \$8.1M.

As part of the presentation Ms. Dufresne referred to a plat of the property and pointed out that the narrow strip of land consisting of .75 acres is owned by the Catholic Archdiocese of Washington, and the Archdiocese is considering donating the land to the County for the college.

During the presentation Mr. Mattingly referred to a subcommittee that has been appointed to identify unfunded needs at the college in order to provide direction for the college administration and county government in relation to future space needs. Mrs. Young questioned whether the Commissioners wanted the Building Committee to continue in light of this new subcommittee. The Commissioners agreed to look into this matter and respond at a later date.

EFFICIENCY TASK FORCE

Present: Robert Harper, Chair
Joseph C. Gardner
Leonard Greess
Daniel Raley
Marie Underwood
Donald A. Wright

The referenced members of the Efficiency Task Force appeared before the Commissioners to present an Interim Status Report of the groups reviews and analyses of the efficiency of the various county government departments.. Areas of investigation and review by the Task Force included automation and processing systems, working hours, holiday allowances, vehicle usage and specific operations within the various departments of county government. The Report included a number of recommendations including: realignment of Personnel to Office of the County Administrator; realignment of Procurement to Office of the County Administrator; raising departmental spending authority to \$500; mechanization of payroll time reporting; continuation of the Department of Economic and Community Development remain a function of county government and the hiring of a new director; Budgeting and Scheduling of evaluations by the Commission on Accreditation of Law Enforcement Agencies by Sheriff's Department; and improving the County's budget document.

After discussion the Task Force indicated it would return to the Commissioners with a further report in two months.

COUNTY COMMISSIONERS

County Commissioners' Mail Log System

Commissioner Eagan indicated that she has received telephone calls inquiring how letters that are sent to the Commissioners get into the local newspapers. She explained the County Commissioners' mail log system stating that the news media, as well as any citizen, can have access to the Commissioners' daily mail log.

NURSING CENTER BOARD ISSUE OF AUTHORITY

Present: Karen Abrams, Attorney to Nursing Center Board
Douglas Durkin, County Attorney

On behalf of the Nursing Center Board Ms. Abrams appeared before the Commissioners to get clarification regarding the issue of authority as it relates to the Nursing Center Board and the operation of the Nursing Center. She stated that the Nursing Center Board has received mixed messages from the Commissioners, one, with regard to the elevators, that it was the Center's responsibility, and secondly, regarding the subacute beds, that the Board was not to take any action without approval from the County Commissioners. Ms. Abrams cited state law, the operating agreement and the Center's bylaws and pointed out that the Center is operating under the mandate of these documents. She further reported that Piper & Marbury, the Nursing Center's Counsel on several issues, had indicated it was told that it could no longer provide legal services to the Center.

The Commissioners commented on the high quality of care that the residents of the Nursing Center and indicated that the operation of the Nursing Center was the responsibility of the Nursing Center Board; however, any actions that would have an impact on county policy should be brought to the attention of the Commissioners.

Relative to the issue regarding Piper & Marbury County Administrator Loker responded that the firm had been requested by the Nursing Center Board to prepare a rebuttal to the sub acute care proposal filed with the Maryland Health Resources Planning Commission by St. Mary's Hospital and that under the circumstances Mr. Diana of Piper & Marbury did not believe the firm should be involved in doing that.

In conclusion Commissioner Thompson referred to the August 1 meeting between the Commissioners and Nursing Center Board and that there had been discussion regarding review of the operating agreement. She indicated that this issue should be addressed in the near future in order to clarify the issue of responsibility.

WATERMEN'S ASSOCIATION - OYSTER SEED PROGRAM

Present: James Russell, President
Paul Kellam
Donna Sasscer, Agricultural/Seafood Specialist
Richard Bohn, Cooperative Extension

The referenced individuals appeared before the Commissioners to request consideration for an allocation of \$15,000 to \$25,000 from unused salary funds in the Department of Economic and Community Development budget for an Oyster Replenishment Program. The Program would harrow sedimented oyster bars in St. Clements Bay, Breton Bay, and St. Mary's River. Mr. Russell explained the purpose and benefits of the oyster seed program and the fact that reductions in state funding has reduced the management of oysters bars in the waterways.

During discussion Commissioner Jarboe suggested that the Watermen work with other agencies and organizations such as the Resource Conservation and Development Board, to look for grants and/or matching funds.

The Commissioners suggested county staff work with the Watermen to assist in locating grants or other funding for the oyster seeding project.

EXECUTIVE SESSION

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

Personnel (Consideration of Appointments to Boards, Committees, Commissions)

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

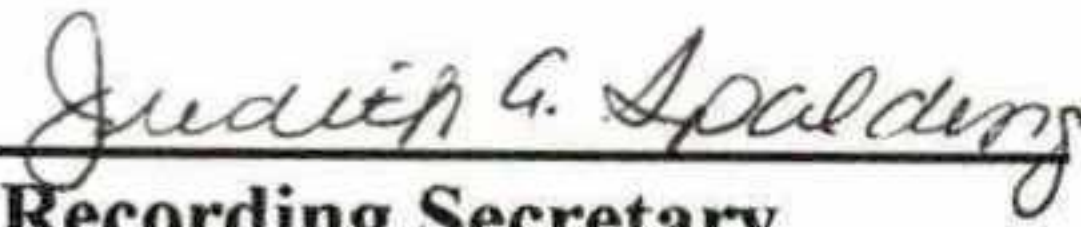
Authority: Article 24, Section 4-210(a)1
Time Held: 4:30 p.m. - 5:40 p.m.

Action Taken: The Commissioners reviewed the current Status Sheet, made nominations, and directed staff to prepare appropriate letters of appointment for consideration at a future meeting.

ADJOURNMENT

The meeting adjourned at 5:40 p.m.

**Minutes Approved by Board of
County Commissioners on 12/15/95**


Recording Secretary