

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
December 4, 1998**

Present: Commissioner President Barbara R. Thompson
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
John J. Kachmar Jr., County Administrator
Mortimer L. Smedley, Assistant County Administrator
Judith A. Spalding, Recorder

CALL TO ORDER

The meeting was called to order at 6:05 p.m.

APPROVAL OF MINUTES

Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, December 1, 1998, as presented. Motion carried.

Regarding approval of the minutes of this meeting, the Commissioners gave approval for the County Administrator to review and approve them.

ADDITIONS/DELETIONS TO AGENDA

Commissioner Chesser moved, seconded by Commissioner Jarboe, to accept the agenda as amended (to add discussion regarding legislative proposal from Commissioner Thompson). Motion carried.

NATURAL GAS/PLUMBING CODES

Present: Harry Knight, Code Enforcement Officer
Douglas Durkin, County Attorney
Tom Russell, Director, Environmental Health

As a follow up to the November 24, 1998 public hearing, the Commissioners discussed the Ordinance to amend the Natural Gas and Plumbing Codes to remove the illegal license requirements.

County Attorney Durkin presented three versions of the proposed Ordinances relative to the Natural Gas and Plumbing Codes.

- To amend Chapter 242, Section 9 of the St. Mary's County Code (Violations) and Chapters 249, Sections 1,3, and 11 (Rules and Regulations established; plumbers; and correction of violations after notice).
- To amend Chapter 242, Sections 9 and 10 of the St. Mary's County Code (Violations/Penalties); Chapter 249, Repealing Sections 4, 5, and 6; amending Sections 1, 3, 11 and 12 (Rules and Regulations established; Master Plumbers; Correction of Violations after Notice; and Violations and Penalties).
- To amend the St. Mary's County Plumbing Code and the St. Mary's Natural Gas code to delete the requirement for a state licensed master plumber to obtain a local plumbing and/or gas fitter's license when seeking to perform plumbing or gas fitter's service in St. Mary's County.

During discussion Commissioner Thompson inquired about the notice of public hearing and whether the discussion (deleting the requirement for a gas fitters license for a master plumber) related to the notice. Mr. Durkin referred to the Codes as a whole and that the gas fitter's portion was a percentage of the whole, and therefore was a part of the public hearing notice.

Other areas of discussion included: that the requirement for master plumbers to have a gas fitters' license was discriminatory; that there was still a problem with local gas fitters licenses; opinions from County Attorney and Attorney General indicating that the County does not have authority to require licenses for plumbers, propane gas fitters and natural gas fitters; however, that would have to be challenged in court. (Mr. Durkin advised that only the State had that authority.)

After discussion Commissioner Jarboe moved, seconded by Commissioner Brugman, to amend the St. Mary's County Plumbing Code and the National Gas Code to delete the requirement for a state licensed Master Plumber to obtain a local plumbing and or gas fitter's license when seeking to perform plumbing or gas fitter service in St. Mary's County. Motion carried 3-1-1 with Commissioner Thompson abstaining and Commissioner Eagan voting against.

REVIEW OF CONTRACT WITH ANIMAL WELFARE LEAGUE

Mr. Smedley presented the proposed contract regarding the operation of an animal shelter in St. Mary's County and advised that the document had not yet been reviewed by the County Attorney's Office, nor had it been reviewed by the St. Mary's Animal Welfare League (SMAWL).

Discussion ensued regarding how costs would be determined (per day per animal) and as to whether this Board should approve the contract in that the County Attorney and SMAWL had not reviewed it, and that the decision to privatize the animal shelter services would have to be done by the incoming board of county commissioners.

After discussion Commissioner Jarboe moved, seconded by Commissioner Eagan, to forward the draft copy of the contract to SMAWL for its review with the understanding that it needs to be reviewed by the County Attorney and State Veterinarian's Office. Motion carried.

LEGISLATIVE ITEMS

Compensation Review Committee

Commissioner Chesser moved, seconded by Commissioner Eagan, to sign and forward the letter to the Legislative Delegation request authorization for the establishment of a standing Compensation Review Committee to review salaries of elected officials and make recommendations to the Legislative Delegation. Motion carried three to two with Commissioner Brugman voting against.

ADJOURNMENT

The meeting adjourned at 6:50 p.m.

Minutes approved by the
County Administrator on 12/11/98
as directed by the County Commissioners on 12/4/98

Judith A. Spalding

Judith A. Spalding, Recorder