

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, March 22, 1983

Present: Commissioner George R. Aud, President
Commissioner Larry Millison, Vice-President
Commissioner Richard D. Arnold
Commissioner Ford L. Dean
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

The meeting was called to order at 9:05 a.m.

APPROVAL OF VOUCHERS

Commissioner Millison moved, seconded by Commissioner Aud, to approve payment of the bills as submitted by the Director of Finance. Motion unanimously carried.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' meeting of Tuesday, March 15, 1983. Motion unanimously carried.

MARYLAND RETIREMENT/PENSION SYSTEM S.B. 606

Present: Walter Wise, President, Employees' Assoc.
Anita Meridith, First Vice-President, Employees' Assoc.

The County Administrator advised that concern has been expressed by the County's Employees' Association with regard to Senate Bill No. 606 relative to mandatory transfer to the Maryland Pension System from the Retirement System. Mr. Cox stated that there is false information being circulated regarding this bill which has caused much confusion.

Mr. Wise, on behalf of the County's Employees' Association, stated that there should be further study of this proposal and that a letter should be written to that effect. The Commissioners agreed to prepare and forward such a letter.

BAY CENTER
ST. ANDREWS CHURCH ROAD

Commissioner Aud stated that Mr. Irvin K. Jones, co-owner of the Bay Center property, has contacted him to inquire of the Board comments regarding the possible granting by the State Highway Administration of an entrance from Bay Center onto St. Andrews Church Road. After some discussion, the Commissioners agreed with Commissioner Aud's recommendation to request the offices of Planning and Zoning and County Engineer to submit a recommendation concerning this matter.

CONFISCATED FUNDS ACCOUNT

As a follow up to last week's Executive Session discussion with the Sheriff, State's Attorney and County Attorney regarding the Confiscated Funds Account, the County Administrator submitted a memorandum dated March 21, 1983 setting forth a proposed resolution.

After discussion, Commissioner Millison moved, seconded by Commissioner Arnold and unanimously carried, to adopt the following Resolution:

- a) that the Board of County Commissioners upon advice by the County Attorney hereby declares the forfeiture to St. Mary's County of all monies and interest accrued thereon in the Confiscated Funds Account prior to January 1, 1979.
- b) that the Treasurer is requested to ascertain the amount of funds in the account from its beginning to January 1, 1979 and the interest accrued thereon to January 1, 1979.
- c) that of the funds thus ascertained the amount of \$10,000 will be allocated to a special fund in the Sheriff's Department for undercover narcotics investigations.
- d) that the balance of the funds beyond \$10,000 will be transferred to the County's General Fund.

CITIZEN ADVISORS' APPRECIATION NIGHT

The County Administrator presented a memorandum dated March 21, 1983 setting forth information pertaining to the Annual Citizen Advisors' Appreciation Night and requested the Commissioners comments.

The Commissioners gave their concurrence to proceed with the preparations for the Appreciation Night.

STATE'S ATTORNEY'S OFFICE

(1) EXTENSION OF CONTRACT

(2) ASSISTANT CASE SERVICE COORDINATOR POSITION

The County Administrator advised that the State's Attorney has submitted two requests for the Commissioners' consideration:

1. That Tom McManus' (Assistant State's Attorney) contract be extended an additional two months through May because of a difficult murder case he is working on.

2. That he be authorized to hire an Assistant Case Service Coordinator position to assist in working with the various victims and witnesses.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the referenced requests. Motion unanimously carried.

BID TALLY SHEET

HALF TON PICK UP TRUCK

On behalf of the County Engineer, the County Administrator presented the bid tally sheet for the purchase of a one-half ton pick-up truck. Commissioner Aud moved, seconded by Commissioner Sayre, to award the bid to Bell Motor Company, the lowest bidder, in the amount of \$5,500. Motion unanimously carried.

CLEARINGHOUSE PROJECT NO. 83-3-400

MONITOR & RESEARCH OYSTER DISEASE IN CHESAPEAKE BAY

PLUS SELECTED REPLETION PROGRAM OF SEED AND SHELL IN FY '84

The County Administrator presented the referenced clearinghouse project and recommended forwarding it to the State with the comment that it is not inconsistent with this agency's plans, programs or objectives.

The Commissioners gave their concurrence.

REZONING HEARING
ZONE #82-1276
OTTILIA SCHAFFER

Present: Commissioner George R. Aud, President
Commissioner Larry Millison, Vice-President
Commissioner Richard Arnold
Commissioner David Sayre
Frank Gerred, Director, P & Z
Robin Guyther, Planner, Office of P & Z
M. Wayne Munday, Attorney for Applicant
Charles Ellison
Brian Donnelly
Anita Meridith, Recording Secretary

(Commissioner Ford L. Dean was not present.)

The hearing was opened by Commissioner President Aud. Mr. Guyther read the advertised public hearing notice aloud, as it consecutively appeared in the published issues of the March 2 and March 9, 1983 issues of the Enterprise Newspaper, a publicication of County-wide distribution, providing due legal notification of the following hearing:

(Requesting rezoning of 3.017 acres in the median strip of Md. Rt. 5 in Mechanicsville, Fifth Election District, currently the site of the Wonder Bread Warehouse, a nonconforming use. Requesting rezoning from AR, Agricultural-Residential, to C-2, Highway Commercial. The property is located on Tax Map 9, Block 14, Parcel 24.)

Mr. Wayne M. Munday, Esq., representing counsel, came forward and presented for the record (marked applicant's Exhibit #1), the postal receipts from the certified letters of notification, sent to all contiguous property owners. Counsel verified that the property had been posted.

The Planning Commission record reflects this application was made a formal part of the proceeding.

Staff noted that the Planning Commission's recommendation had been affirmative.

Mr. Munday offered briefly, that since there had been no former opposition and no apparent opposition present or represented this date, in the interest of time, he would notrecapitulate on the details of this application, but let the record speak for itself. (Former presentation was based both on mistake in the original zoning of the property and change in the character of the neighborhood.)

Commissioner Arnold moved, seconded by Commissioner Aud, and unanimously passed, to authorize the passing of Zoning Case #82-1276 for Ottilia Schaffer and subsequently direct the County Attorney to draft the appropriate resolution for the Board's further consideration.

Commissioner Arnold offered for the record, that he knew of no other property that would better meet the criteria for change in zoning than this application. He continued that he was very familiar with this property and felt that a rezoning would be an asset to the community.

(Commissioner Dean returned to the meeting.)

ZONING AMENDMENT RESOLUTION NO. 83-03
CORRECTION OF ZONING MAP 4

Present: Frank Gerred, Director, Office of P & Z

Mr. Gerred presented the referenced Resolution commenting that this matter was discussed by the Commissioners at their meeting of March 15, 1983. The Commissioners had directed the staff to prepare the appropriate resolution for the Board's signatures for the correction of Zoning Map 4, BK 22-23 to reflect

proper designation of commercial parcels.

Commissioner Arnold moved, seconded by Commissioner Aud, and unanimously passed, to authorize the signing of the Resolution, which corrects Zoning Map 4. Motion unanimously carried.

FY '84 RECOMMENDED BUDGET

Present: Joseph O'Dell, Director, Budget & Data Services

As a result of previous discussions with the Board, Mr. O'Dell presented and reviewed the FY '84 Recommended Budget. He stated that the total Budget is as follows:

REVENUE (General Fund)

Estimated General Fund Revenue	\$26,018,163
Utilization of Revenue Sharing Restricted Fund Balance	<u>124,178</u>
TOTAL	<u>\$26,142,341</u>

OUTLAYS

General Fund (Recommended)	\$25,895,029
Transfer to Other Funds	<u>247,312</u>
TOTAL	<u>\$26,162,341</u>

CAPITAL PROJECTS (REVENUE)

Bond Proceeds	\$ 665,000
General Fund Transfer	237,750
State/Federal	<u>533,600</u>
TOTAL	<u>\$ 1,436,350</u>

CAPITAL PROJECTS

Outlays	\$ 1,436,350
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Mr. O'Dell advised the Commissioners that inasmuch as the tax rate will remain at \$1.99 per \$100 of assessed valuation and not be reduced to the Constant Yield of \$1.88, the law requires that this information be advertised.

Commissioner Dean moved, seconded by Commissioner Aud, to approve and sign the FY '84 Recommended Budget as set forth above. Motion unanimously carried.

Mr. O'Dell advised that the Public Hearings have been scheduled for April 26 (Board of Education) and April 27 (Other Departments) at the Technical Center at 7:30 p.m. He stated that advertisements for the hearings will be published during the weeks of April 11-15 and 18-22.

LEONARDTOWN LIBRARY PROJECT
AGREEMENT FOR RENOVATIONS TO ARMORY

Based on a decision by the Board on February 15, 1983 to award the bid for the renovation of the Leonardtown Armory to Loffler Construction Company, the County Administrator presented the Agreement by and between Loffler Construction Company, Inc. and the St. Mary's County Commissioners.

Commissioner Sayre moved, seconded by Commissioner Dean, to authorize Commissioner President Aud to sign said Agreement. Motion unanimously carried.

LEONARDTOWN ARMORY PROJECT
RELOCATION OF USERS

The County Administrator advised the Commissioners for their information the fact that since renovations to the Armory for use as a Library are beginning, the various agencies using it will have to be relocated. Agencies involved are: Commission on Aging, Department of Motor Vehicles, St. Clements Potomac Museum and the Leonardtown Rescue Squad.

EASEMENT AND AGREEMENT
CATV LEONARDTOWN, INC.

The County Administrator presented a Deed of Easement and Agreement by and between the County Commissioners, Southern Maryland Electric Cooperative, Inc. and CATV of Leonardtown, Inc. for access across the County-owned right-of-way north of St. Andrews Church Road. Commissioner Arnold moved, seconded by Commissioner Dean, to authorize Commissioner President Aud to sign said Agreement. Motion unanimously carried.

AGREEMENT - OBSTRUCTION REMOVAL AT COUNTY AIRPORT

The County Administrator presented a Grant Agreement between Maryland State Aviation Administration and the Board of County Commissioners of St. Mary's County whereby the State of Maryland will pay an amount not in excess of \$10,555 towards the cost of obstruction removal and grading at the St. Mary's County Airport.

Commissioner Dean moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign the Grant Agreement as presented. Motion unanimously carried.

EASTER EGG ROLL AND FESTIVAL

The County Administrator advised that the Department of Recreation and Parks is sponsoring an Easter Egg Roll and Festival and is requesting approval for use of the Leonard Hall property grounds for this event. The Commissioners gave their concurrence.

ST. MARY'S COUNTY EMERGENCY OPERATIONS CENTER
ANNUAL REPORT

Present: Tom Oliver, Director, EOC
Gloria Ledonne, Secretary, EOC

Mr. Oliver appeared before the Commissioners to present the Annual Report of the Emergency Operations Center. He stated there was a decrease in the number of incidents reflected in the Report due to the fact that the State Police have moved to their own facilities and have their own communications system. Mr. Oliver reviewed with the Commissioners the various statistics and chart comparisons.

During review of the report, Mr. Oliver stated that the "911" system was basically provided through a grant. Counties that had the "911" system installed prior to the mandatory 1985 date and are reimbursed for expenditures. Therefore, Mr. Oliver advised that a check in the amount of \$18,504.17 has been received and will be deposited to the General Fund. He stated that future updates to the system are also reimburseable.

In closing, the Commissioners expressed their appreciation for the presentation and the work done at the Control Center.

KIDS IN SAFETY SEATS (K.I.S.S.) PROGRAM

Mr. Oliver advised the Commissioners that the referenced Program and requested their endorsement for the County's participation. He stated that there is currently in the Maryland Legislature a bill requiring safety seats for children in automobiles. He stated that the Emergency Medical Services Council is supportive of this legislation and is pursuing it further. Mr. Oliver indicated that the Department of Health and Mental Hygiene has instituted a K.I.S.S. Program and will assist the County in establishing the Program by providing ten infant seats. Mr. Oliver stated he has applied to Region V for ten additional seats. He stated that once the program is established it would be turned over to a community organization for administering.

It was the consensus of the Commissioners to support the K.I.S.S. Program.

MARYLAND LOCAL GOVERNMENT INVESTMENT POOL

Present: Harris Sterling, Director of Finance

Mr. Sterling appeared before the Commissioners to explain the Maryland Local Government Investment Pool which was authorized by the State of Maryland. He stated that it would be under the supervision of the State Treasurer and would be administered by Mercantile-Safe Deposit. He stated that investments are made on a voluntary basis and will provide competitive money market rates. Deposits and withdrawals can be made by telephone on a day to day basis and monthly reports will be forwarded to the municipalities. A booklet presenting detailed information is on file in the Commissioners' Office.

Later in the meeting Commissioner Dean moved, seconded by Commissioner Arnold, to authorize St. Mary's County to participate in the Maryland Local Government Investment Pool and to further require that there be a monthly report of the records of the investment of all funds. Motion unanimously carried.

The appropriate Resolution and Agreement will be prepared for the Commissioners' review and approval at their next meeting of April 5.

SENATE BILL 429 BOARD OF EDUCATION AUDIT

Present: Harris Sterling, Director of Finance

Mr. Sterling advised that he was in receipt of correspondence from Delegate J. Ernest Bell, II regarding the referenced Bill which required a combined audit of the Board of Education and County Government. The consolidation of the audits would be effective as of June 30, 1983.

The Commissioners were of the opinion that since there was not adequate information regarding this bill nor a copy of the bill, they would not take a position at this time.

MENTAL HEALTH/ALCOHOLISM ADVISORY COUNCIL
ANNUAL REPORT

Present: Elizabeth Sally Raley, Chairperson
Suzanne Camp
Kathy Glaser
Phebe Barth
Dr. William Marek

The referenced representatives of the Mental Health/Alcoholism Advisory Council appeared before the Commissioners to present their annual report and to submit the following recommendations:

1. To assist in finding suitable building or site for a county half-way house for treatment of alcoholism;
2. To support of a special committee's efforts in studying the State's Attorney's and Mental Health Clinic's DWI Program;
3. To be aware of problems for services for children and adolescents and to take any needed action;
4. To be aware of housing needs for mental health clients;
5. To address space needs at Lexington Park Center;
6. To consider the purchase of two vans for the Mental Health Clinic;
7. To be aware of the need for more psychiatrists in the county to be put on a rotating roster for St. Mary's Hospital.
8. To address the heavy burden placed on Dr. Miller by his many responsibilities.
9. That Dr. Miller make an Annual Report and have frequent meetings with the Commissioners or representatives regarding mental health coordination issues.

In closing the Commissioners expressed their appreciation to the Advisory Council and advised that they would address these recommendations at a later date.

PROCLAMATION NO. 83-20
RETIRED SENIOR VOLUNTEER PROGRAM WEEK

The Commissioners presented the referenced Proclamation designating the week of March 28 - April 1, 1983 as Retired Senior Volunteer Week in St. Mary's County.

OFFICE ON AGING

Present: Billye McGaharn, Senior Services Coordinator

Change in Budget Authority

Mrs. McGaharn presented for the Commissioners' review documentation supporting a change in budget authority for the Office on Aging. She stated that the original authority was in the amount of \$254,196; however, with the addition of grants not included in this authority - RSVP (\$3,504) and Gateway (\$15,000) and the addition of contributions (\$5,000) the requested revised authority is \$305,700. Further, she stated that there is an RSVP Service Agreement in the amount of \$16,735 for the transportation of volunteers which is to be added to Title III-B.

Commissioner Aud moved, seconded by Commissioner Arnold, to accept this change in Budget Authority and directed that the Director of Budget & Data Services prepare the necessary Budget Amendment. Motion unanimously carried.

Revisions to Title III-B, C-III(1) and C-III (2)

Mrs. McGaharn requested certain internal line item adjustments to FY '83 Budgets for Title III-B, III-C(1) and III-C(2) of the Older Americans Act.

After discussion Commissioner Dean moved, seconded by Commissioner Sayre, to approve the requested line item adjustments subject to review and comment by the Director of Budget & Data Services, and further to authorize Commissioner President Aud to sign the formal grant document upon submission of same. Motion unanimously carried.

PUBLIC HEARING
PRB ASSOCIATES
(MIDFA LOAN)

Present: Richard A. Bos, President, PRB Assoc.
Lawrence M. Schadegg, Vice President, PRB
Joyce J. Gorman, Bonding Counsel, Miles & Stockbridge
Judith S. Waranck, Assistant Atty. Gen. (MIDFA)
David Morgan, Economic Development Coordinator

The Commissioners conducted a Public Hearing with respect to the adoption of a Resolution concerning the issuance and sale of bonds by the Maryland Industrial Development Authority for the PRB Associates, Inc. (property located at Lot No. 20, Section 1, St. Mary's Industrial Park in Hollywood, Maryland).

The secretary read the Notice of Public Hearing.

Commissioner President Aud inquired if anyone present wished to offer any comments regarding this project.

Hearing no comments either for or against, Mr. Morgan presented a Resolution approving the financing of the PRB Associates project by the Maryland Industrial Development Authority.

Commissioner Arnold moved, seconded by Commissioner Dean to sign Resolution NO. 83-04 as set forth above. Motion unanimously carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Dean moved, seconded by Commissioner Arnold to meet in Executive Session as requested by the County Administrator in order to discuss matters of Personnel. The Session was held from 11:45 a.m. to 1:00 p.m.

(Commissioner Dean left the meeting.)

HOSPITAL BOND REFUNDING ISSUE

Present: Joseph P. O'Dell, Director, Budget & Data Services
Sam Ketterman, Alex Brown Assoc.
Paul Barber, Comptroller, St. Mary's Hospital

Mr. O'Dell advised that two decisions were pending from last week's discussion regarding the refunding of the Hospital Bonds:

1. To use General Obligation or Revenue Bond process;
2. To determine method of evaluation of savings;

Mr. Ketterman submitted correspondence dated March 22 listing the positive and negative features of both General Obligation and Revenue Bond financing.

Mr. O'Dell advised that he is in the process of soliciting proposals from various firms to provide financial analysis with all variables and assumptions. The computer printouts of this information will be presented to the Commissioners.

During discussion Mr. O'Dell recommended using the General Obligation Bond method using present value as a basis if the Commissioners wish to keep their original commitment to the hospital. However, if in fact at a later date, something should arise in that process that would indicate that it would not be in the best interest than a reversal of that decision could be made. Once the Commissioners make this decision they can proceed with the selection of the financial advisor firm.

Mr. O'Dell further stated that a preliminary concern with using General Obligation Bonds versus Revenue Bonds was that the County's financial exposure would remain as under the current bonding issue. Because sufficient data will not be available for a number of years associated with the operation of the new hospital facility, it is difficult to determine what, if any, problems may surface between that operation and the feasibility report conducted by Ernest & Whinney.

Commissioner Arnold moved, seconded by Commissioner Dean, to proceed with the General Obligation Bond issue using present value as a basis, and that the subject remain open for further consideration if the evidence so warrants. All Commissioners voted in favor.

CORRESPONDENCE

1. Mr. O'Dell presented correspondence to certain spending units whose requests exceeded the targeted amount advising that the Board would entertain a request to discuss the specifics.

2. The County Administrator presented correspondence to our Legislative Delegation requesting their active support of the proposal to delay for further study an action concerning the current status of the Maryland Retirement/Pension System (S.B. 606)

The Commissioners agreed to sign and forward said items of correspondence.

EXECUTIVE SESSION

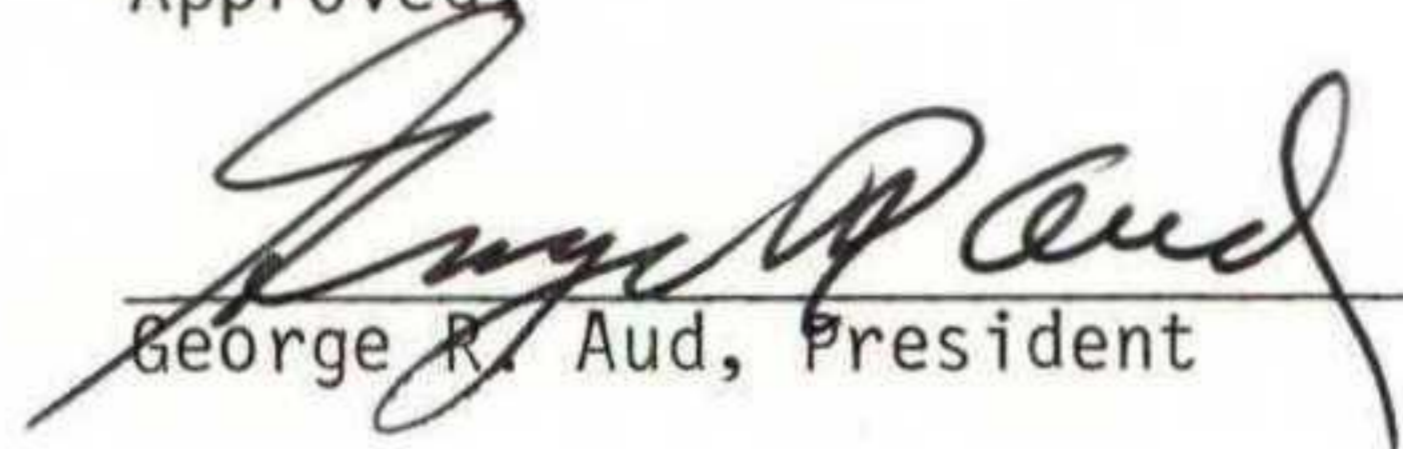
Commissioner Dean moved, seconded by Commissioner Millison, to meet in Executive Session with the County Administrator to continue discussion of matters of personnel. The Session was held from 2:35 p.m. to 3:45 p.m.

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ADJOURNMENT

The meeting adjourned at 3:45 p.m.

Approved



George R. Aud, President