

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS  
APRIL 2, 1996**

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 1:05 p.m.

**APPROVAL OF MINUTES**

**Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve the minutes of March 25/26, 1996, as presented, and March 28, 1996 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)      **Correspondence**

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

- a.      To Danny Kim regarding a proposed private-public partnership for a family fishing and recreation facility (revised from last week in include statement that the Commissioners do not have a policy for accepting unsolicited proposals).
- b.      To Henry J. Brooks regarding his concerns relative the FY '97 budget for the Board of Education relative alleged waste and mismanagement.
- c.      To Ross Tuck regarding operations at the Wicomico Golf Course.
- d.      To Joseph and Nancy Glabis regarding various agencies.
- e.      To Juanita and Ernie Modlin regarding the proposed ferry boat service.

**Commissioner Jarboe moved, seconded by Commissioner Eagan, to sign and forward letters (a) through (e), as presented.**

- f.      To 17 individuals responding to concerns regarding draft budget proposed for the Board of Education.

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

- g.      To Chair, Board for Community College regarding establishment of an Expansion and Development Committee for second phase of campus development.

After discussion of the letter the Commissioners requested the County Administrator to amend the letter to indicate that voting members of the subcommittee be members of the advisory board. The letter will be returned next week for consideration by the Board.

2) **Boards and Committees**  
**Letters of Appreciation (Service on Board/Committee/Annual Reports)**

**Commissioner moved, seconded by Commissioner to send letters of appreciation to Serita McFarling for her service on the Ethics Commission and to Chairs of Committees for presentation of Annual Reports.**

3) **Budget Amendments**

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

a. **No. 96-42 - State's Attorney's Office**

Also Present: Christy Chesser, State's Attorney's Office

Justification: Temporary Receptionist costs and Dyson Trial Expenses (\$10,000)

**After explanation of the Budget Amendment by ms. Chesser, Commissionr Brugman moved, seconded by Commissioner Chesser, to approve and authorize Commisisoner Thompson to sign Budget Amendment No. 96-42 as presented. Motion carried.**

b. **No. 96-43 - Social Services**

Justification: Burial Assistance (\$650)

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

4) **Resolution No. 96-12(a)**  
**Public Facilities and Hospital Refunding Bonds**

Also Present: Steve Welkos, Director of Finance

Mr. Welkos presented the referenced Resolution which ratifies the final aggregate principal amount of the County's Public Facilities and Hosptial Refunding Bonds of 1996 ) and the sale of the Bonds on March 5, 1996. The Commissioners adopted a Resolution on March 5 which contained final amounts for th Bonds prior to verification. Subsequent verification has indicated that the principal amount of the bonds has been calculated to be \$18,975,00 (as opposed to \$18,965,000 as stated in Resolution No. 96-12(a)).

**Commissioner Brugman moved, seconded by Commissioner Eagan, to approve and sign Resolution No. 96-12 (a), as presented. Motion carried.**

5) **Department of Public Works**  
**Addenda to Public Works Agreements**

On behalf of the Director of Public Works the County Administrator presented the following Addenda to Public Works Agreements for the Commissioners' approval:

a. **Greenbrier, Phase 2, Section 1, formerly Whalers Creek Runn**

With Heritage Manor House of Lexington Park, Inc. guaranteeing completion of improvements (Letter of Credit with First National Bank of St. Mary's reduced to \$64,000)

**b. Greenbrier, formerly Whalers Creek Runn, Section 2**

With Heritage Manor House of Lexington Park, Inc. guaranteeing completion of improvements in (Letter of Credit with First National Bank of St. Mary's in the amount of \$408,800)

**Commissioner Brugman moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign the referenced Addenda to Public Works Agreements as presented. Four Commissioners voted in favor with Commissioner Eagan abstaining in that she is on the Board of Directors of the First National Bank of St. Mary's.**

**6) Grant Documents**

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

**a. Women's Services Department of Human Resources Grant**

Contract Modification in an increased amount of \$4,055; Current grant provides funding for 128 clients, and the additional amount will provide funding for ten additional clients.

**Commissioner Jarboe moved, seconded by Commissioner Brugman, to approve and authorize Commissioner Thompson to sign the Grant Modification as presented. Motion carried.**

**b. Letter of Intent to Participate -Department of Social Services Homeless Services Program (receipt of \$500,000 for the Service Linked Program)**

Also Present: Alexis Zoss, Assistant Director for Services (DSS)

In response to an inquiry from Commissioner Eagan at last week's meeting, Ms. Zoss explained that a portion of the grant funding will be used toward the Three Oaks Homeless Shelter.

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

**PROCLAMATIONS**

The Commissioners presented the following proclamations:

**Public Health Week**

Designating the Week of April 1 - 7, 1996 as Public Health Week in St. Mary's County.

**Fair Housing Month**

Designating the Month of April as Fair Housing Month in St. Mary's County.

**COMMUNITY HEALTH ADVISORY COMMITTEE  
ANNUAL REPORT**

Present: Dr. William Marek, St. Mary's Health Department  
Mary Lee Harless, "  
Rev. Rona Harding, Member

The referenced individuals appeared before the Commissioners to present the Community Health Advisory Committee's Annual Report for 1995. The Report included the group's purpose, which is to determine health needs of the county and to solve them and to serve as the County's Local Health Planning Agency and make recommendations to the Commissioners; Ms. activities of 1995; problems and challenges encountered; and plans for the future.

During the presentation Ms. Harless advised that the Committee has been working on three areas as discussed with the Commissioners at last year's presentation: Infant Mortality (report will be submitted to Commissioner by end of this calendar year); Stroke (initiated study); and Traffic Safety (reported to be submitted to Commissioners by end of the month).

One of the responsibilities of the Community Health Advisory Committee is the review of Certificates of Need, and Ms. Harless explained that the Committee had presentations from Hospice of St. Mary's and VNA Hospice regarding VNA's application. The Committee submitted recommendations to the Commissioners. Dr. Marek pointed out the importance of local input on CON applications and requested the Commissioners submit comments to the Maryland Health Resource Planning Commission.

A copy of the report is on file in the Commissioners' Office.

### **METROPOLITAN COMMISSION ANNUAL REPORT**

Present: Larry Petty, Director  
Steve King, Deputy Director  
Valentino Johnson, MetComm  
Elizabeth Woodard, "

The referenced individuals appeared before the Commissioners to present the Metropolitan Commission's Annual Report for 1995. Mr. Petty explained the capital projects process and funding and fee issues; reviewed three specific projects (Wicomico Shores, Route 235/Hollywood, and Compton Area Sewer Extension).

A copy of the report is on file in the Commissioners' Office.

### **ETHICS COMMISSION ANNUAL REPORT**

Present: Michael Gardiner, Vice-Chair  
Charles Walsh, Member

The referenced individuals appeared before the Commissioners to present the Ethics Commission's Annual Report for 1995. reviewed the group's membership, activities during 1995, and concerns of the Commission. During the presentation Mr. Gardiner explained the complaint process to the Commissioners advising that if a formal complaint is received, the subject of the complaint is notified.

A copy of the report is on file in the Commissioners' Office.

### **ST. MARY'S WOMEN'S CENTER ANNUAL REPORT**

Present: Sue Borneman, Executive Director  
Carol Marcy, President  
Fay Evans  
Kathy Rodman

The referenced individuals appeared before the Commissioners to present the St. Mary's Women's Center's Annual Report for 1995. Ms. Borneman reviewed the Center's successes (including Pro Prosecution Training and Task Force on Domestic Violence; representation at the state level on various groups); and problems encountered (including loss of staff and issues of salary, rent, benefits)

A copy of the report is on file in the Commissioners' Office.

## OFFICE OF COMMUNITY SERVICES

Present: Cynthia Brown, Director

### Departmental Update

Ms. Brown appeared before the Commissioners to provide a synopsis on the functions of the Office of Community Services and the various components of OCS (including staff and administrative support to a number of boards and the Alliance for Alcohol/Drug Abuse Prevention and explained the grant funds that have been received by her department from DHMH. Activities and Programs include Volunteer Resource Service; Community Services Directory; Students Against Drunk Driving; St. Mary's Interagency for Children; Child Welfare Day; Wellness Committee; Tomorrow's Child; and Summer Camps.

A copy of the report is on file in the Commissioners' Office.

### ADA Demonstration ATOD Prevention Grant Application "God Don't Make No Junk"

Also Present: Joe Dick, Director, Alliance  
Joe Donick, Alliance Coordinator

Ms. Brown presented the referenced Grant Application from the Alcohol and Drug Abuse Administration for a demonstration grant opportunity in the amount of \$125,000 for a community based ATOD Prevention Program for three to five year old children. Mr. Dick explained that three counties in this region will be competing for this grant, and if received, will be used to build on the Summer of Safety Arts Camps.

**After discussion Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Prevention Grant Application. Four Commissioners voted in favor with Commissioner Chesser abstaining stating that he will be on the committee evaluating the applications.**

## SHERIFF'S DEPARTMENT GRANT RENEWAL DOCUMENTS

Present: Sheriff Richard Voorhaar  
Barbara Dotson, Fiscal Analyst  
Robin Guyther, Town Manager

The referenced representatives of the Sheriffs' Department appeared before the Commissioners to present the following grant documents for the Commissioners' approval:

### Town Watch Community Policing

Continuation Grant in the amount of \$49,589 (75% federal; 25% local, which is provided by the Town of Leonardtown). Funding will be used to provide a full-time deputy to Leonardtown to work with citizens in preventing and controlling crime.

During discussion of the grant application, Mr. Guyther indicated that the Town will be voting on its participation in the grant on April 8.

### Operation Community Watch - Lexington Park

Continuation Grant in the amount of \$54,734 (75% federal; 25% local). Funding will be used to assign two deputies full time to Lexington Park to assess the crime and drug abuse problems and to heighten monitoring and enforcement of individuals involved in drug trafficking.

During discussion of the application Commissioner Eagan inquired as to the officer's participation in helping to make arrests in the area requested arrest records. Sheriff Voorhaar explained that although the officers do assist when needed, their prime responsibility is crime prevention.

**After discussion Commissioner Eagan moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign the Town Watch Community Policing Grant Application, contingent upon approval by the Town of Leonardtown, as well as the Operation Community Watch - Lexington Park Grant Application. Motion carried.**

**DEPARTMENT OF RECREATION AND PARKS  
FISCAL YEAR 1997 BUDGET ISSUES**

Present: Phil Rollins, Director  
Art Shepherd, R & P  
Hal Bishop, R & P Board

Mr. Rollins appeared before the Commissioners to address several Recreation and Parks Fiscal Year 1997 budget issues:

**Athletic Field/Boat Ramp User Fee Proposal**

To implement a \$3 per person fee for the 5,000 youth and adult league registrants to offset park maintenance of the athletic fields

The Commissioners explained that \$16,000 was added to the FY '97 Recommended Budget so that fees would not be charged at the various fields. This includes elimination of the user fee at the Chancellors run Regional park for day games (a \$5 per game fee for soccer and \$10 per game for baseball/softball had been charged). An additional \$40,000 was included in the budget for needed safety improvements to the fields.

Other areas of discussion included;

- That users of lighted athletic fields in the evening would be charged a fee to use the lights
- That the Willows Road property lease with the Navy be expedited and the fact that design and development of the Willows property be moved from FY '99 to FY '97.

(Mr. Rollins will return with a plan of action for athletic field improvements and maintenance.)

**Capital Budget Request/Outdoor Pool**

Requested direction regarding \$200,000 in Program Open Space funds and Money in Lieu of Land Funds in the FY '97 Capital Budget as the request for an outdoor pool has been deferred. (Mr. Rollins will return at a later date with recommendations.)

**Hollywood Elementary School - Before and After Child Care Program**

Trailer needed for referenced program because of loss of classroom space. Mr. Rollins indicated that lease/purchase would be the best option and that the funds be taken from the Enterprise fund as a loan. The Program is fee supported. ( Mr. Rollins will return at a later date to discuss this further)

**WICOMICO GOLF COURSE  
OPERATIONS AUDIT REPORT**

Present: Dick Chamberlain, Auditor, Reznick, Fedder & Silverman  
Aleck Loker, County Administrator  
Phil Rollins, Director, Recreation and Parks

County Administrator Loker presented an Information Release relative to the release of a recently completed audit of the St. Mary's County Wicomico Shores Golf Course and requested authority to distribute the Release. In addition Mr. Loker noted that the audit report has been prepared in two versions--a confidential version which contains financial information regarding the golf course manager, and an edited version which deletes this information and can be release to the public.

The Commissioners gave their concurrence to distributed the Information Release and the edited version of the Audit Report.

Mr. Loker explained that because of allegations of mismanagement at the golf course, an internal review was conducted which resulted in two changes: posting signs regarding prohibiting alcoholic beverages being brought on premises; and posting of sign indicating that the pro shop is the sole proprietorship of the manage and not a county operation. He further advised that other actions included: plans to compete golf course and related facilities; request for independent operation audit; and suspending prior practice of allowing free play by employees.

At this time Mr. Chamberlain reviewed his findings and recommendations in accordance with agreed-upon procedures regarding the operation of the Wicomico Golf and Recreation Complex. The report indicated that the procedures in the Operating Manual for the golf course have been followed with certain exceptions (including season passes; sign-in procedures). The report addressed the issue of lost revenues because of free play to certain county employees and guests, no charge for greens fees during tournaments, and waiver of cart fees to certain individuals. Also addressed in the report were the golf manager's contract and liquor license.

In conclusion after thorough discussion the Commissioners gave the following direction:

- That Mr. Rollins and the Wicomico Advisory Committee review the audit findings and return to the Commissioners with additional findings of their own and recommendations for improving the operation of the golf course and for addressing the issues contained in the audit.
- That Mr. Rollins arrange for a professional appraisal of the golf course property to determine its value prior to making a decision on whether or not to sell the property.
- That Mr. Rollins and the Advisory Committee proceed in developing a Request for Proposals and for privatization of the golf course complex.

Once this information is presented and the Commissioners briefed , the Commissioners will make a decision on how to proceed.

**FAST TRACK APPLICATION  
CHRYSLER CORPORATION**

Present: Jon Grimm, Director, Department of Planning and Zoning  
John Norris, NGO Engineering  
Tom Scholes , Area Manager, Chrysler Realty  
Leonard Ucinski, “

As a follow up to last week's discussion, the following individuals appeared before the Commissioners to discuss the Fast Track Application for Chrysler Corporation.

Mr. Norris reviewed the plat of the property pointing out the location of the building, a 17,000+ square foot structure located on Route 235 adjacent to the Two-Spot Club in Lexington Park., the 75-foot buffer zone and the parking area. Chrysler intends to establish a Chrysler/Jeep/Eagle/Dodge dealership (new and used cars) at the location, and will lease it to a minority business. The construction will be completed by February 1997 with opening in March. He further pointed out that Chrysler, which has met the criteria for a fast track, would submit a full site plan to DPZ by May 10.

Mr. Grimm indicated that if the Commissioners approve the fast track that he would need authorization for compensatory time in order not to delay other projects.

After discussion regarding the timing of the project, an agreement regarding SHA's right-of-way for Route 235 expansion, the benefits the project would bring to the County, and assurances that other projects would not be delayed, **Commissioner Eagan moved, seconded by Commissioner Brugman, to approve the Fast Track Application for Chrysler as requested. Motion carried.**

## **COUNTY COMMISSIONERS' TIME**

### **Substitute Teacher Days**

Commissioner Brugman requested information as to the number of substitute teacher days used last fiscal year and year-to-date.

### **Letter of Appreciation - Charles County**

Commissioner Chesser suggested that a letter of appreciation be forwarded to the Charles County Commissioners for the assistance the Charles County Sheriff's Department provided during a recent police situation.

### **Fiscal Year 1997 Recommended Budget**

Commissioner Eagan referred to the FY '97 Recommended Budget pointing out that when the motion was made, three Commissioners signed the budget; however, she wanted to make public the fact that after seeing a copy of the signature page now there were now five Commissioners' signatures.

### **Parcel of Record**

Also Present: Doug Durkin, County Attorney

Commissioner Jarboe stated that he has had some reservations concerning HB 1331 regarding the parcel of record issue in that he has learned additional information about this issue and the fact that there are 4,000 illegal lots involved. He was concerned about how to make the attorneys involved responsible.

County Attorney Durkin pointed out that the County was only entitled to file penalty action which is limited to \$1,000.

Lengthy discussion ensued regarding a number of issues involving the parcel of record including House Bill 1331, settlement offers/negotiations, enforcement, and possible amendment to the Zoning Ordinance.

**7:00 P.M.**

## **PUBLIC FORUM**

The Commissioners conducted the regular monthly public forum accepting comments and questions from the audience.



**Ed Bergin** - Expressed concerns regarding operations and management of the Wicomico Golf Course; questioned the audit that was presented to the Commissioners earlier in the meeting; and questioned the wisdom of having the Wicomico Advisory Board involved in development recommendations.

**Vaughn McCall** - Expressed concern over the Commissioners' decision to reduce the property tax rate to \$2.11 in light of the anticipated expansion of NAWC as well as the need for additional police.

**Dennis Ramey** - Expressed concern over reduction in tax rate and that he felt that the County is developing a reputation of not developing needed infrastructures (schools, roads, other services) for the anticipated expansion of NAWC.

**Emily Jackson** - Expressed concern about funding for public schools and that the Commissioners need to show new families that education is important. (The Commissioners responded that the Board of Education budget was fully funded (including step increases) with the exception of Cost of Living increases and that funding to the Bd/Ed in the FY '97 Recommended Budget is 7% over FY '96.

**Larry Pinto** - Expressed support for the Lexington Park - Tulagi Place Master Plan and recommended that the Commissioners approve the concept of having regulatory control in Lexington Park.

**Walter Burch** - Reiterated his concerns about the proliferation of signs throughout the County and specifically referred to relator/developer/builder signs, stating they were illegal and should not be posted without property owner's permission.

**Pat White** - Expressed concern at the Commissioners setting tax rate at the constant yield rate and then asking the State for additional funds for infrastructure. (Commissioner Eagan explained that the FY '97 Recommended Budget is at the same amount proposed at the \$2.13 rate as it is for the \$2.11 rate, stating that the Commissioners used other fees instead (accommodations tax, increase in admissions/amusement tax, and increase in the 911 fee for acquisition of a specific piece of equipment)

**Beverly Hargraves** - Expressed concern about the FY '97 budget, specifically the Board of Education portion, stating that the Commissioners should be willing to pay for things that are important and that teachers should get COLA's. (Commissioner Thompson responded that the Teachers negotiate for their salaries and decisions are made whether funds are available or not.)

**Ed Bergin** - Suggested that the County develop a plan for getting additional dollars in anticipation of future growth. (Commissioner Thompson responded that the Director of Finance is looking into this.)

**Greg Roberts** - Expressed concern about operations at Wicomico Golf Course, particularly the tournaments (how prizes are awarded) and the allowing of free play. (Commissioner Thompson advised that the audit report indicated that receipts matched with the play sheets and that free play has been discontinued.)

**Don O'Neal** - Advised the Commissioners of a major flooding problem on Flat Iron Road, stating it is being caused by all the new development on the road and that the road should be improved.

**Larry Pinto** - Suggested that Notices of Public Hearings from the Department of Planning and Zoning give specific locations of the properties rather than just the tax maps identifications.

**Daphne McGuire** - Expressed concern that the Commissioners reduced the property tax rate to the constant yield particularly in light of needs in the public school system. She further inquired whether the Commissioners were going to start charging a fee at the transfer station. (Commissioner Thompson indicated that this was an issue that the Commissioners to resolve.)

**Terry Miller** - Stated he was opposed to paying additional taxes for federally mandated programs and that he believed the BRA decision to expand NAWC was a federal mandate.

**John Cummings** - Read an article by Charley Reese entitled *We the people are the problem* (regarding government spending and people demanding government spending for their communities).

**Minnie Russell** - Stated she was opposed to paying for disposal of trash; inquired as to the number of people on fixed incomes; and that the list of inventory of public water access was not complete stating that the County did not need any more access. in that there were many other accesses that people try to hide.

#### **ADJOURNMENT**

The meeting adjourned at 9:15 p.m.

Minutes Approved on April 9, 1996  
by Board of St. Mary's County Commissioners

Judith A. Spalding  
Recording Secretary