

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, May 15, 1984

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

(Commissioner Ford L. Dean was not present.)

CALL TO ORDER

The meeting was called to order at 9:15 a.m.

APPROVAL OF BILLS

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve payment of the bills as submitted. Motion carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Sayre moved, seconded by Commissioner Aud, to meet in Executive Session in order to discuss matters of Personnel and police force matters. The Session was held from 9:20 a.m. to 9:55 a.m. (Sheriff Wayne Pettit entered the Session at 9:30 a.m. and left at 9:50 a.m.)

LEAGUE OF WOMEN VOTERS - UPDATE OF ACTIVITIES

Present: Grace Horton, Past President  
Nora Powers, President  
Patricia White  
Bertha Bernheisel  
Eileen Hislop  
Paula Blatter

Representatives of the League of Women Voters appeared before the Commissioners to explain the composition and purpose of the League and to present a report on its programs and activities.

Mrs. Horton reviewed the past activities, such as: "Know Your County" booklet, energy use study for County Government, assisting with 1980 Census, public meeting on Redistricting, "Parties, People and Politics" publication, voter registration, etc.

Other members of the League presented reports to the Commissioners -- Pat White - Groundwater Study with a list of recommendations; Bertha Bernheisel - Voter Registration; Eileen Hislop - educational study; Paula Blatter - judicial and penal systems.

In closing the Commissioners expressed their appreciation to the League of Women Voters representatives for their informative presentation and for their many efforts in keeping the public informed.

(Commissioner Aud left meeting - 10:10 a.m.)

PUBLIC HEARINGS  
ECONOMIC DEVELOPMENT REVENUE BONDS

Present: David W. Morgan, Economic Development Coordinator  
Joseph Mitchell, Director, Dept. of Economic & Community Dev.

RESOLUTION NO. 84-12  
RAY RUNCO

Also Present: Ray Runco  
James Kenney

The Commissioners conducted a Public Hearing on the adoption of the referenced Resolution relative to the issuance of Economic Development Revenue Bonds in an amount not to exceed \$2,500,000 to be used to finance the expansion and addition to an office building and corporate office space located on Md. Rt. 235, opposite Gunston Drive, California.

Mr. Morgan advised that the Industrial Revenue Bond Review Committee has reviewed the application and recommends that the Board authorize the issuance of Bonds.

After discussion, Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and sign Resolution No. 84-12, with accompanying Exhibit 1, relative to the issuance of Economic Development Revenue Bonds. Motion carried.

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

RESOLUTION NO. 84-13  
R.F.G. & F.

Also Present: Robert Gabrelcik

The Commissioners conducted a Public Hearing on the adoption of the referenced Resolution relative to the issuance of Economic Development Revenue Bonds in an amount not to exceed \$1,250,000 to be used to finance the acquisition and construction of an office building to be used for Engineering Management Services and additional office buildings located on GreatMills Road, Lexington Park.

Mr. Morgan advised that the Industrial Revenue Bond Review Committee has review the application and recommends that the Board authorized the issuance of Bonds.

After discussion, Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and sign Resolution No. 84-13, with accompanying Exhibit 1, relative to the issuance of Economic Development Revenue Bonds. Motion carried.

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

STATE TOURISM GRANT (PART I)

Present: Joseph Mitchell, Director, County Economic & Community Development  
David W. Morgan, Economic Development Coordinator

(Also present: George Havens, Chamber of Commerce  
Betty Stilt, TCC)

Mr. Morgan advised the Commissioners of a matching grant being made available from the State Department of Economic & Community Development for tourism promotional purposes. The grant is a 50-50 matching grant in the amount of \$6,000 (for a total amount of \$12,000), and the deadline for submitting the application is May 18. Mr. Morgan requested the Commissioners to approve the County's submission of the Grant Application, to authorize the President to sign related documents and further to designate St. Mary's County as the recipient of the grant funds. In addition Mr. Morgan advised that there is \$6,000 in the ECD

budget.

After discussion, Commissioner Sayre moved, seconded by Commissioner Arnold, to accept Mr. Morgan's recommendations. Motion carried with the vote two to one, with Commissioner Millison abstaining because of possible conflict of interest. (Commissioner Aud was not present.)

(Later in the meeting the above motion was rescinded. The tourism grant was discussed again later in the day in two separate sessions and is set forth below in order to keep the discussion of the matter together.)

STATE TOURISM GRANT (PART II)

Present: Gary Hodge, Director, Tri-County Council

Commissioners Present: George R. Aud,  
Larry Millison  
Richard D. Arnold  
David F. Sayre

Also Present: Betty Stilt, Tri-County Council  
George Havens, Chamber of Commerce

Mr. Hodge presented to the Commissioners his opinions relative to the State Tourism Grant and his reasons for approving the Tri-County Council as the recipient agency for both the local match and the State Tourism Grant funds from the three counties. Mr. Hodge explained and presented documents for justification of a regional tourism promotion approach versus an individual county-by-county tourism promotion. Mr. Hodge testified as to the promotion activities of the Council over the last two years and specified several events in which the County has been involved.

After discussion of the grant, Commissioner Sayre moved, seconded by Commissioner Arnold, to rescind the previous motion relative to the County's submission of the Grant Application, in order to allow additional discussion as to what agency should be recipient of the grant. Three Commissioners voted in favor of the motion, with Commissioner Millison abstaining. Motion carried.

In closing, the Commissioners thanked Mr. Hodge for his efforts on behalf of St. Mary's County during the 350th Celebration.

STATE TOURISM GRANT (PART III)

Present: Joseph Mitchell, Dir., Economic & Community Development  
David Morgan, Economic Development Coordinator  
George Havens, Director, Chamber of Commerce  
Betty Stilt, Tri-County Council

Commissioners Present: George Aud  
Richard Arnold  
David Sayre

Discussion ensued relative to the State Tourism Grant and the appropriate agency to be recipient of the grant funds (St. Mary's County or Tri-County Council). Mrs. Stilt explained Tri-County Council's position and past tourism efforts and the fact that TCC had previously administered the grant. Mr. Mitchell went on to explain the County's progress with regard to tourism and the efforts of the L.E.O. (Local Economic Options) group. Mr. Mitchell further pointed out that although Charles County may agree to participate in the Tri-County grant application, Calvert County has appointed its own Tourism Council and will be administering the State Grant. He stated that the funds should come directly to St. Mary's County in order for the County to determine how they should be used.

After discussion, Commissioner Aud moved that Tri-County Council be the recipient of the State Tourism Grant for a one-year trial basis with two conditions: (1) That St. Mary's County Economic & Community Development have

input on the use of the funds and (2) that St. Mary's County not participate unless one other county participates. The motion failed for lack of a second.

Commissioner Arnold moved, seconded by Commissioner Sayre, to designate St. Mary's County as the recipient of the State Tourism Grant in that the County is prepared in this effort and because it does not appear that all three counties would be participating. The results of the grant funds are to be evaluated in one year's time. The Commissioners voted two to one with Commissioner Aud voting against. Motion carried.

(Commissioner Aud returned to the meeting - 10:30 a.m.)

(Commissioner Millison left the meeting.)

#### TOURISM SUBCOMMITTEE - LOCAL ECONOMIC OPTION

Present: George Havens, Director, Chamber of Commerce

Mr. Havens appeared before the Commissioners to present and review "A Proposal to Strengthen the Development of Tourism in St. Mary's County." He stated that the L.E.O. Tourism Subcommittee, of which he was Chairman, recommended that the Board of County Commissioners appoint a Tourism Advisory Committee for one year for the sole purpose of improving tourism in St. Mary's County. Included in the Proposal were proposed goals, objectives and organization of such a Committee. Mr. Havens indicated that the Subcommittee recommended that the Tourism Committee consist of 12 members with representation from: Chamber of Commerce, County Commissioners, motels, restaurants, water-related businesses, retail, sites, Leonardtown, Navy, civic organizations and Tri-County Council. The proposal further set forth a proposed work plan which includes Research, Promotion and Publicity, Coordination and Liaison, Planning and Development, and Education.

Commissioner Arnold moved, seconded by Commissioner Sayre, to accept the L.E.O. Subcommittee's recommendation to appoint a Tourism Advisory Committee. Motion carried.

(Commissioner Millison returned to the meeting.)

#### ECONOMIC DEVELOPMENT UPDATE

Present: Joseph Mitchell, Director, Economic & Community Development  
David Morgan, Economic Development Coordinator

The above referenced Economic and Community Development representatives appeared before the Commissioners to summarize the various development activities taking place in St. Mary's County over the last two years. By way of a map presentation, Messers Mitchell and Morgan pointed out the areas of development in the County from Charlotte Hall to Point Lookout State Park. Mr. Mitchell indicated that there is approximately \$150,000,000 of investments in these projects and over \$36,000,000 of tax exempt financing through industrial revenue bonds.

In closing and in response to an inquiry from Commissioner Arnold, Mr. Morgan stated that maintaining the rural atmosphere of the County is kept in mind with all the proposed developments.

#### PROCLAMATION NO. 84-29 FOSTER PARENT WEEK

Present: Catherine Swales, Social Worker  
Evelyn Stouffer, Foster Parent  
Kimberly, Foster Child

The Commissioners presented the referenced Proclamation designating the week of May 20-26, 1984 as Foster Parent Week in St. Mary's County.

Ms. Swales advised the Commissioners that there will be a Foster

Parent Appreciation Banquet on May 24, 7-9 p.m., at Cedar Lane to which the Board is invited.

PROPOSED 'FY 85 BUDGET REVISIONS

Present: Edward V. Cox, County Administrator

In light of the presentation made by the Director of Budget & Data Services in his memorandum dated May 7, 1984 to the Board of County Commissioners and subsequent to previous Executive Sessions concerning matters of Personnel and Law Enforcement, the County Administrator requested the Commissioners to make final determinations so that Mr. O'Dell could prepare the budgetary submissions for their final approval. In addition to the items in the above referenced memorandum, the County Administrator added the following matters (with approximate amounts) for Commissioner approval.

1. Establishment of a full-time County Attorney position at an increase of \$20,000;
2. Addition of a part-time Clerk Typist for County Attorney in the amount of \$5,000;
3. Granting the Sheriff's Department two additional deputies, two additional correctional officers, and the establishment of an Administrator's position in the amount of \$130,000;
4. Support for the Resource, Conservation and Development Board and Soil Conservation Service in the amount of \$7,212;
5. Establishment of a full-time Clerk Typist position for the Economic Development Commission in the amount of \$12,500.

Mr. Cox indicated that the overall impact of the above addition is approximately \$175,000.

Commissioner Aud moved, seconded by Commissioner Arnold, to instruct the Director of Budget & Data Services to incorporate the above amendments in his budget preparations and determine funding mechanisms. Motion carried.

COMMENDATION - CLEAN-UP CAMPAIGN  
DEPARTMENT OF RECREATION AND PARKS

Present: Jimmie Mora, Clean-Up Campaign Coordinator  
John V. Baggett, Director, Recreation and Parks

Mr. Mora, on behalf of the County Commissioners, presented a Commendation to Mr. Baggett for his department's efforts in the Clean-Up Campaign.

FY '85 BUDGET DISCUSSIONS

Present: Joseph P. O'Dell, Director, Budget & Data Services  
Edward V. Cox, County Administrator

Relative to FY '85 Budgetary decisions, Mr. O'Dell referred to his May 7 memorandum, which was presented last week, and the additions to the budget which were approved earlier in the day. Mr. O'Dell explained that other than reducing expenditures elsewhere in the Recommended Budget, there were four alternatives available to generate sufficient revenue to fund the additional items approved earlier in the meeting by the Board.

By memorandum dated May 14, Mr. O'Dell presented the four alternatives:

1. Admission/Amusement Tax - Current 2%. Most subdivisions range 4-6%. Figure \$30,00 per each 1% change. Can be done through County Ordinance.

2. Local Sales Tax - General Assembly must authorize. Request motel room tax next Legislative Session. Put rate at a level which would pay for FY '85 and FY '86 fiscal requirements. In FY '85 use surplus to fund Sheriff's Office with understanding that increase in expenditures would be paid for by revenue in FY '86. Figure \$50,000 per each 1% change.

3. Property tax rate change - Increase property tax rate from present \$1.99 upward. 1¢ is equal to \$62,348.

4. Place a percentage on late payment of real property taxes. Figure \$80,000 per each percent. Can be done through County Ordinance.

After some discussion of the alternatives, Commissioner Aud moved, seconded by Commissioner Sayre, to establish a penalty of 3% for the late payment of real property taxes. Three Commissioners voted in favor, with Commissioner Millison abstaining. Motion carried.

(Commissioner Millison left meeting.)

#### SEVERE STORM REPORT

Present: Tom Oliver, Director, Emergency Operations Center  
Paul Wible, Deputy Director, EOC

The referenced individuals appeared before the Commissioners to present a partial report on the severe storm that went through the County on Tuesday, May 8. He stated that confirmation was received that there were two tornadoes, along with several down bursts, high winds and hail. Mr. Oliver presented a "Civil Defense Incident Report" and displayed pictures indicating that damages that occurred in the northern portion of the County. He stated that most of the damage was to the agricultural industry with estimated damage near \$1,000,000, and that information is being developed to determine if the County is eligible for federal assistance.

The Commissioners expressed their appreciation to the EOC representatives for keeping the County updated during the storm.

#### OFFICE OF COUNTY ENGINEER ITEMS

Present: John B. Norris, County Engineer

- 1) PUBLIC NOTICE  
LEXINGTON PARK STORM DRAINAGE PROJECT  
PROJECT NO. 81-1-2

Mr. Norris presented a Public Notice that will be distributed to the news media advising that the County will be performing construction on Shangri-La Drive from the intersection of Willows Road to Lexington Park School for the next 60 days. There will be lane closures and traffic delays during this construction.

- 2) GRADING AGREEMENT ADDENDUM  
GREAT MILLS COURT - LEXWOOD SUBDIVISION

Mr. Norris presented the referenced Grading Agreement by and between Great Mills Court Associates Limited Partnership and the Board of County Commissioners of St. Mary's County for Great Mills Court, Lexwood Subdivision, West of Lexington Park, Eighth Election District.

Commissioner Sayre moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign said Grading Agreement. Motion carried.

3) GRADING AGREEMENT  
VALLEY DRIVE ESTATES

Mr. Norris presented the referenced Grading Agreement by and between Lexington Park Limited Partnership and St. Mary's County for property entitled Valley Drive Estates, Eighth Election District.

Commissioner Sayre moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign said Grading Agreement. Motion unanimously carried.

4) GUARDRAIL CONSTRUCTION  
MCINTOSH ROAD BRIDGE AND APPROACHES

Mr. Norris presented the bid tally sheet for the referenced project and recommended awarding the bid to the lowest bidder, Hubbell Highway Signs, Inc., in the amount of \$9,076.

Commissioner Sayre moved, seconded by Commissioner Arnold, to accept Mr. Norris' recommendation. Motion carried.

5) TALL TIMBERS SHORE EROSION PROJECT

Mr. Norris advised that correspondence was received from the Army Corps of Engineers indicating that the study of the damages and determination of responsibility at Tall Timbers will not be complete until September and they will not be able to make recommendations as to alternatives. The Corps did agree to meet with the County in May in order to make us a part of their discussions on the matter. Mr. Norris stated that there are damages to the seawall that should not wait until September.

The County Administrator pointed out that a sense of urgency should be transmitted to COE and inasmuch as they have agreed to a meeting in May that the County Engineer should arrange such a meeting and invite the citizens and Congressman Dyson. The Commissioners concurred with this suggestion.

6) CHARLOTTE HALL TEMPORARY LIBRARY  
PROJECT NO. SM 84-7-1

Mr. Norris presented the bid tally sheet for the relocation of a trailer that was donated by First National Bank for use as a temporary library at Charlotte Hall.

The Commissioners agreed to table this matter and requested Mr. Norris to develop the costs for the entire project; i.e., water/sewer, site work, interior work, etc. and return to the Board prior to making a decision on the bid.

7) EXTRA WORK AUTHORIZATION  
ST. CLEMENTS ISLAND MUSEUM SEWAGE SYSTEM

Mr. Norris presented an Extra Work Authorization in the amount of \$584 payable to John L. Mattingly Construction Company, Inc. in order to comply with the requirements of the State Health Department relative to the sewage system for the St. Clements Island Museum.

Because of the anticipation of the 350th events and the short time frame involved, Mr. Norris advised that the County had to bid the project before we could get Health Department comments. Subsequently their comments required the above-referenced change order. Mr. Norris indicated that there are funds in the project account.

Commissioner Sayre moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign said Extra Work Authorization. Motion carried.

8) ASPHALT OVERLAY PROJECT INSPECTOR

Mr. Norris requested authorization to utilize the services of George E. Adams as Plant Inspector on the Asphalt Overlay Project at the rate of \$5.50 per hour.

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign the Employment Contract for Mr. Adams as recommended by the County Engineer. Motion carried.

9) JEFFERSON ISLAND SHORE EROSION PROJECT

Mr. Norris advised that correspondence dated May 4 was received from Department of Natural Resources, Shore Erosion Control, advising that DNR intends to commence work on construction plans and specifications for the Jefferson Island Club. The DNR will be proceeding with the design of the stone revetment, approximately 1,000 feet in length at an estimated cost of \$350 per linear foot. If the estimates and conditions are acceptable to the Board, it is requested that Commissioner President Aud sign a copy of the May 4 letter and the application for state assistance.

Commissioner Sayre moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign the referenced documents. Motion carried.

10) ST. MARY'S COUNTY AIRPORT PROJECT  
PRE-APPLICATION AMENDMENT

As a follow up to previous discussions, Mr. Norris presented correspondence for Commissioner President Aud's signature addressed to Federal Aviation Administration requesting a change in priorities for the Airport Pre-application by adding the extension of the runway utilizing materials from the Md. Rt. 235 dualization project. Mr. Norris stated that funds for this are in the Recommended Budget.

The Commissioners agreed to authorize Commissioner President Aud to sign said letter.

11) ST. MARY'S COUNTY AIRPORT PROJECT  
GREINER ENGINEERING SCIENCES, INC.

Mr. Norris presented an Agreement with Greiner Engineering Sciences, Inc. for the proposed improvements to the County Airport.

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

Relative to the runway project (Item No. 10), Mr. Norris explained that Greiner Engineering would prepare the plans and specifications to bid the project in accordance with FAA requirements in the hope that Lane Construction Company, the contractor for the Md. Rt. 235 dualization project, would bid it at a reasonable cost and that the timing of the bid would meet Lane Construction's needs for the phasing of the excavation of Md. Rt. 235.

12) EXPRESSIONS OF INTEREST  
HIGHWAY SAFETY PROJECTS - FY '85

Mr. Norris presented the following Expressions of Interest documents for Highway Safety Projects from the Department of Transportation:

- a) Highway Safety Maintenance Standards;
- b) Lexington Park Master Transportation Plan;
- c) Tippet Road Sight Distance Correction;
- d) Design and Performance Standards Manual for Construction of County Roads.

Mr. Norris indicated that if and/or all of these projects should be funded it would be 100% federal fund to be channeled through the state to the County.

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign the referenced Expression of



Interest. Motion carried.

13) LEXINGTON PARK STORM DRAINAGE PROJECT

Mr. Norris advised the Commissioners that there was a need to increase the contract items for select borrow if the material being excavated was not suitable to place back in the trench and become a part of the roadway embankment. He advised that estimates of 1500 cubic yards was made by the County Engineer's Office and the request is for 1,000 cubic yards as the County is trying to utilize as much of the material as possible. He stated that there was a disagreement by the contractor and the County as to whether the bid items were applicable to provide this select borrow with the prices being \$10 per cubic yard or \$20 per cubic yard. Mr. Norris indicated that the contractor had some justification for requesting consideration beyond \$10 per cubic yard and the contractor has agreed to the price of \$13 per cubic yard to provide the select borrow needed for the job and to haul the waste material to the St. Andrews Landfill which has a critical need for the borrow.

Commissioner Arnold moved, seconded by Commissioner Sayre, to agree to the \$13 per cubic yard price. Motion carried.

SOTTERLY MANOR  
WHISKEY CREEK ROAD

Present: John Norris, County Engineer  
Kenneth Sumner, developer  
Whiskey Creek Road property owners

As a follow up to last week's discussion regarding the cul-de-sac situation on Whiskey Creek Road, Mr. Norris presented a proposed plan for the Commissioners' review which he felt would resolve the problem. Mr. Sumner and the property owners indicated that this proposal was unacceptable to them and they still wished to have the cul-de-sac remain intact.

Commisisoner Aud pointed out that he visited the site and he did not feel that there was a sight distance problem with the cul-de-sac and island remaining as is. He further stated that there did not appear to be a safety problem, particularly since it was a rural road.

Mr. Norris advised that the design provided by the developer does not in his opinion meet nationally accepted standards, and that if approved, the plans would have to be signed by the Board of County Commissioners.

Commissioner Aud moved, seconded by Commissioner Arnold, to leave the cul-de-sac and island as is and further to authorize Commissioner President Aud to sign the plans. Motion carried.

ZONING DECISION DISCUSSION  
ZONE #83-0788 - JERRY COLVIN

Present: Jerry Colvin, applicant  
Robin Guyther, Planner, Office of Planning & Zoning  
Anita Meridth, Recording Secretary

(Requesting rezoning from R-2, Low Density Urban Residential, to C-1, Commercial. The property contains approximately 2.5 acres and is located on the west side of Md. Rt. 235, north of Hewitt Road, California, on Tax Map 43, Block 2, Part of Parcel 223.)

Commissioners Present: George Aud, Richard Arnold and David Sayre.  
Commisioners Larry Millison and Ford Dean were absent.

Following brief discussion, Commissioner Arnold moved, seconded by Commissioner Sayre, and unanimously passed, to instruct the County Attorney to prepare the appropriate Resolution approving the rezoning application, based upon the fact that there had been a substantial change in the neighborhood.

STORMWATER MANAGEMENT GRANT APPLICATION

Present: Robin Guyther, Planner, Office of Planning & Zoning

Mr. Guyther advised that state funds are being made available to local jurisdictions for implementation of a stormwater management program. Therefore, he presented a Grant Application to be submitted to the Water Resources Administration in the amount of \$77,530 for St. Mary's County's Stormwater Management Program and indicated that the deadline for submission is May 25.

Commissioner Aud moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign said Grant Application in the form of a letter to Mr. James W. Peck, Director, Water Resources Administration. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) MENTAL HEALTH COORDINATOR POSITION

The County Administrator advised that the County's Mental Health Coordinator, Dr. Joseph Miller, has transferred to Calvert County. Mr. Cox requested the Commissioners' approval to request the Mental Health Alcoholism Drug Abuse Advisory Council to prepare recommendations for Dr. Miller's replacement for the Board's consideration. The Commissioners gave their concurrence.

2) CLEARINGHOUSE PROJECTS

PROJECT NO. 84-5-592  
PATUXENT PLACE, LTD. PARTNERSHIP

PROJECT NO. 84-4-577  
HUD MORTGAGE INSURANCE - INDIAN BRIDGE APARTMENTS

The County Administrator presented the referenced clearinghouse projects which have been reviewed by the Office of Planning and Zoning and it is recommended that they be forwarded to the State with the comment that they are not inconsistent with this agency's plans, programs or objectives; however, they must receive county permits and plans approval. The Commissioners gave their concurrence.

3) THEFT OF PERSONAL PROPERTY  
HOUSING AND COMMUNITY DEVELOPMENT EMPLOYEE

Mr. Cox advised that a Housing employee had personal property, at an estimated cost of \$400, removed from his vehicle while on official county business. The Housing Authority authorized the advancement of funds from the Section 8 Housing Program to pay for the loss and recommended the County reimburse the Section 8 Program. Mr. Cox recommended that the Commissioners approve this request as long as there are funds in the Department of Economic and Community Development's budget.

The Commissioners gave their concurrence.

4) BUDGET AMENDMENTS

The County Administrator presented the following Budget Amendments recommended for approval by the Director of Budget & Data Services with the following justifications:

a) No. 84-45  
County Engineer

Justification: To amend previous action concerning using \$50,000 of Highway Maintenance allocation for surfacing. Reinstate funds to SHA.

b) No. 84-46  
Recreation and Parks

Justification: Commissioners' approval of State Grant Application dated January 27; football fields, roadway and soccer fields at 5th District Park.

c) No. 84-47  
County Engineer

Justification: Required additional funding to implement contract with Jorgenson and Associates concerning software for Highway Maintenance Scheduling.

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign the referenced Budget Amendments. Motion carried.

5) CASH MANAGEMENT AGREEMENT

As a follow up to previous discussions and decisions regarding the Cash Management policy for the County, the County Administrator presented the Agreement by and between Maryland National Bank and St. Mary's County Commissioners for the implementation of the Cash Management System.

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

6) APPOINTMENT  
AGRICULTURAL TASK FORCE

Commissioner Sayre moved, seconded by Commissioner Arnold, to appoint Mr. Tom Buser as the State Department of Economic & Community Development's representative to the Agricultural Task Force. Motion carried.

7) ENGINEERING ASSOCIATE V  
COUNTY ENGINEER

The County Administrator presented a memorandum from the Personnel Officer dated May 10 requesting authority to hire an Engineering Associate V, Grade 13, in the County Engineer's Office to fill the vacancy created by the promotion of John Thompson to the Highway Supervisor position. The Commissioners gave their concurrence.

8) PERMITS CLERK  
OFFICE OF PLANNING AND ZONING

The County Administrator presented a memorandum from the Personnel Officer dated May 10, 1984 requesting authority to the the Permits Clerk, Grade 5, position in the Office of Planning and Zoning, which was vacated by the resignation of Janice Harrington on March 30.

Commissioner Arnold moved, seconded by Commissioner Sayre, to grant this request. Motion carried.

9) SHERIFF'S DEPARTMENT - PENSION SYSTEM

Relative to the ongoing study by Edward H. Friend and Co. for a separate Pension Plan for the Sheriff's Department, Mr. Cox stated that the Maryland State Retirement System has advised that there will be \$2500 actuary charge to provide certain information to complete this study. If the Commissioners concur, funds are in the County Administrator's Special Studies Account. The Commissioners gave their concurrence.

10) AREA AGENCY ON AGING PLAN  
OFFICE ON AGING

As a follow up to last week's presentation by the Senior Services Coordinator relative to the Area Agency on Aging Plan, the County Administrator advised that Mrs. McGaharn has accepted the conditions as had been discussed. Mrs. McGaharn has agreed that the Plan be submitted to the State on the condition that it meet the restrictions of the County's finalized approved budget.

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign the Area Agency on Aging Plan as submitted. Motion carried.

11) PINEY POINT LIGHTHOUSE PROPERTY LEASE  
BUILDING NO. 2

On behalf of the Director of Recreation and Parks, the County Administrator presented a Lease by the U. S. Government for Building No. 2 at Piney Point for use by the Water Resources Division field parties.

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign said Lease. Motion carried.

12) CHARLOTTE HALL PROPERTY  
GROUP HOME FOR EMOTIONALLY DISTURBED YOUTHS

The County Administrator advised that Senator McNulty, Chairman of the Maryland Veterans Home Commission has requested a change in a policy understanding from the Commissioners relative to the placement of a group home for emotionally disturbed children. The Commissioners had sent correspondence to the State indicating the County's cooperation regarding the establishment of the home and that we would designate property at Charlotte Hall, preferably state-owned property, for this purpose. Senator McNulty stated that because of the plans for expansion of the veterans home in the future, the Commission would not like to see it jeopardized by property being taken for the group home.

The Commissioners agreed to table this matter for two weeks.

RENOVATION OF OLD HOSPITAL/STATE OFFICE BUILDING

Present: Joseph O'Dell, Director, Budget & Data Services  
Edward V. Cox, County Administrator

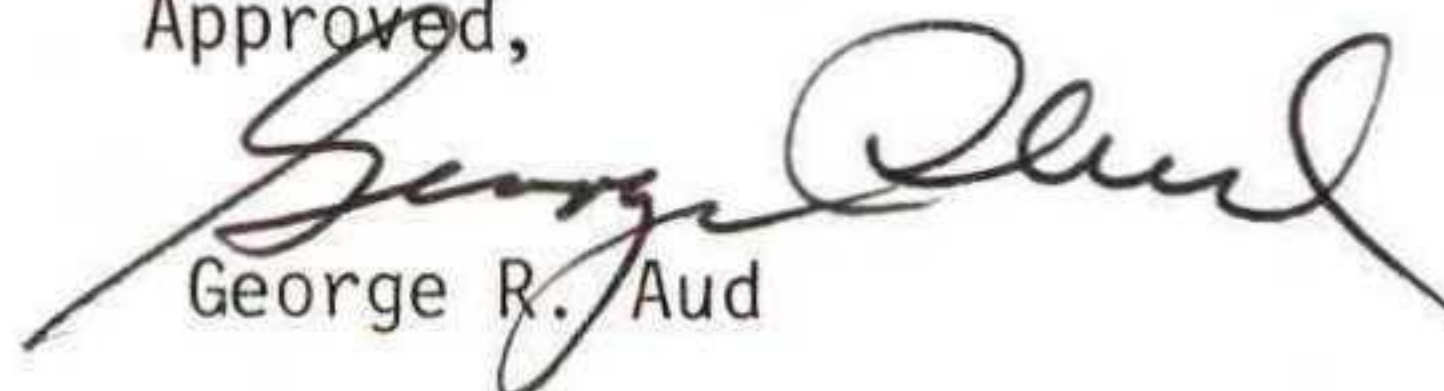
By memorandum dated May 15 Mr. O'Dell informed the Commissioners that a problem has developed during negotiations with state officials concerning the County's participation in the renovation of the old hospital and a state office building. The County's legal advisor at Piper and Marbury and the State Attorney's General's Office representatives agree that the issue of sovereign immunity must be resolved prior to the State entering into a long term agreement with the County's Building Authority Commission. One alternative for the solution of the problem is the submission in the 1985 General Assembly of a legislative proposal to establish an exception in this one case only.

This recent development creates the need to rethink all past considerations concerning both the renovation of the old hospital and the construction of a new nursing home. After some discussion concerning various details involved in both projects, the Commissioners agreed that a special meeting would be held during the week of May 21 to fully discuss and attempt to resolve the problems raised by the above-described legal question. The Commissioners' secretary was requested to make arrangements for said special meeting and to notify all appropriate parties.

ADJOURNMENT

Having no further business, the meeting adjourned at 4:10 p.m.

Approved,

  
George R. Aud