

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
MAY 19, 1998**

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

**FISCAL YEAR 1999 BUDGET WORK SESSION**

Present: John J. Kachmar Jr., County Administrator  
Steve Welkos, Director of Finance  
Marty Jones, Budget Analyst

The Director of Finance reviewed with the Commissioners preliminary final budget information including general fund revenues (total potential general fund budget sources: \$231,491); outstanding operating budget issues (total costs of potential adjustments: \$4,123,378); outstanding capital budget issues (total potential county funding sources: \$3,770,547). During the presentation James Stirling, Director of Public Facilities, reviewed the status of the courthouse project bids and cost estimates and Sheriff Voorhaar explained the request for overtime compensation funding.

Areas of discussion included: the Community College's funding request and use of the FY '98 fund balance. (The Commissioners requested a letter be drafted to President Sine requesting additional information regarding specifics of the College data system); costs of addition/renovations/temporary relative to the courthouse versus a new courthouse; and the costs of the proposed emergency radio system.

Prior to breaking for lunch, Commissioner Thompson told the commissioners that she had placed a packet of news articles regarding MCI's Northampton County 911 operation in their mailboxes. Commissioner Eagan inquired as to the nature of the articles; Commissioner Thompson did not respond, and County Administrator Kachmar stated that there was litigation between that county and MCI.

(The Budget Work Session (with decisions by the Board) resumed later in the afternoon)

**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 the Commissioners' meeting of Tuesday, May 12, 1998, as corrected. Motion carried.

**APPROVAL OF CHECK REGISTER**

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

**ADDITIONS/DELETIONS TO AGENDA**

Commissioner Brugman moved, seconded by Commissioner Jarboe, to approve the agenda as presented. Motion carried.

## CONSENT AGENDA

### Correspondence:

1. Various letters to various individuals concerning the Board of Education's FY99 request for funding.
  - a. Kim Williams
  - b. Thomas J. Lanzi
  - c. Patti Micklewright
  - d. Marck Santee, Teacher, Chopticon High School
2. Various letters to various individuals concerning development of Myrtle Point Park.
  - a. Christopher Bedford, Sierra Club Maryland Chapter
  - b. Pete McDevitt
  - c. Lawrence Pinto, Community Preservation Coalition of St. Mary's
  - d. Anne Woodley & Lee Norris Soderberg, Citizens Coalition to Preserve Myrtle Point
  - e. Phebe Barth
3. Stuart M. Lynch relative to request for installation of stoplight at Route 235 by Oakville Elementary School.
4. Phillip Cooper, Chair of Safety Committee, expressing appreciation for submittal of Committee's Annual Report.

(Commissioner Thompson requested that Letters 2(d) and 4 be pulled.)

**Commissioner Eagan moved, seconded by Commissioner Chesser, to approve the Consent Agenda with the exception of Letter No. 1 to the Airport Commission. Motion carried.**

Commissioner Thompson requested that Letter 2(d) (to Anne Woodley) be rewritten because she felt it did not address all the issues raised in the correspondence. Regarding Letter 4, Commissioner Thompson stated it was a standard letter and that the response should go into more detail.

## COUNTY ADMINISTRATOR ITEMS

Present: John J. Kachmar Jr., County Administrator

1. Budget Amendments
  - a) No. 98-44 - Public Works/Office of Capital Projects  
(to provide funding for additional Leonardtown Library project requirements - \$35,000)

**Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign Budget Amendment No. 98-44**

- b) No. 98-45 - Public Works  
(County's matching funds for MES Recycling Grant -\$47,600)

**Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign Budget Amendment No. 98-45**

- c) No. 98-46 - Public Works  
(balance of non-grant Airport monies to offset County's required match for MES Recycling Grant -\$6,015)

**Commissioner Jarboe moved, seconded by Commissioner Eagan, to approve and authorize Commissioner Thompson to sign Budget Amendment No. 98-46**

2. Fiscal Year 1998 Supplemental Appropriation Ordinance  
(Follow up to 5/5/98 public hearing)  
Department of Economic & Community Development – (\$25,000)

**Commissioner Jarboe moved, seconded by Commissioner Eagan, to approve and sign the FY '98 Supplemental Appropriation Ordinance as presented. Motion carried.**

3. Grant Documents
  - a. State's Attorney's Office  
Child Support Cooperative Reimbursement Agreement Application  
(Total Cost: \$268,516)

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

- b. Circuit Court  
Child Support Cooperative Reimbursement Agreement (Total Cost - \$77,659)

**Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign Grant Document as presented. Motion carried.**

- c. St. Mary's County Housing Authority  
MD Small Cities Community Development Block Grant Agreement  
(Pedestrian Access and Landscaping Improvements to Property Bordering Great Mills High - \$25,000)

**Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign Grant Document as presented. Motion carried.**

4. Standard Services Contract Agreement between Department of Social Services and the Department of Recreation and Parks for the Teen Center Program (which is designed for at-risk youth)

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

5. Department of Public Works
  - a. Public Works Agreement for Wildewood Technology Park, Lot 15; backed by a Letter of Credit in the amount of \$62,100 provided by Mercantile Safe Deposit & Trust Company

**Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Public Works Agreement as presented. Motion carried 4-0-1 with Commissioner Eagan abstaining because she is on the Board of Directors of First National Bank of St. Mary's, a subsidiary of Mercantile.**

- b. Claim Letter for the Stratton Subdivision, Section 2, Eighth Election District; for Public Works Agreement; letter of credit in the amount of \$62,100 provided by the Northern Central Bank

**Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Claim Letter as presented. Motion carried.**

- c. Correspondence to Secretary Winstead, DOT regarding FDR funding issues.

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

#### COUNTY COMMISSIONERS' TIME

##### Bell Atlantic's

Commissioner Chesser inquired as to the status of Bell Atlantic's request for a Conditional Use approval for an addition to the central office. Commissioner Eagan responded that the request is before the Board of Appeals.

##### Anonymous Complaints Policy

Commissioner Brugman referred to the Director of Planning and Zoning's response regarding the Commissioners direction relative to anonymous complaints. He stated that Mr. Grimm misunderstood the direction in that it was the consensus of the Commissioners that the complainant's name be made public, not just to the individual about whom the complaint was against. The Commissioners reiterated that the policy must come before them before it is implemented.

##### Boards/Committees/Commissions – Annual Reports

Commissioner Thompson inquired if the Commissioners would like to have the Boards, Committees, and Commissions submit annual reports and to give them the option of submitting them in writing or presenting them at a County Commissioners' meeting as has been done in the past. The Commissioners gave their concurrence.

#### COUNTY COMMISSIONERS SITTING AS THE BOARD OF HEALTH

Present: Dr. Ebenezer Israel, Health Officer

**Commissioner Chesser moved, seconded by Commissioner Jarboe, to recess as the Board of County Commissioners and sit as the Board of Health. Motion carried.**

##### Public Hearing

##### Environmental Health Permit Fees

Also Present: Tom Russell, Director Environmental Health

The Board of Commissioners, sitting as the Board of Health conducted a public hearing on proposed increases of the Environmental Health Permit Fees:

<u>Item</u>	<u>Current</u>	<u>Proposed</u>
* Restaurant License	\$100	\$150
* Soils Evaluation (Perc)	150	200
* Septic System Inspection	75	100
* Record Plat Approval (per lot)	75	100
* Site Plan Approval (per lot)	50	75

The hearing was opened for comments from the Commissioners:

Commissioner Chesser raised questioned regarding the increase in fees for septic system inspections and record plat and site plan approvals and the impact on proposed homeowners. Mr. Russell explained that some jurisdictions put the entire costs at the perc test; however, because of the large number of lots that will not perc in the County, the costs are spread out for each step.

Hearing no comments from the audience, the public hearing was closed. The record will remain open for ten days for written comment.

**Health Issues**

Dr. Israel appeared before the Board of Health to discuss a number of health-related issues. Areas of discussion included the Maryland Children's Health Insurance Program, which will offer a full range of benefits to eligible individuals 18 years old or under or pregnant (advantages, equity, possible discrimination, accountability); and status of the Health Share Program.

**Commissioner Brugman moved, seconded by Commissioner Chesser, to adjourn as the Board of Health and reconvene as the Board of County Commissioners. Motion carried.**

**NURSING CENTER ISSUES**

Present: Cheryl Guth, McGuire, Woods, Battle, & Booth

Ms. Guth appeared before the Commissioners to present an update on the status of the St. Mary's Nursing Center's employer identification number and to provide options relative to the operation of the nursing center. She advised that the IRS has agreed to "recode" the number that the facility has been using since the mid 80's, which had originally been given to the 501(c)(3) organization. It will be recoded as a government entity associated with the County Commissioners of St. Mary's County. This will rectify past problems, and the IRS will probably waive all penalties.

Ms. Guth referred to the October 10, 1997 legal audit and pointed out that there were several options relative to the operation of the Nursing Center:

- No Change (to continue to operate as a part of county government).
- To have a new non-profit corporation that would be county controlled (not recommended because it would add an extra layer of administrative costs and because of liability issues).
- To hire a management firm (either for profit or non-profit) to operate the Center.
- To sell or lease to a private non-profit or a for profit organization.

**After discussion Commissioner Jarboe moved, seconded by Commissioner Eagan, to direct staff to draft a Resolution officially sanctioning the ownership and operations of the St. Mary's Nursing Center. Motion carried four to one with Commissioner Chesser voting against stating he would like to see a list of advantages and disadvantages of the center being a 501(c)3 organization as opposed to a government entity.**

Ms. Guth responded that she would not recommend a 501(c)3 organization because of tax issues, liability issues and the need for legislative approval.

**FISCAL YEAR 1999 BUDGET REVIEW/DECISIONS (Continuation)**

Present: John J. Kachmar Jr., County Administrator  
Steve Welkos, Director of Finance  
Marty Jones, Budget Analyst

The Commissioners continued their review of the Fiscal Year 1999 Budget and took the following actions:

**Capital Budget**

To include:

\$675,000	Esperanza Middle School Addition/Renovation
\$2.5 Million	Courthouse Project
\$2.009 Million	Emergency Communications – Fixed Payment Plan

(Margaret Brent Middle Addition/Renovation, Town Creek Elementary HVAC and Green Holly Roof Systemic have been deferred until mid year at which time a supplemental appropriation can be done.)

To also defer a large portion of capital funding for asphalt overlay, surface treatment, and slurry seal until mid year at which time a supplemental appropriation can be done.

**Operating Budget Requests/Decisions**

Office on Aging – to provide full funding requested (\$108,363)

(Not Approved)

Office of Community Services - HIV/AIDS Risk Reduction Program - (\$12,000)  
Economic and Community Development - (Marketing Grant (\$2,000))

**Commissioner Jarboe moved, seconded by Commissioner Chessser, to include the referenced funding for OCS and DECD because there are funds on the revenue side. Motion carried.**

Emergency Management Agency - Animal Control Position (\$19,306)

**Commissioner Brugman moved, seconded by Commissioner Chessser, to include the referenced funding for EMA depending on when the position would be made full time.**

**Commissioner Eagan moved, seconded by Commissioner Chessser to amend the motion to change the funding from \$19,306 to \$13,306. Motion carried.**

**Vote on the main motion was unanimous.**

Office of the Sheriff – Overtime Compensation (\$40,000)

**Commissioner Brugman moved, seconded by Commissioner Chessser, to approve the funding as requested.**

**Commissioner Eagan moved, seconded by Commissioner Chessser, to amend the motion to follow the appropriate personnel policy amendment procedures as required and that the funds be placed in a reserve account. Motion carried four to one with Commissioner Jarboe voting against.**

**Vote on the main motion was four to one with Commissioner Jarboe voting against.**

Alcoholic Beverages Board – Alcohol Enforcement – (\$48,984)

(Taken care of through the Sheriff's Department's budget previously)

Board of Education – Restoration of entire County funds Request – (\$1,792,990)

(Not Approved)

Community College – Request for Increase in Allocation – (\$80,637)

**Commissioner Jarboe moved, seconded by Commissioner Eagan, to sign and forward the letter to President Sine requesting additional information regarding specifics of the College data system. Motion carried.**

Historical Society – Request for Increase in Allocation (\$5,000)

(Not Approved)

Three Oaks Center – Request to Restore Previous County Contribution Level (\$5,000)

Commissioner Eagan moved to restore \$2,500. Motion failed for lack of a second.

Commissioner Chesser moved, seconded by Commissioner Thompson to restore the \$5,000 as requested. Motion failed two to three with Commissioners Brugman, Eagan and Jarboe voting against.

Commissioner Brugman moved, seconded by Commissioner Jarboe, to restore \$1,000. Motion failed two to three with Commissioners Thompson, Chesser, and Eagan voting against.

**Commissioner Eagan moved, seconded by Commissioner Thompson, to restore \$2,500. Motion carried four to one with Commissioner Brugman voting against.**

MCI Payment (\$2,009,098)

**Commissioner Eagan moved, seconded by Commissioner Brugman, to put the \$2,009,098 in the Budget. Motion carried.**

(Commissioner Thompson requested a review by all appropriate parties prior to a contract being signed. The Commissioners agreed to add the discussion to the May 26 agenda.)

**ADJOURNMENT**

The meeting adjourned at 5:30 p.m.

Minutes approved by the  
Board of County Commissioners on 5/26/98

*Judith A. Spalding*  
Judith A. Spalding, Recorder