

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
DECEMBER 10, 1996**

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

CALL TO ORDER

The meeting was called to order at 1:20 p.m.

APPROVAL OF MINUTES

Commissioner Brugman moved, seconded by Commissioner Chesser, to approve the minutes of Tuesday, December 3, 1996; the Department of Planning and Zoning portion of the meeting relative to the Public Hearing on Road Name Petitions and the Shannon Farms Text Amendment Public Hearing of Tuesday, December 3, as presented. Motion carried.

APPROVAL OF BILLS

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

ADDITIONS/DELETIONS TO AGENDA

Commissioner Brugman moved, seconded by Commissioner Jarboe, to amend the agenda to delete an executive session for employment contracts. Motion carried.

Commissioner Eagan moved, seconded by Commissioner Jarboe, to accept the agenda as amended. Motion carried.

CONSENT AGENDA

The Consent Agenda included the following documents:

1. **Correspondence**
 - a. To Chair, Electrical Examiners Board regarding adoption of the 1996 National Electrical Code.
 - b. To William Mehaffey, Mehaffey & Associates regarding revisions to the Comprehensive Land Use Plan
 - c. To Maryland Department of Environment regarding the application by Summitt Hill, Inc. for a proposed road across the swamp south of Oaks-Cooksey Road.

2. **State Clearinghouse Project No. MD960916-0861
St. Clement's Shores Wastewater Treatment Plant Improvements**

(Correspondence to Maryland Office of Planning advising that the project is consistent with the county's plans, programs, and objectives.)

3. **Sewage Sludge Utilization Permit Application
Roderick McNeil (SM-46) Site - MD. Rte. 5**

(Correspondence to Maryland Department of Environment indicating that the County will not exercise its right to request a public informational meeting/hearing on the application.)

Commissioner Jarboe moved, seconded by Commissioner Brugman, to approve the Consent Agenda as submitted.

COUNTY ADMINISTRATOR ITEMS

Present: John J. Kachmar, County Administrator

**1. Budget Amendment
No. 97-24 - County Administrator's Office**

To transfer funds to engage Institute for Governmental Services to study county's boards and commissions - \$3,000

Commissioner Brugman moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign Budget Amendment No. 97-24 as presented. Motion carried.

**2. Piney Point Lighthouse
Bay Access Grant**

Letter to Maryland Department of Natural Resources supporting the \$423,500 Bay Access Grant for Piney Point Public Landing. The grant will be used to pay off a State Waterway Improvement loan used to buy the three-acre Piney Point property in 1992.

Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and sign the letter to DNR as presented. Motion carried.

**5. Boards, Committees, Commissions
a. Letters of Appointment**

Adult Public Guardianship Review Board

Kathleen M. Werner

Terms to Expire

12/31/99

Agriculture/Seafood Commission

Edward R. Baroniak - *Reappointment*

12/31/99

Dan Donnelly - *Reappointment*

12/31/99

J.R. Trossbach - *Reappointment*

12/31/99

Agriculture Preservation Advisory Board

James Neal - *Reappointment*

12/31/2001

Colton Endowment Task Force

Ray Runco

NO TERM

St. Mary's Interagency Children's Committee

Joe Donick

NO TERM

Margaret Gatton

NO TERM

Josh Glaser

NO TERM

Mary J. Hunt - *Reappointment*

12/31/99

Janet Kellam - *Reappointment*

12/31/99

Nancy S. Luginbill - *Reappointment*

12/31/99

Jody Payne

NO TERM

Nancy Sabella

NO TERM

Liesl Stark

NO TERM

Wicomico Recreation Complex

Richard A. Smith

12/31/98/2001

Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and sign the letters of appointment as presented. Motion carried.

b. Letters of Appreciation for Service

(Letters to individuals no longer able to serve on boards or committees)

Commissioner Chesser moved, seconded by Commissioner Jarboe, to sign and forward the letters of appreciation as presented. Motion carried.

c. Bylaws for Teen Center Advisory Board

The County Administrator requested the Commissioners' approval of the bylaws for the Teen Center Advisory Board stating that the section relative to appointments to fill vacancies needed to be amended to indicate that the appointments are filled by the Board of County Commissioners.

During discussion Commissioner Brugman pointed out the need for additional teen representation on the board and therefore moved, seconded by Commissioner Chesser, to amend the bylaws (Article 3, Section 1) to state that of the nine members on the Board two members shall be between the ages of 16 and 20. Motion carried.

Commissioner Brugman further moved, seconded by Commissioner Jarboe, to amend the bylaws (Article 4, Section 4) to indicate that replacement of members be done by the Board of County Commissioners. Motion carried.

Commissioner Brugman moved, seconded by Commissioner Chesser, to accept the Teen Center Advisory Board bylaws as amended. Motion carried.

**6. Addendum to Public Works Agreement
Breton Bay Landing**

(Extending the deadline for completion to 12/1/97; addendum is backed by a Letter of Credit with First National Bank of St. Mary's in the amount of \$17,000)

Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Addendum as presented. Motion carried 4-0-1 with Commissioner Eagan abstaining in that she is on the Board of Directors of the First National Bank of St. Mary's. Motion carried.

**7. Ordinance No 96-37
Fiscal Year 1997 Supplemental Appropriation
Economic Development**

As a follow up to the November 26, public hearing the County Administrator presented the referenced Ordinance increasing the Fiscal Year 1997 Budget in the amount of \$75,000 for the Department of Economic Development. The funds are available in the form of a federal grant administered by the U. S. Department of Commerce for the purpose of providing support in preparing a defense conversion economic adjustment strategy for St. Mary's County.

Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve and sign Resolution No. 96-37 as presented. Motion carried.

COUNTY COMMISSIONERS' TIME

Proposed Storage of Liquid Ammonium Nitrate Piney Point

Commissioner Jarboe advised that he had provided each Commissioner with a video tape on the "Texas City Disaster" which was about a ship carrying Ammonium Nitrate exploded, leveling the town of Texas City. He stated that he has learned of a proposal by ST Services for the storage of liquid Ammonium Nitrate at the storage facility in Piney Point and of the possible devastating consequences that could occur if proper safety procedures were not followed. He requested the Commissioners' concurrence in directing staff to draft a letter to the Department of Energy addressing the Commissioners' concerns, the need for a vulnerability assessment of the ST Services tankfarm, inquiring as to what safeguards would be in place, and also what emergency procedures would be in place.

After discussion the Commissioners agreed that a letter be prepared to DOE, and the Maryland Department of Environment (the approving agency), and a letter to the applicant to inquire if they have obtained appropriate permits and under what regulations they have gotten authority to store this material.

Comprehensive Plan/Zoning Ordinance Update

Commissioner Thompson advised that according to the Comprehensive Plan update schedule, there will be a joint hearing with the Board of County Commissioners and Planning Commission on April 14; however, the following evening is the Fiscal Year 1998 budget hearing. She inquired whether the Commissioners are in agreement with the proposed comprehensive plan hearing date.

Discussion ensued as to whether the Commissioners would have an opportunity to make recommendations prior to the April hearing. The Commissioners agreed to schedule a work session in January to go through and make comments on the draft plan.

The Commissioners will make a decision on the April 14 meeting after the work session.

TRI-COUNTY COUNCIL STATUS REPORT

Present: Gary Hodge, Director
J. Frank Raley, Chair, Infrastructure Committee

The referenced individuals appeared before the Commissioners to present an update on regional issues including a status report on the Regional Infrastructure Advisory Committee's activities.

Areas of discussion included:

- * Appreciation to Commissioners for commitment to regional cooperation by attending the November 13 retreat.
- * Whether there were regional issues the Commissioners would like TCC to bring to the General Assembly's attention.
- * Significant progress being made in all areas of the Infrastructure committee's initiatives with cooperation among the three counties and the State.
- * Infrastructure Committee had requested a State investment of \$200M in transportation and education projects to prepare the region for the expansion at Patuxent River.

- * Report on the funding and status of various road projects (Route 235; Route 237; Hughesville bypass; Route 301 study).
- * That the FDR project will now be a reality.
- * Discussion of light rail planning and higher education.

In closing Mr. Hodge expressed interest in continuing open communication with the commissioners.

BOARD OF EDUCATION ADMINISTRATIVE FACILITIES

Present: Dan Ichniowski, Director, Department of Public Works
Pat Richardson, Acting Superintendent
Brad Clements, Supervisor, School Facilities
Board of Education Members

As a follow up to the November 26 meeting, Mr. Ichniowski presented cost comparison for the renovations/addition to the old Hollywood Elementary School versus modular units for the Board of Education administrative offices. Mr. Ichniowski recapped previous discussions and presented a handout setting forth costs (Hollywood School Remodeling/Addition - \$154,820; Modular Trailer Offices Option - \$156,310).

Areas of discussion included annualization of costs, budgetary concerns; use of FY '97 ADA funds toward project; location of modular units; and condition of the current administrative building.

After discussion the Commissioners agreed to defer a decision until the newly elected Board of Education has had an opportunity to comment.

JOINT MEETING

BOARD OF COUNTY COMMISSIONERS/BOARD OF EDUCATION

Present: Mary Washington, Chair, Board of Education
Michael Hewitt, Vice-Chair, “
Julie Randall, “
Robert Bailey, “
Lila Hofmeister, “
Pat Richardson, Acting Superintendent of Schools

On behalf of the Board, Commissioner Thompson welcomed the newly elected Board of Education members and stated that the Commissioners would like to begin open dialogue with the Board of Education and that it continue.

Areas of discussion included

- * Development of the Fiscal Year 1998 budget (that it be a reasonable budget that meets the Board Education's needs).
- * Adequate ball field facilities
- * Board of Education administrative facilities (discussion of options including use of the old Hollywood Elementary School for disruptive students/gifted students).
- * To continue joint meetings between the two boards.
- * To continue looking at areas of cooperative efforts between the two boards (health insurance, purchasing, etc.)

In conclusion Commissioner Thompson suggested that the Board of Education get a briefing on all the options that have been presented to the Commissioners regarding the Board of Education Administrative Offices, after which the Commissioners would meet with the Board of Education for discussion.

**ROAD NAME PETITIONS
911 ADDRESSING SYSTEM**

Present: Paul Wible, Director, EMA
Jeff Jackman, Planner, DPZ

As a follow up to the November 26 public hearing, the referenced individuals appeared before the Board to get the Commissioners' decisions on the following road name changes:

1. **Hicks Drive to Holly Oakes Drive**
Commissioner Brugman moved, seconded by Commissioner Eagan, that the road name remain Hicks Drive. Motion carried 4-0-1 with Commissioner Jarboe abstaining in that he was not present at the November 26 public hearing.
2. **Piney Point Beach Road to Poplar Street**
Commissioner Eagan moved, seconded by Commissioner Chesser, to approve the name of Poplar Street. Motion carried 4-0-1 with Commissioner Jarboe abstaining in that he was not present at the November 26 public hearing.
3. **Bradburn Hall Road to Holly Grove Farm Lane**
Commissioner Eagan moved, seconded by Commissioner Chesser, to approve the name of Holly Grove Farm Lane. Motion carried 4-0-1 with Commissioner Jarboe abstaining in that he was not present at the November 26 public hearing.
4. **Tommy Combs Lane to Bay Brez Lane**
Commissioner Brugman moved, seconded by Commissioner Chesser, to approve the name of Bay Brez Lane. Motion carried 4-0-1 with Commissioner Jarboe abstaining in that he was not present at the November 26 public hearing.
5. **Waring Way to Oregon Way**
Commissioner Brugman moved, seconded by Commissioner Eagan, to approve the name of Oregon Way. Motion carried 4-0-1 with Commissioner Jarboe abstaining in that he was not present at the November 26 public hearing.
6. **Celestial Court to Flag Court**
Commissioner Brugman moved, seconded by Commissioner Chesser, to approve the name of Flag Court. Motion carried 4-0-1 with Commissioner Jarboe abstaining in that he was not present at the November 26 public hearing.
7. **Leone Drive to Stephenson Drive**
Commissioner Chesser moved, seconded by Commissioner Eagan, to approve the name of Stephenson Drive. Motion carried 4-0-1 with Commissioner Jarboe abstaining in that he was not present at the November 26 public hearing.

8. Golden Corral Drive to Corporate Drive

Commissioner Brugman moved, seconded by Commissioner Eagan, to approve the name of Corporate Drive. Motion carried 4-0-1 with Commissioner Jarboe abstaining in that he was not present at the November 26 public hearing.

9. Kepple Lane to Lilypond Lane

Commissioner Brugman moved, seconded by Commissioner Eagan, to approve the name of Lilypond Lane. Motion carried 4-0-1 with Commissioner Jarboe abstaining in that he was not present at the November 26 public hearing.

10. Long Drive to Deerhaven Lane

Commissioner Brugman moved, seconded by Commissioner Eagan, to approve the name of Deerhaven Lane. Motion carried 4-0-1 with Commissioner Jarboe abstaining in that he was not present at the November 26 public hearing.

11. Max Way to Myrtle Way

Commissioner Brugman moved, seconded by Commissioner Chessner, to approve the name of Myrtle Way. Motion carried 4-0-1 with Commissioner Jarboe abstaining in that he was not present at the November 26 public hearing.

12. Larsen Drive to Honey Tree Lane

Commissioner Brugman moved, seconded by Commissioner Eagan, to approve the name of Holly Tree Lane. Motion carried 4-0-1 with Commissioner Jarboe abstaining in that he was not present at the November 26 public hearing.

Future Road Name Changes

With regard to future requests for road name changes, the Commissioners agreed that requests be considered every other month on the public forum nights.

CHARLES COUNTY COMMUNITY COLLEGE

Present: John Sine, President, Charles County Community College
Elaine Ryan, Vice-President, “
Diane McWilliams, Chair, Board of Trustees
Verna Posey, Vice-Chair, “
Jane Sypher, Dean, Community College at St. Mary's
Tom Mattingly, Chair, Board for Community College at St. Mary's
Gay Boecker, “
Elizabeth Dufresne, “
Fred Wallace, “
Charlotte Young, “

Dr. Sine appeared before the Commissioners to present a proposal relative to the Charles County Community College, which has been approved by the Board of Trustees and the Charles County Commissioners. A summary of the proposal is as follows:

- * That the college be named *The College of Southern Maryland*
- * The Board of Trustees will be expanded from seven to nine members (the initial board would consist of six members from Charles; two from St. Mary's; and one from Calvert. If a county increases its eligible student population, additional trustees may be appointed.
- * Financing of the College will be done through a formula shared by the three counties.
- * Capital expenditures will be the responsibility of the county in which the campus is located.
- * The legislation to establish the partnership is being drafted for consideration in the 1997 legislative session, and if adopted, would take effect June 30, 1998.

During discussion Dr. Sine advised that he would need a decision by the Commissioners as close the end of the year as possible.

After the presentation Mr. Mattingly noted that the Board for the Community College recommends approval of the concept to the Board of County Commissioners.

In conclusion the Commissioners indicated they would have staff evaluate the proposal and get back to Dr. Sine with their decision.

EXECUTIVE SESSIONS

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

Commissioner Eagan moved, seconded by Commissioner Chesser, to meet in Executive Session 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.

Personnel (Sheriff's Department)

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: 4:40 p.m. - 4:50 p.m.

Action Taken: The Commissioners reviewed a request for waiver of the personnel manual relative to the Sheriff's Department and agreed to take action in open session.

Personnel (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: 4:52 p.m. - 6:15 p.m.

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

FOLLOW UP TO EXECUTIVE SESSION

Commissioner Jarboe moved, seconded by Commissioner Brugman, to approve a waiver of the Personnel Manual to allow for the hiring of a Correctional Officer, Grade 8, in the Sheriff's Office. Motion carried.

ADJOURNMENT

The meeting adjourned at 6:20 p.m.

**Minutes Approved by Board of
County Commissioners on 12/17/96**

Judith A. Spalding
Recording Secretary