

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
APRIL 23, 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 11:00 a.m.

EXECUTIVE SESSIONS

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

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

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
 Jim Haley, Procurement Officer
 Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)8
Time Held: 11:04 a.m. to 11:40 p.m.

Action Taken: The County Attorney brought the Commissioners up to date relative to the referenced legal matter.

Personnel

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: 11:40 a.m. to 12:05 p.m.

Action Taken: The Commissioners discussed appointment to a board and directed staff to prepare appropriate letter of appointment for presentation at next week's meeting. The appointment process was also discussed.

FOLLOW UP TO EXECUTIVE SESSION

The Skydiving Center

Commissioner Brugman moved, seconded by Commissioner Chesser, to direct County staff to proceed as discussed in Executive Session. Motion carried.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve the minutes of Tuesday, April 16, 1996 as corrected. Motion carried.

APPROVAL OF BILLS

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

ADDITIONS/DELETIONS TO AGENDA

Commissioner Jarboe moved, seconded by Commissioner Chesser, to accept the today's meeting agenda as presented. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Aleck Loker, County Administrator

1) Correspondence

- a. To Comptroller Goldstein with expression of sympathy on the loss of his wife
- b. To Chair of Ethics Commission regarding appointments to Ethics Commission
- c. To Director, Department of Social Services regarding transportation schedule.
- d. To Eleanor Uglow regarding needed clean up along the roads in Ridge.

Commissioner Eagan moved, seconded by Commissioner Chesser, to approve and sign letters (a) through (d) as presented. Motion carried.

- e. To Maryland Health Resources Planning Commission regarding Certificate of Need Application of VNA Hospice of Maryland.

Mr. Loker referred to the recommendation by the Health Advisory Committee's report which outlined its finds of fact and conclusions of law and recommended withdrawing the letter until the County Attorney had an opportunity to review it.

The Commissioners gave their concurrence.

- f. To Economic Development Commission regarding proposed Chrysler Dealership in Lexington Park.
- g. To Scheible's Fishing Center regarding proposed accommodations tax
- h. To Maryland Hotel and Motel Association regarding proposed accommodations tax.
- i. To Everett Cooper, Jr. regarding Wicomico Shores Golf and Recreation Complex.

Commissioner Jarboe moved, seconded by Commissioner Eagan, to sign and forward letters (f) through (i). Motion carried.

j. To William J. Taylor expressing congratulations on his achievement of Eagle Scout

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

k. (1) To three individuals regarding the board of education budget.

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

(2) To individuals regarding tax rate and board of education budget.

Commissioner Eagan moved, seconded by Commissioner Jarboe, to sign and forward the letters as presented. Motion carried three to two with Commissioners Thompson and Chesser voting against.

**2) Child Support Enforcement Cooperative Reimbursement Agreement
State's Attorney's Office**

On behalf of the State's Attorney's Office, the County Administrator presented the referenced Child Support Enforcement Cooperative Reimbursement Agreement to be submitted to the Department in the total amount of \$227,907. The Agreement will be effective from July 1, 1996 and June 30, 1997.

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

**3) Budget Amendment No. 96-46
Public Works**

Also Present: Steve Welkos, Director of Finance

The County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Finance with the following justification: (Wicomico Shores Road Special Taxing District (\$10,500)).

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

**4) Information Release
Municipal Infractions**

The County Administrator presented the referenced Information Release regarding an accord reached by the Board of County Commissioners, Judge Raley, and the State's Attorney on the handling of municipal infractions.

Commissioner Brugman requested an addition thanking State's Attorney Dorsey for his support in these effort.

The Commissioners agreed with the amendment and concurred in the distribution of the Release after it is amended.

5) Semi-Annual Tax Payment (Rate of Interest)

Also Present: Jan Norris, County Treasurer
Steve Welkos, Director of Finance
Doug Durkin, County Attorney

The referenced individuals appeared before the Commissioners to request approval to proceed to public hearing on setting of the semi-annual tax payment rate. Senate Bill 93 provides local

residential property owners the option of paying property taxes on a semiannual basis beginning with tax year 1996/1997 and those electing to pay taxes under this method are required to pay a service charge with the second installment.

Mr. Welkos and Ms. Norris recommended that a service charge of 5.5% which was based on an assumed interest earning loss of 5% and an administrative fee of .5%. This fee will be evaluated at the end of the first year to determine whether to adjust it downward or upward.

During discussion the County Attorney advised that he would prepare the appropriate draft Ordinance establishing the Semi-Annual Tax Payment including the service charge.

After discussion Ms. Norris advised that because of a June 1 deadline for submitting the County's Reimbursement Form and Letter of Certification, a tentative date of May 7 has been set for the public hearing, pending approval by the Commissioners.

Commissioner Chesser moved, seconded by Commissioner Jarboe, to authorize proceeding with the public hearing as recommended. Motion carried.

6) **Health Benefit Plan Discussion**

The County Administrator suggested that the Commissioners add discussion of the County's Health Benefit Plan for Thursday, April 25.

The Commissioners gave their concurrence.

7) **Animal Control Services - Request for Proposals**

Present: Sue Wilkinson, Administrative Officer
Paul Wible, Director, Emergency Management Agency
Phil Cooper, Deputy Director, “

As a follow up to previous discussions, the referenced individuals appeared before the Commissioners to present the revised draft Request for Proposals for animal control and shelter services in St. Mary's County. The proposals will provide information on the total costs for providing services necessary to maintain all functions related to the operation of animal control and shelter programs and may comprise either of the following options: (A) Animal Shelter; (B) Animal Warden; or (C) Animal Control and Shelter Combination. Once the proposals are received the Commissioners would determine what option to take, if any.

After discussion, Commissioner Jarboe moved, seconded by Commissioner Brugman, to proceed with the RFP as presented, pending review and approval by the County Attorney. Motion carried with four Commissioners voting in favor and Commissioner Eagan abstaining because of possible conflict of interest.

Because the County will also be writing and submitting a proposal Commissioner Thompson requested that the number of staff hours involved in this project be recorded.

PROCLAMATION - NATIONAL VOLUNTEER WEEK

Present: Volunteer Representatives from St. Mary's Nursing Center

The Commissioners presented a Proclamation designating April 22 - 27, 1996 as National Volunteer Week in St. Mary's County.

**SHERIFF'S DEPARTMENT
CHILD SUPPORT ENFORCEMENT GRANT RENEWAL**

Present: Sheriff Richard Voorhaar
Barbara Dotson, Fiscal Analyst

The referenced individuals appeared before the Commissioners to present and application for renewal of the Child Support Enforcement Agreement between St. Mary's County Commissioners, the Maryland Department of Human Resources and the St. Mary's County Sheriff in the total amount of \$179,234. The agreement, which is funded 66% federal and 34% local funds, will provide funding for the service of child support summonses and warrants for establishment of paternity and enforcement of child support orders.

Commissioner Chesser moved, seconded by Commissioner Brugman, to authorize commissioner Thompson to sign the Grant Agreement as presented. Motion carried.

**DEPARTMENT OF RECREATION AND PARKS
ATHLETIC FIELD RENOVATION PLAN**

Present: Phil Rollins, Director
Arthur Shepherd, Recreation Division Chief

As previously requested by the Commissioners the referenced appeared before the Board to present a breakdown of costs to make needed improvements to athletic fields at school and park sites throughout the County. The proposal includes projects using the previously allocated \$25,000 (from the County's park impact fee funds and from the Board of Education, as well as the \$40,000 recently added by the Commissioners to the FY '97 Recommended Budget. The improvements include needed safety items (backstops, protective fencing) and improvements to infield surfaces at substandard fields.

After discussion of the particular field improvements, the need for soccer fields, and the costs for the improvements, Commissioner Eagan requested Mr. Rollins to provide the Commissioners with the projects that would have been done with his budget as originally submitted.

During discussion Commissioner Jarboe suggested using profits from the golf course to fund field improvements.

**LIBRARY BOARD OF TRUSTEES
ANNUAL REPORT**

Present: Lynne Redmond, Chair
Mary Ann Chasen
Barbara Conrath
Fred Powledge
Lorrie Wallace
Charles Young
Mary Wood, Chief Librarian

The referenced representatives of the Library Board of Trustees appeared before the Commissioners to present the group's Annual Report for 1995. Ms. Redmond reviewed revenue sources, the group's accomplishments for the past year (materials collection, library operation growth, policies, and community involvement); goals for the coming year; and future challenges.

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

**COMMUNITY COLLEGE BUILDING COMMITTEE
ANNUAL REPORT**

Present: Elizabeth Dufresne, Chair
Gay Boecker
Charlotte Young
Elaine Ryan, Vice-President, Charles County Community College

The referenced representatives of the Community College Building Committee appeared before the Commissioners to present the Community College Building Committee's Annual Report for 1995.

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

**CABLE ADVISORY COMMITTEE
ANNUAL REPORT**

Present: Ray Hanson, Chair

Mr. Hanson appeared before the Commissioners to present the Cable Advisory Committee's Annual Report for 1995. The report included significant activities of the past year (review of complaints, work on public access manual, establishment of a subcommittee) and plans for the current year (continuation of work on public access)

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

**HUMAN RELATIONS COMMISSION
ANNUAL REPORT**

Present: Carletta Cyrus-Parmes, Chair
Cynthia Brown, Director, OCS

The referenced individuals appeared before the Commissioners to present the Human Relations Commission's Annual Report for 1995. The report included the group's purpose; activities of the past year (including close networking with the State Human Relations Commission, Human Awareness Day Breakfast and Awards); problems and plans for the current year.

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

**MENTAL HEALTH, SUBSTANCE ABUSE AND VICTIMS ADVISORY COUNCIL
ANNUAL REPORT**

Present: Alissa Jones, Chair
Larry Harvey
Jean Hoffman
Sue Gelrud
Cynthia Brown, Director, OCS

The referenced individuals appeared before the Commissioners to present the Human Relations Commission's Annual Report for 1995. The report included the group's purpose; significant activities (needs assessment, training and development); problems and challenges (changes in service delivery; funding issues); and plans for the current year.

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

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

(Commissioner Eagan left the meeting at 4:25 p.m. and did not participate in the discussion of items 1 and 2.)

1) Addendum to Public Works Agreement

Mr. Ichniowski presented a Public Works Agreement between Ripple Construction Company and the Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to Richneck Subdivision, Section 2 to May 1, 1997. The Addendum is backed by a Letter of Credit with First National Bank of St. Mary's in the amount of \$55,600.

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

2) Correspondence Calling Letters of Credit

Mr. Ichniowski presented the following correspondence to financial institutions calling letters of credit:

- Entrance Permit #88-1043; Barbara B. Graham, Whitaker Road (\$1,500)
- Grading Permit #91.-24; Summerwood, Section 2 (\$40,000)
- Public Works Agreement; Summerwood, Section 2 (\$35,000)
- Public Works Agreement; Maple Run, Section 4 (\$15,000)

Commissioner Jarboe moved, seconded by Commissioner Chesser, to authorize Commissioner Thompson to sign the correspondence, to be forwarded if necessary. Motion carried with all Commissioners present voting in favor.

(Commissioner Eagan returned to the meeting at 4:32 p.m.)

**3) Correspondence to Department of Natural Resources
Shore Erosion Control Program**

As previously discussed Mr. Ichniowski presented correspondence addressed to the Secretary of the Department of Natural Resources regarding DNR's decision to not continue the issuance of loans in support of the shore erosion control programs. The letter emphasized the benefits derived by the County and the citizens through this program, and pointed out the adverse effect the loss of this program would have on current and future projects.

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

4) Maryland Route 235 Location/Design Hearing

Mr. Ichniowski advised that the State Highway Administration will be conducting a public hearing to present the engineering and environmental studies for the proposed improvements on MD Rt.. 235 from MD Rt.. 246 to MD Rt.. 4. The hearing will be held on May 22 at Green Holly School at 7 p.m.

5) Beachville Road

Mr. Ichniowski presented correspondence responding to Clarence Carroll regarding the drainage problem on his property on Beachville Road. The letter indicates that the flooding was not caused by the County and that the primary cause was the drainage area between his property and his neighbor.

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

Commissioner Jarboe moved, seconded by Commissioner Eagan, to amend the letter to include language that the problem is a change of drainage. Motion carried.

COUNTY COMMISSIONERS' TIME

Christmas in April

Commissioner Eagan pointed out that the Christmas in April group had not requested waiver of permits for the day. Staff will get a response on this question.

Proposed Mural for Town of Leonardtown

Commissioner Eagan displayed a sketch from the Town of Leonardtown which is proposed to be painted on the side of the Channel 10 building in Leonardtown. The drawing depicts the Town from the 1900's to the 1950's.

7:00 P.M.

PUBLIC HEARING FISCAL YEAR 1997 RECOMMENDED BUDGET

(Held at Leonardtown High School)

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
Steve Welkos, Director of Finance
Judith A. Spalding, Recorder

The Board of County Commissioners conducted a public hearing on the Board of Education portion of the Fiscal Year 1997 Recommended Budget.

Comments were received from the following individuals:

Kevin Cusic (in support of privatizing plumbing inspections).

David Horstick (in support of privatizing plumbing inspections).

Steve Hall (expressed concerns about adequate staffing at Detention Center and supported the Sheriff's FY '97 Budget request).

Gennifer Miller (In support for acquiring relocatable trailer for Hollywood Elementary School for the Kindergarten Extended Enrichment Program - KEEP)

Ann Hawks (In support of KEEP)

Lavert Queen - (Requested that the Oakley Senior Center remain open)

Leonard Greess (Raised questions concerning FY '95 budget; impact fees; sheriff's department budget; additional positions. Mr. Greess will submit these and additional questions in writing to the Commissioners.)

Sheriff Voorhaar (Concerned that public safety needs are not being met)

Brady Ruby (Commented on free play at Wicomico Golf Course and on sidewalks proposed for Patuxent.

Suzanne Cartwright (Expressed support for Bd/Ed budget, particularly COLA's, importance of field trips and athletics)

Donald O'Neal (Expressed opposition to Accommodations Tax and the number of businesses that would be affected.)

Jennifer Gilman (Expressed support of KEEP)

Joan Marsh (Expressed support of the libraries)

Mike Schwartz (Complimented budget format; Opposed reduction of tax rate to \$2.11; made suggestions for savings: sell golf course, make recycling work, eliminate some higher positions; pointed out need for county animal shelter and that Lexington Park needs a Sheriff's substation)

Gus Eggert (Expressed support for the Naval Air Test and Evaluation Museum)

Cyndy Cartwright (Supported bd/ed budget; that tax rate not be reduced)

Tom Waring (Expressed opposition to Accommodations Tax)

Pat White (Opposed reduction of tax rate; requested reconsideration of COLA's for bd/ed)

Capt. Jamie Raley (supported Sheriff's Dept. Budget)

Royce Miller and Hayne Dominick (Expressed opposition to Amusement Tax)

Mike Kane (Expressed need for soccer practice fields)

Ben Burroughs (Opposed two cent tax rate decrease; supported bd/ed budget; expressed support of county employees; opposed accommodations tax)

Mike Classick (Expressed need for soccer practice fields)

Doug Ritchie (Supported tax rate reduction)

ADJOURNMENT

The meeting adjourned at 9:00 p.m.

Minutes Approved on 4/30/96
by Board of St. Mary's County Commissioners

Judith A. Spalding
Recording Secretary