

ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
JANUARY 23, 1996

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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 Eagan, to approve the minutes of Tuesday, January 16, 1996 as corrected. Motion carried.

APPROVAL OF BILLS

Commissioner Jarboe 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) **Proposed Change to Agenda Format**

County Administrator Loker presented a proposal to change the current agenda format (meeting in the afternoons) to begin meeting in the morning (9 or 10 a.m.) for executive sessions, when needed or to county administrator/county commissioner items of a routine nature. He pointed out that this would allow the meeting to conclude earlier in the evening and would also allow the public to be in attendance if decisions are made subsequent to an executive session.

After discussion the Commissioners gave their concurrence that the new format begin in February.

2) **Correspondence**

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

- a. To Board of Education approving inclusion of grant award for Title I Services to Private School Children (\$3,398)

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

- b. To Board of Education approving categorical transfers to address changes in the level of school nursing services provided by the Health Department.

In response to an inquiry from the Commissioners Director of Finance Welkos advised that the request is being made because of reduced funding from the State; however, next year the position will be funded in the Health Department's budget.

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

- c. To Maryland Department of Environment regarding sewage sludge permit applications to apply sludge on the A. H. Smith (Elmer Hertzler Farm) and the Kenneth Burroughs and the Joseph Lloyd sites, and waiving the County's right to a public meeting.

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

- d. To Tana Shultz regarding the need for an effective zoning enforcement program (re-presented from last week's meeting. Commissioner Eagan advised that the Board of Appeals was aware of the letter.)

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

- e. To State Highway Administration requesting SHA to administer the second phase of the Tulagi Town Center Project

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

- f. To Tri-County Council regarding MES Solid Waste Facilities Loan of 1996

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

3) **Boards, Committees, Commissions
Appointments/Letters of Appreciation**

Commissioner Jarboe moved, seconded by Commissioner Brugman, with motion carried, to sign and forward letters appointing the following individuals to boards, committees, commissions with terms as indicated:

<u>Family Assistance Center Advisory Committee</u>	<u>Terms to Expire</u>
Sam Bauman	12/31/98
Bertie C. Bowman	12/31/98
Marilyn Carifi	12/31/96/99
William G. Combs	12/31/99
Annette Jackman	12/31/99
Juanita Nether	12/31/98
Dennis L. Nicholson	12/31/97
Connie C. Norris	12/31/97
Evonne E. Sewell	12/31/98
Virginia B. Simpson	12/31/98
Becky Stevens	12/31/98
Janice T. Walthour	12/31/98
Agnes T. Weeden	12/31/98
Alexis Zoss	12/31/96/99
 <u>Mental Health Authority Board</u>	
Lydia D. Chagnon	12/31/98
Francis Fenwick	12/31/98

Letters of Appreciation

Commissioner Brugman moved, seconded by Commissioner Brugman, to sign and forward the letters of appreciation to those individuals no longer able to serve. Motion carried.

4) **Road Resolutions**
Rosebank Village Taxing District

On behalf of the Department of Public Works, the County Administrator presented the following Road Resolutions for the Commissioners' review and consideration:

R96-03 - posting Rosebank Court at 25 miles per hour

R96-04 - designating Rosebank Court as a Stop Street at its intersection with Rosebank Road

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

5) **Metropolitan Commission**
Local Government Infrastructure Financing Program Application

On behalf of the Metropolitan Commission the County Administrator presented the referenced Local Government Infrastructure Financing Program Application to be submitted to the Maryland Department of Housing and Community Development. The application is in the amount of \$800,000 and will be used for the Wicomico Shores water and sewer project.

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

6) **Wicomico Golf Course Alcohol License Renewal Application**

The County Administrator presented the referenced Alcohol License Renewal Application for the Wicomico Golf Course which requires the President of the Board's signature.

Commissioner Chesser moved, seconded by Commissioner Eagan, to authorize Commissioner Thompson to sign the Renewal Application as presented. Motion carried four to one with Commissioner Jarboe voting against stating he was opposed to having county employees serving drinks and having employees from the Sheriff's Department arresting people for drinking.

7) **Fiscal Year 1997 Budget Review Schedule**

Also Present: Steve Welkos, Director of Finance

The Commissioners reviewed the Fiscal Year 1997 Budget Review Schedule which begins Thursday, February 1 and concludes Friday, March 1; made amendments to the schedule, and gave staff approval to proceed with the schedule as amended.

COUNTY COMMISSIONERS' TIME

The Skydiving Center Lease Application

Commissioner Brugman moved, seconded by Commissioner Eagan, to have a public hearing on February 8 at 5 p.m. on The Skydiving Center's Lease Application.

St. Mary's County Open Meetings Act

Commissioner Jarboe referred to the St. Mary's County Open Meetings Act, the State Public Information Act and the fact that there was a conflict with the County's Resolution No. 95-06 regarding appointments to boards, committees and commissions. Resolution No. 95-06 provides for the release of applications of individuals who have expressed interest in serving on a board. He suggested that the Commissioners schedule a discussion on the issue at a future meeting, possibly February 13. The Commissioners gave their concurrence.

CRIME IN ST. MARY'S COUNTY

Present: Judy Pedersen, Public Information Specialist

Ms. Pedersen presented a memorandum responding to a local newspaper article regarding crime in St. Mary's County, which was negative and misleading. Ms. Pedersen noted that St. Mary's crime rate increased 2.2 percent in comparison with an 11.7 percent increase in Charles and an 11 percent increase in Calvert County.

LETTER OF COMMENDATION

Ms. Pedersen advised that the Commissioners received a letter dated January 12 from a citizen commending the county employees and others who gave assistance during the recent snow storm.

MAIL LOG SYSTEM (PUBLIC REVIEW)

The Commissioners raised questions concerning recent discussion relative to developing a policy restricting certain letters from the mail log. Issues raised included the fact that the Commissioners are a public body and that response letters are presented in open session. County Administrator Loker pointed out that the County Attorney had made a ruling regarding the mail log based on law and suggested that this be a matter of future discussion with the attorney to develop a more rational way of handling the issue.

The Commissioners agreed to continue with the current mail log system of releasing information, but would review the issue at a later meeting.

RESOLUTION NO. 96-05 ABATEMENT OF PERMIT FEES

Present: Jon Grimm, Director, Department of Planning and Zoning

Mr. Grimm presented a draft Resolution amending Resolution No. 75-53 regarding the waiver of permit fees for non-profit organizations, public schools, public buildings. In accordance with action taken by the Board of County Commissioners, the amended Resolution changes the authority to determine compliance from the Commissioners to the Department of Planning and Zoning. There are no other changes.

Commissioner Brugman moved, seconded by Commissioner Chessser, to approve and sign Resolution No. 96-05 as presented. Motion carried.

TRI-COUNTY YOUTH SERVICES BUREAU, INC. JUVENILE DELINQUENCY PREVENTION PROGRAM GRANT APPLICATION

Present: Dan Campbell, Chair, St. Mary's County Communities That Care Committee
Richard Friedman, Director Juvenile Justice Advisory Council
Sam Bauman
Sheriff Richard Voorhaar
Elfreda Mathis
Becky Stevens
Other Committee Members

The referenced individuals appeared before the Commissioners to request endorsement of a grant application from the Governor's Office of Crime Control and Prevention to support a juvenile delinquency prevention program in the Lexington Park area. Mr. Campbell described the risk factors in the community including transitions/mobility; severe economic deprivation; and family history of high risk behavior and explained the Committee's proposal to address these risk factors including identifying families a risk; creating a system for providing resource information

to families; and continuing the Summer of Safety Arts/Violence Prevention Day Camps. The grant, in the amount of \$22,532, requires a local in-kind match which will be provided by a grant from the Alliance, pending award of a grant to the Alliance.

In conclusion Mr. Campbell pointed out that the final budget will be submitted for the President of the Board, if approved by the Commissioners, within a week.

Commissioner Jarboe moved, seconded by Commissioner Eagan, to endorse the concept of the Juvenile Delinquency Prevention Program as describe, and further to authorize Commissioner Thompson to sign the Grant Application when submitted. Motion carried.

MYRTLE POINT PROPERTY OPTIONS FOR PROPOSED ACQUISITION

Present: Doug Durkin, County Attorney
Phil Rollins, Director, Recreation and Parks

As a follow up to previous discussions, the County Attorney reviewed his memorandum dated January 11 setting forth options regarding the acquisition of Myrtle Point property and discussed the issue of the County's relationship, if any, with the Trust for Public Lands.

After a review of the options, County Attorney Durkin recommended that the Commissioners accept Option No. 2--that the County and the Trust for Public Lands enter into a Memorandum of Understanding setting forth the various obligations and duties of the two parties relative to the acquisition of Myrtle Point.

Discussion ensued regarding the TLP's contract with RTC, the timeframe of the contract, whether negotiations could be considered in Executive Session, title issues, purchase price, available POS funding.

After lengthy discussion Commissioner Jarboe moved, seconded by Commissioner Chesser, to accept Option No. 2 (that the County and the Trust for Public Land enter into a Memorandum of Understanding, as recommended by staff. Motion carried.

In addition the Commissioners agreed with the County Attorney that negotiations be discussed in Executive Session with the understanding that information will be provided to the public at the conclusion of the negotiations.

In conclusion the Commissioners agreed to distribute an Information Release explaining the various options and announcing the Commissioners' decision to accept Option No. 2.

EXECUTIVE SESSIONS

Commissioner Jarboe moved, seconded by Commissioner Chesser, to meet in Executive Session to discuss matters of Property Disposition (St. George's Beach), as provided in Article 24, Section 4-210(a)11. Motion carried.

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

Property Disposition (St. George's Beach)

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
Phil Rollins, Director, Recreation and Parks
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)8 and 11
Time Held: 4:15 p.m. - 4:45 p.m.

Action Taken: Staff reviewed the particulars of the referenced issue and received direction from the Commissioners.

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: 4:45 p.m. - 5:30 p.m.

Action Taken: The Commissioners reviewed the current status sheets, made nominations, and directed staff to contact nominees and prepare appropriate letters of appointment.

ADJOURNMENT

The meeting adjourned at 5:30 p.m.

Minutes Approved by Board of
County Commissioners on 1/30/96

Judith A. Spalding
Recording Secretary