

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
SEPTEMBER 24, 1996**

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
Sue Wilkinson, Administrative Officer
Judith A. Spalding, Recorder

CALL TO ORDER

The meeting was called to order at 11:55 p.m.

EXECUTIVE SESSIONS

Commissioner Eagan moved, seconded by Commissioner Jarboe, to meet in Executive Session to discuss matters of Personnel/Potential Litigation, as provided for in Article 24, Section 4-210(a)8. Motion carried.

Commissioner Eagan moved, seconded by Commissioner Jarboe, to discuss a matter of Property Acquisition (Myrtle Point), as provided for in Article 24, Section 4-210(a)11. Motion carried.

Property Acquisition (Myrtle Point)

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
Doug Durkin, County Attorney
Phil Rollins, Director, Recreation and Parks
Martin Fairclough, Director, DECD
Judy Pedersen, Information Officer
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)11

Time Held: 12:02 p.m. - 12:58 p.m.

Action Taken: The Commissioners discussed options and agreed to take action in Open Session.

Personnel/Potential Litigation

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
John J. Kachmar Jr. (attended 6:20 p.m. - 7 p.m.)
Doug Durkin, County Attorney
Judy Pedersen, Information Officer
Judith A. Spalding, Recorder

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

Time Held: 12:58 p.m. - 1:50 p.m.
(continued 6:20 p.m. - 7:00 p.m.)

Action Taken: The Commissioners continued discussion on the referenced issue, and gave direction to staff.

FOLLOW UP TO EXECUTIVE SESSION

Commissioner Jarboe moved, seconded by Commissioner Chesser, to authorize staff to proceed with negotiations to acquire the Myrtle Point property as discussed in Executive Session. Motion carried.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Eagan, to approve the minutes of Tuesday, September 17, 1996, as corrected. Motion carried.

APPROVAL OF BILLS

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

ADDITIONS/DELETIONS TO AGENDA

Commissioner Chesser moved, seconded by Commissioner Jarboe, to amend today's agenda as follows: reschedule executive sessions on potential litigation and property acquisition (Wicomico Shores Boat Ramp to 10/1/96; reschedule Municipal Infractions: Prosecuting Attorney to 10/1/96; add Executive Session on Personnel (Department of Public Works); and add to the 9/26/96 agenda a Resolution regarding the hiring of a Health Officer. Motion carried.

HEALTH OFFICER SELECTION PROCESS

Commissioner Thompson presented correspondence from the St. Mary's Community Health Advisory Committee regarding the process for filling the County Health Officer position and advised that the issue will be discussed in executive session and the Resolution establishing the process will be discussed at the Thursday, September 26, 1996 meeting.

CONSENT AGENDA

The Consent Agenda included the following documents:

Correspondence

- a. To Community Leaders inviting them to the Alliance for Alcohol and Drug Abuse Prevention Policy Council meeting scheduled for Tuesday, October 22, 1996.
- b. To Paul Armstrong, SHA, requesting the State to investigate the possibility of a directional sign indicating "Hollywood Business District" for businesses on Mervell Dean Road.
- c. To Paul Armstrong, SHA requesting a review of the shoulders on Route 470 (Oakley Road) to determine whether a "gravel shoulder" sign was needed or whether there was funding available to pave the shoulders.
- d. To Paul Armstrong, SHA, reiterating request for SHA to investigate the need for a signal at the intersection of Maryland Routes 5 and 249.
- e. To Clerk of the Court Evelyn Arnold requesting a calculation of the amount of transfer tax that was not collected during the time the exemption in the County ordinance was not enforced.

Commissioner Chesser moved, seconded by Commissioner Eagan, to approve the Consent Agenda, as presented. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Sue Wilkinson, Administrative Officer

1. **Correspondence**

- a. Letter to Community Development Administration regarding the "On Behalf of Program" and transferring the county's housing revenue bond authority of \$1,418,725 to CDA.

Commissioner Jarboe moved, seconded by Commissioner Chesser, to sign letter to CDA as presented, contingent upon the signature of the County Attorney. Motion carried.

- b. Letter to Bill Mattingly regarding the September 30 informational meeting relative to expansion of St. Mary's Disposal.

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

2. **Budget Amendment No. 97-8
Office on Aging**

Justification: To continue Oakley Center through June - \$16,835

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

3. **Department of Public Works Items**

- a. Public Works Agreement with J. Laurence Millison guaranteeing completion of Wickshire Drive, Kershire Drive, and Briarcliffe Court in Whitehall Subdivision by July 1, 1997 (backed by Letter of Credit with Bank of Maryland in the amount of \$328,000)

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

- b. Addendum to Public Works Agreement extending the deadline for completion of improvements St. Mary's Hangars' T-Hangars at the St. Mary's County Airport. (backed by letter of credit with Calvert Bank and Trust Company in the reduced amount of \$43,625)
- c. Record Plats - Triangle Drive (Land of Burch Outlots 2 through 6)
(follow up to Resolution and Deeds for the Abandonment of Triangle Drive)

Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign Addendum to the Public Works Agreement and the Record Plats for Triangle Drive, as presented. Motion carried.

4. **Grant Documents**

a. **Department of Economic and Community Development**

Agreements for Level II Administration of Maryland Department of Housing and Community Development Special Loan Programs for Fiscal Year 1997: (a) DHCD Special Loan Programs; (b) Local Agency Agreement - "STAR" Federal (HUD) Funded Program.

Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Grant Agreements as presented.

Motion carried.

b. **Office of Community Services/St. Mary's Interagency Children's Committee**

Grant Application for Funding from the Governor's Office for Children and Youth and Families (Interagency Council on Adolescent Pregnancy Grant - \$8,000)

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

c. **Department of Planning and Zoning**

Fiscal Year 1997 Grant Agreement for the Chesapeake Bay Critical Area Program in the amount of \$42,838

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

COMMENDATION - CHARLES W. MANDER

Present: Charles W. Mander

The Board of County Commissioners presented a Commendation to Charles Mander for his 23 years of outstanding service to the County by serving as Attorney to the Board of Appeals.

**EXECUTIVE SESSION
DEPARTMENT OF PUBLIC WORKS**

Commissioner Chesser moved, seconded by Commissioner Eagan, to meet in Executive Session to discuss a matter of Personnel (Department of Public Works), as provided for in Article 24, Section 4-210(a)1. Motion carried.

Personnel (Department of Public Works)

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
Dan Ichniowski, Director, DPW
George Erichsen, Deputy Director, DPW
George Foster, Personnel Officer
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)11

Time Held: 2:30 p.m. - 2:45 p.m.

Action Taken: The Commissioners discussed the referenced personnel matter and agreed to take action in Open Session.

FOLLOW UP TO EXECUTIVE SESSION

Commissioner Jarboe moved, seconded by Commissioner Chesser, to authorize the Personnel Officer to prepare a letter of promotion to an employee in the Department of Public Works from Engineer II, Grade 10, to Engineer III, Step 3. Motion carried.

DEPARTMENT OF LAW

Present: Doug Durkin, County Attorney

St. Mary's County Airport
Aircraft Refinishing Technologies - Request for Expansion

Also Present: James Haley, Procurement Officer
Martin Fairclough, Director, DECD

County Attorney Durkin explained that Aircraft Technologies has requested an expansion at the St. Mary's County Airport as allowed under §13 of ART's lease and seeks to lease the same building and space that Airpark Sales and Service is negotiating for with the County. He pointed that he had indicated to the Commissioners that they need to determine whether ART may proceed with lease negotiations based on the terms of its current lease or to require ART to submit a new application for lease and operating agreement. The Commissioners had requested additional information: Justification for expansion as required by the terms of the lease; Airport Commission's recommendations; costs to the county to build a new facility; and investigation of the possibility of other funding sources; e.g., industrial revenue bonds.

Mr. Haley reported the following:

- * that the Airport Commission reviewed the request and determined that the expansion was a justifiable need and was of the opinion that ART did not have to submit a new "full blown" lease application.
- * that he met with DPW to develop cost estimate for a new building (Mr. Haley provided a handout with a breakdown of costs with a preliminary estimated total of \$609,350.

Mr. Fairclough reported on the following possible funding sources for a new facility:

- * a state program where 100% could be financed at low interest rate for building and infrastructure;
- * Community Development Block Grant funding application in the amount of \$800,000 will be submitted in November and that this activity could be eligible for a portion of those funds.
- * the project is not large enough for tax-exempt industrial revenue bonds.

In conclusion the County Attorney recommended the Commissioners make a decision on which route to go with ART (allow it to proceed with negotiations under the terms of the current lease or require it to provide an application for a new lease and operating agreement.

Commissioner Eagan moved, seconded by Commissioner Brugman, to accept the Airport Commission's recommendation to allow ART to proceed with negotiations under the terms of its current lease. Motion carried.

County Attorney Durkin indicated to the Commissioners there were three options for ART:

- * Land Lease Only (county would provide building)
- * Compete for existing space with Airpark Sales and Service
- * Combination of both.

Commissioner Eagan moved, seconded by Commissioner Chesser, to direct staff to pursue both options either land lease or present space.

Commissioner Brugman moved, seconded by Commissioner Chesser, to amend the main motion to develop recommendations for various options after which time the Commissioners will make a decision. Motion carried.

Vote on the amended main motion was unanimous.

PRB Associates
(Ground Lease vs. Sale)

As a follow up to a request by the Commissioners at the July 23, 1996 public hearing, the County Attorney presented advantages and disadvantages of a ground lease versus sale of the 4.23 acres upon which PRB has constructed a parking lot and stormwater management pond.

After review of the advantages/disadvantages, County Attorney Durkin advised that Article 25, §11A requires a public hearing for the disposal of public property and indicated that the Commissioners need to determine whether to go forward with a ground lease or sale of the property and whether to have the hearing in front of or in back of the negotiation process.

Commissioner Eagan moved, seconded by Commissioner Chesser, that for the purpose of selling government property that the Commissioners have a public hearing at the back end of the process. Motion failed 0 to 5 with all Commissioners voting against.

The Commissioners requested the County Attorney to prepare a policy statement for the issue of ground lease versus sale of property to PRB as well as motion for consideration at next week's meeting.

JOINT MEETING
BOARD OF COUNTY COMMISSIONERS/BOARD OF EDUCATION

Present: Julie Randall, President, Board of Education
Robert Kirkley, Board Member
John Roth, "
Fred Wallace, "
Pat Richardson, Acting Superintendent of Schools
Salvatore Raspa, Acting Associate Superintendent
Brad Clements, Supervisor, School Facilities
Elaine Kramer, Director, Budget and Finance, Public Schools
Dan Ichniowski, Director, DPW
Steve Welkos, St. Mary's County Director of Finance

The Board of County Commissioners and the Board of Education met to discuss the following issues:

Old Hollywood Elementary School

Mr. Clements briefed the Commissioners on the use of the old Hollywood Elementary School as office space by public schools and pointed out that issues that are being addressed including access to the rear of the building for parking requiring an easement from neighboring properties; space requirements (public schools would use two facilities--Hollywood and Loveville--as opposed to the current four); costs estimates for addition to the building; and storage needs.

Mr. Ichniowski indicated there were three options for which he would provide more detailed information:

- * capital budget for a new administrative facility (40,000 s.f./\$4M)
- * Renovations of the Old Hollywood Elementary School
- * Renovation to Building No. 4 (the current facility at the Governmental Center)

School Enrollment

Dr. Raspa provided public school enrollment figures as of September 13, 1996. Enroll was project to be 14,747; however, 14,182 have been registered. He pointed out to the Commissioners

that additional enrollment as a result of transfers from Warminster to Patuxent River will occur throughout the school year. Areas of discussion included: official enrollment statistics provided to the state (September 30 is the deadline); number of teachers approved/hired to accommodate growth; school enrollments for parochial schools, Calvert County and Charles County; and Impact Aid.

School Construction Projects

Mr. Clements reviewed the status of the following projects: Great Mills High School Addition/Renovation which is scheduled to be completed fall of 1997; Piney Point Elementary School Addition/Renovation; and Chopticon High School Addition/Renovation.

Capital Improvements Program (FY 1998 - FY 2003)

Mr. Clements advised that he met with the Planning Commission on the School Facilities Master Plan which included the FY '98 capital requests and the Planning Commission has given approval. He reviewed the capital improvement projects for FY '98 in priority order, total project costs, state funds requested and local contributions to be requested for the projects.

In closing Ms. Randall expressed appreciation for the opportunity to meet with the Commissioners, commended the Board for being pro education; expressed an interest in continuing the dialogue between the two boards, and recommended that the joint meetings continue when the new elected school board takes office.

EXECUTIVE SESSIONS

Commissioner Eagan moved, seconded by Commissioner Brugman, to meet in Executive Session to discuss a matter of Personnel (Health Officer), as provided for in Article 24, Section 4-210(a)1. Motion carried.

Commissioner Eagan moved, seconded by Commissioner Jarboe, to discuss a matter of Personnel (Consideration of Appointments to Boards, Committees, Commissions), as provided for in Article 24, Section 4-210(a)1. Motion carried.

Personnel (Health Officer)

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
John J. Kachmar Jr., County Administrator (entered meeting at 5:55 p.m.)
George Foster, Personnel Officer
Judith A. Spalding, Recorder

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

Time Held: 5:34 p.m. - 6:00 p.m.

Action Taken: The Commissioners discussed filling of the interim Health Officer and agreed to take action in open session.

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
John J. Kachmar, Jr., County Administrator
Judith A. Spalding, Recorder

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

Time Held: 6:20 p.m. - 7:00 p.m.

Action Taken: The Commissioners reviewed the current status sheet, made nominations, and gave direction to staff.

(The Commissioners continued an Executive Session to discuss a matter of Personnel/Potential Litigation from 6:20 p.m. to 7 p.m. Authorization and other required information for the executive session is noted during the early portion of the meeting.)

7:00 P. M.

**PUBLIC MEETING
PROPOSED 1997 LEGISLATIVE PACKAGE**

The Commissioners conducted a public meeting to review the proposed 1997 Legislative Package, to receive comments on the package, and to receive any additional items to be included.

Portable Pagers on School Property

Prior to the review of the County's Legislative Package the Commissioners accepted comments from Ms. Jan Hermsen in support of the proposal by St. Mary's Public Schools to amend legislation regarding the possession of portable pagers on school property. The proposal adds an exemption that "students whose portable pagers are contained in vehicles that are lawfully on public school property and are not found to be connected with criminal activity." Ms. Hermsen reported on a personal incident involving her daughter and requested support by the Commissioners for this proposed legislation.

Review of 1997 Proposed Legislative Package

The Package has been divided into two categories--those received from county staff and committees--and those received from the public. The items are as follows (and includes some of the comments received):

Items Submitted by County Departments/Agencies/Boards

1. **Charles County Community College (Board of Directors)**
To provide for representatives from St. Mary's and Calvert Counties
(Submitted by Board for Community College at St. Mary's)
2. **Public Facilities Bond**
To request additional authorization for the issuance of General Obligation Bonds in an amount not to exceed \$10,000,000 for future Capital Projects
(Submitted by Director of Finance)

(Vernon Gray questioned debt service that would be added to the County and debt service payments per year.)

3. **Parcel of Record - Curative Act**

To resolve subdivision problems in St. Mary's County created during period beginning June 1, 1974 and ending December 1, 1985 in critical areas and August 1, 1990 in remainder of County.

(Submitted by County Attorney)

Jack Witten (PRA), Millicent Witten, Vernon Gray (ACT) expressed opposition to the proposal.

4. **Parcel of Record - Prevention of Future Violations**

To prevent future violations of subdivision laws.

(Submitted by County Attorney)

Doug Ritchie inquired whether the legislation would find all lots and put them on the tax rolls. County Attorney Durkin responded that it would provide that if illegal subdivisions created by deed are discovered without an existing tax id number, DPZ would be notified.

5. **Enforcement of Local Ordinances**

To provide housekeeping amendment designed to establish one consistent method for enforcement of local ordinances as municipal infractions

(Submitted by County Attorney)

6. **Enabling Legislation for Subdivision Regulations**

To provide consistency between Article 66B of the Annotated Code of Maryland and the Code of Public Local Laws of St. Mary's regarding Subdivision Regulations.

(Submitted by County Attorney)

7. **Subdivision Plat and site Plan Approval - Authority Delegation**

To provide authorization for delegation of administrative and ministerial subdivision and site plan duties from Planning Commission to Zoning Administrator.

(Submitted by County Attorney)

8. **Road Opening/Closing/Realignment Procedures**

To provide simplification and clarification for hearing and other procedural requirements for road openings, closures and realignments.

(Submitted by County Attorney)

9. **St. Mary's County Open Meetings Law - Ethics Commission**

To provide consistency between Ethics Ordinance confidentiality provisions and restrictions of Open Meetings Act.

(Submitted by County Attorney)

Senator Dyson expressed opposition to repealing the County's Open Meetings Law.

John Baggett advised that the Ethics Commission wanted to resolve the conflict between the Open Meetings Law and the Ethics Ordinance while maintaining confidentiality when necessary.

Vernon Gray (ACT) expressed opposition to Option D (repeal of Open Meetings Law)

10. **County Nursing Homes**

To provide a curative act to repeal and replace statute which creates defective and problematic organization for local government nursing homes.

(Submitted by County Attorney)

Rose Slade, former member of the Nursing Center Board suggested that the Commissioners codify the current practice of the Board of County Commissioners appointing the NC Board.

11. **Grant and Project Review**
To provide housekeeping legislation to remove outdated statute not currently followed regarding submission of grant and loan applications to Tri-County Council for review.
(Submitted by County Attorney)

12. **County and State Agricultural Program (Tax Credit)**
To give St. Mary's County authority to offer a tax credit on real property that is subject to the county and state agriculture program.
(Submitted by Agricultural Land Preservation Advisory Board)

Donna Sasscer, Agriculture Seafood Specialist advised that surveys were distributed to 650 landowners and there were 114 responses. The estimated fiscal impact of the program would be \$126,970.

Doug Ritchie referred to the circuit breaker (tax credit against property taxes for homesite).

13. **Personal Property Tax**
To eliminate the requirement for a personal property tax.
(Submitted by Commissioner Lawrence D. Jarboe)

Larry Pinto questioned exemptions to non-incorporated business rather than corporate businesses which would be discriminatory. (Commissioner Jarboe stated that this should be taken in small steps and that corporated businesses could be addressed later.)

14. **Metropolitan Commission - Connection Charges for Upgrade/Improvements**
To clarify language to expand the use of the Connection Charge to include the funding of facilities upgrade or improvements.

(Submitted by MetComm)

15. **Metropolitan Commission - Water/Sewer Connections**
To clarify language regarding delivery of water/sewer services to abutting property owners for which a water or sewer connection has been provided.
(Submitted by MetComm)

16. **Metropolitan Commission - Benefit Assessment Charges for Upgrades**
To provide for benefit assessment charges to recover expenditures for system upgrades.
(Submitted by MetComm)

Robert Thompson stated that improvements and upgrades benefits which improves the quality of the sewage processing plant everyone benefits not just those that are hooked up to the system.

Aubrey Mumford stated that this was declined in Prince George's County that it had to be paid for by everyone not just new residents.

17. **Metropolitan Commission - Benefit Assessment Charges (common properties)**
To clarify benefit charge language regarding assessments of lots as a common property
(Submitted by MetComm)

18. **Crab Bank Traps (Air Space in Traps)**
To amend COMAR language to provide that the minimum surface of the crab trap area exposed above water be five square feet.
(Submitted by Commission on the Environment)

(Discussion also included Item #1 of the Public Submissions - Ban of Crab Traps submitted by Ken Hastings. Keith McGuire, George Springer, Joan Springer, Chris Worsh, and Ted Birch spoke in support of the ban.)

19. **Crab Bank Traps (Frequency of Catch)**
To amend COMAR language to provide that each bank trap will be checked every 48 hours or less and all captured crabs and by-catch removed or released.
(Submitted by Commission on the Environment)
20. **Ban of Multi-Ply Gill Nets**
To amend COMAR to ban the use of multi-ply gill nets and monofilament gill nets.
(Submitted by Commission on the Environment)
- Aubrey Mumford expressed concern to safety of small boats because of these lines.
21. **Alcoholic Beverage License (Temporary Beer and Wine License)**
To provide for the issuance of a temporary beer and wine license.
(Submitted by Alcoholic Beverage Board)
22. **Alcoholic Beverage License (Position Title - Board Administrator)**
To change the statute to reflect the correct title from "Clerk" to "Board Administrator."
(Submitted by Alcoholic Beverage Board)
23. **Micro-Breweries**
To include St. Mary's County among those jurisdictions in which Class 6 pub-brewery and Class 7 micro-breweries licenses may be issued.
(Submitted by Delegate John F. Wood, Jr.)

Senator Dyson indicated that this should not occur without a public hearing in the County.

Delegate O'Donnell indicated that micro breweries represented a substantial investment in economic development for the community.

Robert Thompson referred to a successful micro brewery in Rhode Island and spoke in support of the legislator

ITEMS SUBMITTED BY PUBLIC

1. **Ban of Crab Bank Traps**
To amend COMAR to include language to ban crab bank traps
(Submitted by Ken Hastings)

(previously addressed under Item #18 above)
2. **Health Department Permits**
To require health department permit for all commercially operated, solid waste disposal, processing, transfer and/or recycling facilities
(Submitted by Alliance for Concerned Taxpayers)
3. **Open Meetings Law (Acquisition/Disposition of Property)**
To require the County Commissioners, upon completion of deliberations in executive sessions pertaining to the acquisition/disposition of real property, to conduct a public hearing on the subject property prior to taking final action.
(Submitted by Alliance for Concerned Taxpayers)
4. **Legislative Proposals/Open Meetings Act**
To provide for the people of St. Mary's County to be informed of and to comment on legislation proposed by local government and requiring each legislative bill to have a public hearing.
(Submitted by The Potomac River Association, Inc.)

5. **"Standing" Law - Civil Suits**

To provide legislation to allow citizens and civic organizations "standing" to bring civil suits against county or state entities in matters in which public citizens or civic organizations find themselves at issue with a proposed or completed decision.
(Submitted by Potomac River Association)

Larry Pinto, Walter Burch and John Horton spoke in support of the proposal

6. **Establishment of a People's Counsel and Independent Commission**

To provide for the establishment of a People's Counsel to provide independent services to residential and non-commercial users of public services (cable television, cellular phones, satellite communications, Internet, public roads, water/sewer, solid waste disposal services, environmental regulation and permitting, etc.). To also provide for an Independent Commission to oversee the operation of the People's Counsel Office to establish priorities, audit and make recommendations to the Board of County Commissioners
(Submitted by Potomac River Association)

Betty Robrect, Walter Burch spoke in support of people's counsel

7. **Home-Made Herb Vinegars and Pickled Items (Exemption)**

To exempt small growers from having to follow the same regulations as commercial processes when selling home-made herb vinegars and pickled items.
(Submitted by Kathy York - Scarborough Farm/St. Mary's Farmers' Market)

(Larry Pinto suggested that the process should continue to have health department approval.)

FOLLOW UP TO EXECUTIVE SESSION (PERSONNEL - HEALTH OFFICER)

Commissioner Jarboe moved, seconded by Commissioner Chesser, to direct staff to draft a Memorandum of Understanding between the Board of County Commissioners of St. Mary's County and Board of County Commissioners of Calvert County to shore the services of Dr. David Rogers until a successor for St. Mary's County Health Officer Dr. William Marek is appointed. Motion failed one to three with Commissioners Thompson, Eagan, and Jarboe voting against.

Commissioner Jarboe moved, seconded by Commissioner Chesser, to authorize Commissioner President Thompson to sign the Memorandum of Understanding between the Board of County Commissioners of St. Mary's County and Board of County Commissioners of Calvert County to share the services of Dr. David Rogers until a successor for St. Mary's County Health Officer Dr. William Marek is appointed. Motion carried three to one with Commissioner Eagan voting against.

ADJOURNMENT

The meeting adjourned at 11:50 p.m.

**Minutes Approved by Board of
County Commissioners on 10/1/96**

Judith C. Spalding
Recording Secretary