

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, March 6, 1984

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

CALL TO ORDER

The meeting was called to order at 9:10 a.m.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' meeting of Tuesday, February 28, 1984. Motion unanimously carried.

APPROVAL OF BILLS

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

20-PASSENGER BUS - OFFICE ON AGING
BID TALLY SHEET

Present: Billye McGaharn, Senior Services Coordinator
Paul Raley, Director, Purchasing & Logistics

The referenced individuals appeared before the Commissioners to present and review the bid tally sheet for the purchase of a 20-passenger bus for the Office on Aging. It was recommended that the bid be awarded to Fenwick Ford in the amount of \$38,297.00, which includes a wheel chair lift).

After discussion, Commissioner Dean moved, seconded by Commissioner Sayre, to award the bid as recommended. Motion unanimously carried.

1984-1985 RECOMMENDED BUDGET

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

Mr. O'Dell appeared before the Commissioners and presented the following documents pertaining to the FY '84-'85 Budget:

1. Tentative Comparison of Target vs. Requests;
2. Tentative Revenue Comparison of Target vs. Revised.

Further, Mr. O'Dell presented a memorandum dated March 2, 1984 recommending that the Commissioners not meet with spending units concerning budgetary requests for FY 84-85 until after approval of the Recommended Budget and setting forth the reasons for this recommendation. (A copy of the memorandum is on file in the Commissioners' Office.)

After discussion, the Commissioners concurred in Mr. O'Dell's recommendation.

OFFICE OF COUNTY ENGINEER ITEMS

Present: John Norris, County Engineer

1) ST. CLEMENTS ISLAND MUSEUM

Mr. Norris updated the Commissioners with regard to the St. Clements Island Museum construction project stating that there are several punch list items that will not be completed by Maryland Day. Also, the sewage disposal system has not been installed and a holding tank may have to be used on March 25.

Mr. Norris advised that bids were received for the sidewalk installation project (SM 84-4-1) and recommended awarding the contract to the lowest bidder, J. A. Norris Concrete, in the amount of \$2,656.50.

Commissioner Aud moved, seconded by Commissioner Arnold, to accept the County Engineer's recommendation. Motion unanimously carried.

2) CHANCELLORS RUN ROAD

The County Engineer advised that the State Highway Administration has made a recommendation concerning those state roads to be transferred to the County in exchange for Chancellors Run Road. He stated that there will be a meeting with SHA in a couple of weeks and he will return to the Commissioners with the outcome.

3) SURVEYING SERVICES

Mr. Norris advised that on February 14, 1984 he recommended that the Commissioners accept the proposal from D. H. Steffens for surveying services; however, he now recommends to also use the services of the James L. Dunlop surveying firm for those projects that his firm has the ability to perform. His office, therefore, would be using a combination of the two firms depending on the scope of services. The Commissioners gave their concurrence.

4) PROJECT COORDINATOR
NURSING HOME/HOSPITAL PROJECTS

Mr. Norris discussed with the Commissioners the need for a Project Coordinator for the Nursing Home and Hospital construction projects and therefore requested the Board's concurrence with advertising for this position to handle the paperwork and coordination of these projects. The Commissioners gave their concurrence.

5) STORM DRAINAGE PROJECT - LEXINGTON PARK

For the Commissioners' information, Mr. Norris advised that the referenced project will begin March 26; however, there is still need for a few more easements to be obtained.

6) SPECIAL DRAINAGE TAXING DISTRICT
LEXINGTON PARK

Also Present: Dan Ichniowski, Supervisor Highway Engineering

Mr. Norris and Mr. Ichniowski reviewed with the Commissioners a plat for the proposed Special Drainage Taxing District for the Lexington Park area and indicated some of the properties involved. Mr. Ichniowski advised the Commissioners that in the zoning site plan approvals for the property in the drainage area there was concurrence for the developers to petition the County for the creation of a Special Drainage Taxing District. The Engineering Office mailed petitions in the Summer of 1983 to those involved. Mr. Norris indicated that Mr. Hewitt signed the petition and returned it, and Besche Oil has indicated that it does not desire to be a participant in the Taxing District. Representatives of the remaining properties were contacted but have not forwarded petitions as of this date. Mr. Norris requested the Commissioners'

OFFICE OF COUNTY ENGINEER ITEMS (Continued)

authorization to direct the County Attorney to prepare the appropriate petitions to be submitted to the property owners in the area after which a public informational meeting will be held.

The Commissioners gave their concurrence.

PROPOSED AGREEMENT FOR MAINTENANCE OF SCHOOL GROUNDS

Present: John V. Baggett, Director, Recreation and Parks
Dr. Larry Lorton, Superintendent of Schools
Joseph P. O'Dell, Director, Budget & Data Services

The referenced individuals appeared before the Commissioners to present a proposal whereby the Recreation and Parks Department would provide maintenance and upgrading services to the public school fields and grounds. Mr. Baggett went on to explain the particulars of the Agreement between Recreation and Parks and the Board of Education and that it would necessitate having five crews to do the work. Mr. O'Dell explained the cost savings to the taxpayers for this project which should be in the amount of \$30,000.

Mr. Baggett added that in the future a joint effort for fencing for the Board of Education's properties may be able to be effected at a later date.

After discussion, the Commissioners gave their concurrence in the Agreement as submitted, and requested Mr. Baggett to return with the original Agreement for the Commissioners' signatures.

PUBLIC HEARING
ECONOMIC DEVELOPMENT REVENUE BONDS
HICKORY HILLS SHOPPING CENTER

Present: Joseph Mitchell, Dir., Dept. of Economic & Community Development
William Loker, Mayjack, Inc. (owner)

(Commissioner Larry Millison did not participate in the hearing.)

The Commissioners conducted a Public Hearing on on the adoption of a Resolution concerning the proposed issuance of Economic Development Revenue Bonds in an amount not to exceed \$1,000,000 for the purpose of financing the acquisition and construction for the expansion of the Hickory Hills Shopping Center located at Md. Rt. 235 and Chancellors Run Road, California, Md.

Mr. Loker presented and reviewed with the Commissioners a "rough" site plan for the project and explained the location for the proposed additional section and the free-standing building. He stated that all parking and zoning requirements have been met.

After discussion, Commissionner Dean moved, seconded by Commissioner Arnold to approve and sign Resolution No. 84-06 - Economic Development Revenue Bonds - Mayjack, Inc., along with Exhibit No. 1 - Agreement to Issue Bonds. Motion carried.

A tape of the proceedings is on file in the Commissioners' Office.

PUBLIC HEARING
PUBLIC ETHICS ORDINANCE AMENDMENTS

Present: Joseph Densford, Asst. County Attorney
Alice Taylor, Chairperson, SMC Ethics Commission

The Board of County Commissioners conducted a Public Hearing to present proposed revisions to the Public Ethics Ordinance which have been developed by the County's Public Ethics Commission in accordance with Article 40A of the Annotated Code of Maryland.

PUBLIC HEARING (Continued)
PUBLIC ETHICS ORDINANCE AMENDMENTS

Mr. Densford explained that as required by the State the Board of County Commissioners adopted the Public Ethics Ordinance in 1982. The State had made several recommendations for changes to the County's Ordinance, and after several months of correspondence between the State Ethics Commission and the County, an agreement has been reached as to the revisions. At this point Mr. Densford reviewed each of the proposed amendments to the Board.

Commissioner Aud inquired whether anyone present wished to speak for or against the proposed Amendments. Hearing none the public hearing was closed. The Commissioners will make a decision on the adoption of the revised Ordinance in two weeks.

A tape of the proceedings is on file in the Commissioners' Office.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) CORRESPONDENCE

a) To Rescue Squad Association setting forth recommended Ambulance and Rescue Squad allocations for FY '85;

b) To St. Mary's County Fire Board setting forth the recommended allocations to the volunteer fire companies in FY '85;

c) To Capt. G. F. Skinner, NESEA regarding the upgrading of Beachville Road and advising that it will be considered during the FY '85 budgetary considerations;

d) To Chairman of the St. Mary's Soil Conservation District granting approval to provide health insurance coverage to the District Manager;

e) To Attorney Michael Harris responding to his comments regarding the Greenview Knolls Water Company.

f) To Members of the Systems Review Committee setting forth certain approved actions by the Board of County Commissioners based on reports of that Committee and the Permits System Review Committee.

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

2) PROPERTY TAX ASSESSMENT APPEAL BOARD

The County Administrator presented correspondence to the Governor of Maryland setting forth the following three nominations to the Property Tax Assessment Appeal Board to fill the vacancy created by the resignation of George Fadeley: J. Walter Norris, William G. Gardiner, and Charles Louis Clements.

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and sign said letter. Motion unanimously carried.

3) TRI-COUNTY YOUTH SERVICES BUREAU - APPOINTMENT

Commissioner Aud moved, seconded by Commissioner Sayre, to appoint Timothy Bennett to the Tri-County Youth Services Bureau to complete an unexpired term ending December 31, 1984 and a full term expiring December 31, 1987. Motion unanimously carried.

4) BUDGET AMENDMENT NO. 84-35
COUNTY ENGINEER

The County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Budget & Data Services with the following justification: To transfer budget authority in conjunction with hiring of individuals to begin employment of county Highway Maintenance activities.

BUDGET AMENDMENTS (Continued)
COUNTY ENGINEER

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign Budget Amendment No. 84-35. Motion unanimously carried.

5) PERSONNEL
BUS DRIVER - OFFICE ON AGING

The County Administrator presented a memorandum dated March 2, 1984 from the Personnel Officer recommending the selection of Mary A. Winters for the Bus Driver position, Grade 1, in the Office on Aging, effective March 12.

Commissioner Aud moved, seconded by Commissioner Millison, to accept this recommendation. Motion unanimously carried.

6) CLEARINGHOUSE PROJECT NO. MD 84-2-357
PATUXENT PARK LIMITED PARTNERSHIP

The County Administrator presented the referenced clearinghouse project and recommended forwarding it to the State with Comment No. 2 (that the project is generally consistent with our plans, programs and objectives, and adding the qualifying comment--"Requires site plan approval from County Government." The Commissioners gave their concurrence.

7) ROAD RESOLUTION NO. 84-5
JOE HAZEL ROAD

On behalf of the County Engineer, the County Administrator presented Road Resolution No. 84-5 posting Joe Hazel Road, Third Election District, at 30 miles per hour.

Commissioner Arnold moved, seconded by Commissioner Dean, to approve and authorize Commissioner President Aud to sign said Road Resolution. Motion unanimously carried.

8) REQUEST FOR WAIVER OF PERSONNEL POLICY
SEASONAL WORKERS - RECREATION AND PARKS DEPARTMENT

The County Administrator requested the Board's consideration for a one time only waiver of the County's personnel policy regarding temporary employment. He stated that the term for temporary employment is not to exceed 12 months. However, because of additional duties assigned to certain Recreation and Parks temporary employees, their employment is required beyond the twelve months limit for an additional six months.

A waiver of the policy was approved by the Board for the situation as described.

STATE RT. 5 BY-PASS
ST. MARY'S CITY

Commissioner Aud reported that he had learned from state officials that a proposal for a Rt. 5 by-pass in St. Mary's City was deleted from the Transportation program because there was not any interest expressed for it. Commissioner Aud suggested, and the Board concurred, that correspondence be prepared to the Governor and to the State Highway Administration suggesting that the proposal for the by-pass be placed back in the DOT Plan and that its feasibility be studied.

MARYLAND ASSOCIATION OF COUNTIES' POSITION PAPER
SENATE BILL 664 - ENVIRONMENTAL PROTECTION - CHESAPEAKE BAY

Commissioner Dean discussed with the Commissioners MACo's position paper regarding SB 664 - Environmental Protection - Chesapeake Bay - Critical Areas. Commissioner Dean recommended that the Board indicate to our legislative delegation the County's support of MACo's proposed amendments to the bill. The Commissioners gave their concurrence.

PATUXENT RIVER POLICY PLAN

The Commissioners unanimously agreed to indicate their support of the Patuxent River Policy Plan established by the Patuxent River Commission (and presented to the Commissioners in a briefing on November 8, 1983 by the Department of State Planning). This will be a item of discussion at the meeting of the County Commissioners of Calvert, Charles and St. Mary's and officials of Prince George's County and Baltimore City.

INNOVATIVE ALTERNATIVE SEWAGE DISPOSAL SYSTEMS

Commissioner Dean advised that the Commissioners have been receiving correspondence from the County Health Department relaying the progress of determining properties to utilize the demonstration innovative alternative sewage disposal systems. In correspondence dated February 15, the Health Department indicated that their office is awaiting a plat from Mrs. Gladys Hendrickson depicting the location of the proposed system, house and water supply. Commissioner Dean suggested that the County Administrator forward a copy of the Health Department's letter to Mrs. Hendrickson in order to insure that she is aware of this information.

BUILDING CODE

Commissioner Dean reminded the Board of his suggestion of last week regarding a public informational meeting on whether to adopt or not adopt a Building Code. After discussion, the Commissioners agreed to wait until after the budget hearings before working on this matter.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Aud moved, seconded by Commissioner Sayre, to meet in Executive Session in order to discuss matter of Personnel. The Session was held from 11:30 a.m. to 11:50 a.m.

PRESENTATION OF COMMEMORATIVE MAP

Present: George Havens, Chamber of Commerce
J. Patrick Jarboe, " " "
Ben Ascher, Jr., " " "

The referenced individuals appeared before the Commissioners to present a framed 350th Anniversary Commemorative Map. The Commissioners expressed their appreciation to the Chamber of Commerce representatives for this gift.

In closing, Dr. Jarboe invited the Commissioners to the Chamber of Commerce 350th Anniversary Open House on March 17 at St. Mary's City in order to view the exhibits on display.

ZONING DECISION DISCUSSION
ZONE #83-1202 - PHILIP CLARKE

Present: Board of County Commissioners (all present)
Robin Guyther, Planner, Office of Planning & Zoning
Anita Meridth, Recording Secretary

Requesting rezoning of lots 5 and 6 on Clarke's Landing Road from IM, Industrial Marine, to R-1, Rural-Residential. The property contains 2.5 acres total and is located in the Sixth Election District on Tax Map 27, Block 18, Part of Parcel 159.

The Chair recalled that this previously presented application was seeking a down zoning from IM, Industrial Marine to R-1, Rural Residential.

ZONING DECISION/DISCUSSION (Continued)
PHILIP CLARKE

Commissioner Dean led the discussion, noting that he was willing to accept the recommendation of the Planning Commission and Planning staff, who both offered positive recommendations for the R-1 zoning redesignation for the reasons as set forth in the staff's report.

Accordingly, Commissioner Dean motioned, seconded by Commissioner Arnold, and unanimously passed, to instruct the County Attorney to prepare the appropriate Resolution, embodying same.

"T" TURN-AROUND - WILDEWOOD SUBDIVISION

Present: John Norris, County Engineer

As a follow up to discussion held at last week's meeting, Commissioner Aud advised that several of the Commissioners went to the site at Wildewood and inquired of the County Engineer his position regarding a "T" turnaround versus a cul-de-sac. Mr. Norris indicated from his office's point of view for that type of collector street a cul-de-sac would be the proper turnaround.

Commissioner Dean indicated that the question before the Board is whether a "T" turn-around is allowable in a residential subdivision--PUD in St. Mary's County.

The Commissioners requested Mr. Norris to develop standard criteria for the acceptance of "T" turn-arounds and further to present to the Board a plat depicting the difference of the requested "T" turn-around in Wildewood compared to the one previously approved in that Subdivision.

REQUEST FOR RIGHT-OF-WAY EXCHANGE
LOT 3, INDUSTRIAL PARK

Present: Tom Watts, co-owner, Lot 3
Al Watson, " " "
Joseph Mitchell, Director, Dept. of Economic & Comm. Dev.
Frank Gerred, Director, Office of P&Z
John Norris, County Engineer


Mr. Watts and Mr. Watson appeared before the Commissioners to request their consideration in the exchange of the right-of-way (a paper road) from the east side of Lot 3 to the west side at the St. Mary's Industrial Park. Mr. Gerred advised that he has been working with Messers Watts and Watson to determine whether this exchange would create any impact on the adjacent project under design.

After discussion, the Commissioners agreed to authorize Commissioner President Aud to sign appropriate documents effecting the referenced exchange pending confirmation by the Office of Planning and Zoning that the exchange can be made.

ADJOURNMENT

The meeting adjourned at 2:20 p.m.

Approved,


George R. Aud
President