

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, May 15, 1985

Present: 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

(Commissioner President George Aud was not present at beginning of meeting.)

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' meeting of Tuesday, April 30, 1985 including the corrected rezoning discussion relative to J. I. Knott. Motion carried.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve the minutes of the Commissioners' meeting of Tuesday, May 7, 1985. Motion carried.

OFFICE ON AGING

Present: Billye McGaharn, Senior Services Coordinator

1) REVISED BUDGET FOR TITLE III-C-1

Mrs. McGaharn presented a revised budget for Title III-C1 for FY '85 which includes an application for \$15,000 additional funds with a county match of \$1500.

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign the application and that the Director of Budget & Data Services will identify a source of funds. Motion carried.

2) AREA AGENCY ON AGING PLAN

As a follow up to last week's presentation, Mrs. McGaharn requested the Commissioners' approval of the Area Agency on Aging Plan for FY 86-87 in the following amounts:

Title III B	-	\$69,580
Title III-C-1	-	87,103
Title III-C-2	-	15,756

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

COUNTY ADMINISTRATOR'S OFFICE

Present: Edward V. Cox, County Administrator

1) BUDGET AMENDMENTS

The County Administrator presented the following budget amendments recommended for approval by the Budget Director with justifications as indicated:

No. 85-82
County Commissioners

Justification: To cancel county appropriation concerning innovative and alternative septic system. Project rebudgeted in FY '86 budget and state funded. Transfer funds to estimated year-ending requirements for various accounts. Transfer to building materials account approved by Commissioners.

No. 85-83
Public Works

Justification: Estimated new requirements for overtime charges in highways and general maintenance. In addition internal movement of authority concerning landfill costs for control purposes.

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

2) REQUEST FOR WAIVER OF BUILDING PERMIT FEE
ST. GEORGE ISLAND UNITED METHODIST CHURCH

The County Administrator presented correspondence dated December 21, 1984 from the St. George Island United Methodist Church requesting waiver of the building permit fee for the addition of a new office for the church and minister.

Commissioner Arnold moved, seconded by Commissioner Dean, to approve the waiver in that the request is in compliance with the County's Resolution No. 75-53. Motion carried.

3) MOSQUITO CONTROL
COOPERATIVE AGREEMENT

The County Administrator presented an amendment to the FY '85 Cooperative Agreement with the Department of Agricultural and St. Mary's County relating to mosquito control and the proposed Budget for FY '86 for the Commissioners' review and approval. The documents have been reviewed and recommended for approval by the Budget Director.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign the amendment agreement and the Budget for FY '86. Motion carried.

4) COOPERATIVE REIMBURSEMENT PROGRAM
CHILD SUPPORT ENFORCEMENT ADMINISTRATION

The County Administrator presented the grant application for the Child Support Enforcement Administration - Cooperative Reimbursement Program with the State's Attorney's Office, Department of Social Services and the Board of County Commissioners and requested the Board's approval.

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

5) OFFICE OF CHILDREN AND YOUTH
REVISION OF BY-LAWS

The County Administrator presented the revised By-Laws for the Council and Children and Youth which include changes to membership composition and procedures for task forces and requested the Board's approval.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the By-Laws as presented. Motion carried. !R

6) SEVENTH DISTRICT OPTIMIST CLUB
BLESSING OF THE FLEET

The County Administrator advised that the Seventh District Optimist Club has requested use of the county's landfill equipment and manpower for the annual Blessing of the Fleet which will be held September 29. Mr. Cox presented a response to the Optimist Club granting this request for the Commissioners' review and signatures.

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

FY '86 BUDGET DISCUSSIONS

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

1) MAY 6, 1985 MEMORANDUM
BUDGETARY ISSUES FOR FINALIZATION

Mr. O'Dell inquired if the Commissioners had any revisions to the May 6 memorandum regarding certain budgetary issues decisions prior to preparation of the final budget document which had been presented at last week's meeting.

The Commissioners indicated their support of the items in said memorandum.

2) RESPONSES FROM BOARD OF EDUCATION

The Commissioners reviewed the three items of correspondence from Dr. Lorton, Superintendent of Schools, relative to funding for school roofs, textbooks and to school enrollment.

After discussion, the Commissioners directed the County Administrator to prepare correspondence to Dr. Lorton requesting that everything possible be done to effect the necessary repairs to the school roofs before school begins. The Commissioners also directed that correspondence be prepared to the school PTA's responding to their concerns expressed at the public hearing relative to leaking roofs and the supply of textbooks and advising that adequate funds had been budgeted in the current and proposed budgets for these items.

3) RESPONSES TO BUDGETARY REQUESTS

Mr. O'Dell reviewed the following proposed correspondence which had been presented at last week's meeting regarding additional budgetary requests and requested direction from the Board:

a) Big Brothers/Big Sisters

Advising that the County cannot increase local commitment at this time; however, will continue to offer support in the areas of office space, telephones, copying, etc.

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

b) Marcey House

Advising that the County has approved matching the state grant for the building of an alcoholic halfway house.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and sign said letter.

(COMMISSIONER AUD ENTERED THE MEETING - 10:20 A.M.)

c) Tourism Advisory Committee

Advising that the County will not participate in the joint venture between private sector and county government for advertisement; however, if the private sector can demonstrate that it can raising matching funds, it will be included in the FY '86-'87.

The Commissioners agreed to sign and forward said letter.

4) FINAL BUDGET PREPARATION

Mr. O'Dell requested if the Commissioners had any additional comments regarding the budget prior to finalization of the document for next week's meeting.

Commissioner Millison indicated that he was opposed to funds being included in the Budget for the construction of a new jail facility.

OFFICE OF PLANNING AND ZONING

Present: Frank Gerred, Director, OPZ
Robin Guyther, Planner, OPZ

1) STORMWATER MANAGEMENT AGREEMENT
AMBER MEADOWS (MAYJACK, INC.)

Mr. Gerred and Mr. Guyther reviewed with the Commissioners the Inspection and Maintenance Agreement for Private Stormwater Management Facilities by and between Mayjack, Inc., owner of Amber Meadows, and St. Mary's County, Maryland.

During the discussion Commissioners Dean and Millison raised a question concerning Item No. 2 stating that it implied that if the owner who signs the document sells the property that he would levy a charge against future owners. Commissioner Dean stated that the intent should be that the owner is charged with the responsibility for paying the maintenance and that any subsequent owner of that land has the responsibility for maintenance.

Later in the meeting Item No. 2 was revised by the Assistant County Attorney and resubmitted to the Board of County Commissioners.

Commissioner Millison moved, seconded by Commissioner Dean, to approve the Stormwater Management Agreement for Amber Meadows and to authorize Commissioner President Aud to sign same. Motion carried.

2) STORMWATER MANAGEMENT GRANT

Mr. Guyther advised that the Office of Planning and Zoning is preparing the grant application to the State for the funding of three positions for the Stormwater Management Program in the amount of \$78,000.

The County Administrator recommended that the Commissioners approve the grant under protest in that the State has not lived up to its commitment to fully fund the program and the County is required to fund all costs related to the program except for salaries and fringe benefits.

The grant application will be submitted for formal approval at next week's meeting.

3) COASTAL ZONE MANAGEMENT PROGRAM GRANT

Mr. Guyther presented a grant proposal for the St. Mary's County Coastal Zone Program for a St. Mary's River Study. The amount of the grant application is \$16,000 (\$15,000 - salaries; \$1,000 - materials and maps). The study will on the effects, if any, of the development that is occurring in the St. Mary's River Watershed (northern branch) area.

Mr. Guyther advised that the grant application will be submitted for formal approval at next week's meeting.

4) INDUSTRIAL SITE PLAN - STSP 85-0307
LOFFLER INDUSTRIAL 1

(Commissioner Dean did not participate.)

(Requesting site plan approval for two industrial buildings. Storage and manufacturing buildings are proposed for Lot Three in Section Two of St. Mary's Industrial Park. The property contains 1.07 acres and is located in the Eighth Election District; shown on Tax Map 34, Block 2 as part of Parcel 550; zoned I-1, Industrial.)

Mr. Gerred displayed the site plan for the referenced project and advised that the Planning Commissioner has recommended approval with waiver of the parking requirements.

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

5) INDUSTRIAL SITE PLAN - STSP 85-0403
COMMERCIAL CONTRACTORS, INC.

Also Present: John Norris, Director, Public Works

(Requesting site plan approval for a commercial building (office and process building) on Lot Three, Wildewood Technology Park. The lot contains 5.76 acres and is in the Eighth Election District; shown on Tax Map 34, Block 8 as part of Parcel 79.)

Mr. Gerred presented the industrial site plan for approval and explained that the Planning Commission had reviewed it on Monday, May 13 and recommended approval by the Board of County Commissioners subject to the condition of negotiations for a clearance easement for the purpose of meeting the height restrictions of the Airport Master Plan.

The Director of Public Works presented a different opinion to the Board stating that there should be a condition placed on the approval that the applicant be required to meet the height restrictions of the Airport Master Plan as a condition for approval of the site plan.

After some discussion the Commissioners indicated that there were well-stated points on both sides of the issue and requested the Director of Planning & Zoning and the Director of Public Works to work with the applicant towards resolving this matter and return on May 21 with recommendations.

WICOMICO SHORES STUDY COMMITTEE
PROGRESS REPORT

Present: Joseph Mitchell, Director, Dept. of Economic & Community Dev.
Larry Petty
Frank Gerred
Joseph Densford
Ralph Schweinefuss, Chairman, property owners' association
Chuck Ellison, engineer, D. H. Steffens
Al Lacer, Attorney, Wicomico Shores property investors
John Wood, Treasurer, Wicomico Shores property investors

The referenced individuals appeared before the Commissioners to present an update on the situation at Wicomico Shores and to explain what initiatives are being taken to resolve the existing problems. Mr. Lacer displayed a plat of the Wicomico Shores property and gave a brief overview!

of the history of the project and problems involved; i.e., bankruptcy, water and sewer lines, and roads. He stated that the Commissioners had appointed a committee to deal with these issues, and it appears that a special taxing district approach for Section One may be the most feasible. A majority of property owners of Section One have petitioned the County to do a study for a special taxing district to make the necessary. Approximately 225 property owners have signed the petitions. If the problems in Section One can be resolved, then perhaps the other sections may follow suit.

Mr. Densford noted that there was discussion at the meeting regarding funding of these studies, and the Department of Public Works has agreed to do the road study and the Metropolitan Commission has agreed to do the study of the water system, both in-house. However, the sewer line study may have to be done by outside assistance and this cost could be absorbed by the taxing district, if established.

In closing the Commissioners expressed appreciation for the cooperation among all appropriate groups and agencies, indicated support of the concept for the taxing district and requested to be kept apprised of progress in this matter.

PROCLAMATION NO. 85-40
FOSTER PARENTS MONTH

The Commissioners presented the referenced Proclamation designating the month of May as Foster Parent Month in St. Mary's County.

PROCLAMATION NO. 85-43
TOURISM WEEK - ST. MARY'S COUNTY

Present: George Havens
Gary Hodge
Chris Clarke

The Commissioners presented the referenced Proclamation designating the week of May 19, 1985 as Tourism Week in St. Mary's County.

PROCLAMATION NO. 85-44
OLDER AMERICANS' MONTH

Present: Eloise Pickrell
Penny Beasely-Bell
David Hammett

The Commissioners presented the referenced Proclamation designating the month of May as Older Americans' Month in St. Mary's County.

SHIPPING POINT

Present: David Hammett

Mr. Hammett requested from the Board of County Commissioners consideration of the recommendations made by Mr. Lou Huber in a report dated January 2, 1985. Commissioner President Aud advised that the Commissioners would review the recommendation and forward correspondence to the appropriate state officials.

SENIORS UNITED FOR INDEPENDENCE, INC.

Present: Penny Beasely-Bell

Mrs. Beasely-Bell, representative of the Seniors United for Independence, Inc. requested from the Commissioners a response to the formal presentation made on February 19, 1985 concerning additional funding for senior citizen activities.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) EXPRESSIONS OF INTEREST IN HIGHWAY SAFETY PROJECTS

Mr. Norris presented Expressions of Interest in Highway Safety Projects for the Commissioners' approval for the following projects:

- a) Design and performance standards manual for construction of county roads - \$30,000;
- b) Pedestrian Safety - \$62,000;
- c) Implementation of transportation planning with the main area of concern being Lexington Park - \$33,000.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign the referenced Expressions of Interest documents. Motion unanimously carried.

2) AGREEMENTS, DEEDS, RESOLUTIONS

Mr. Norris presented the following documents for the Commissioners' review and approval:

- a) Grading Agreement Addendum
Baker Village

By and between Harkins Associates, Inc. for Baker Village-Lexwoods Subdivision extending date of completion to October 1.

- b) Acceptance of Deed
Valley Drive

Deed dated February 9, 1983 by and between Mayjack, Inc. and County Commissioners of St. Mary's County accepting Valley Drive in Spring Valley Subdivision.

- c) Road Resolution No. R-85-15
Valley Drive

Designating Valley Drive in Spring Valley Subdivision as a 25 mile per hour zone.

- d) Acceptance of Deed
Ann Court

Deed dated July 21, 1983 by and between Robert I. Garner Jr. and the Board of County Commissioners of St. Mary's County accepting Ann Court in the Gillens Grove Subdivision.

- e) Road Resolution No. R-85-16
Ann Court

Designating Ann Court in Gillens Grove Subdivision as a 25 mile per hour speed limit zone.

- f) Road Resolution 85-14
Maple Road

Designating Maple Road as a No Parking zone.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign said documents. Commissioner Millison abstained on the two Valley Drive documents. Motion carried.!

3) HIGHWAY MAINTENANCE CREW
EMERGENCY CHANNEL FOR RADIOS

Mr. Norris requested authorization from the Board to have an emergency channel placed on the radios for the highway maintenance crew at a cost of \$2300 payable to Southern Maryland Communications. he stated that there are funds in his budget for this.

The Commissioners gave their concurrence.

4) ADDITIONAL CELL SPACE AT ST. ANDREWS LANDFILL

Mr. Norris advised the Commissioners of the fact that the County is running out of cell space at St. Andrews landfill because of the increase volume of solid waste that is being deposited at that location. He stated that he solicited proposals from private contractors to move approximately 20,000 cubic yards of dirt in order to create additional cells and recommended accepting the proposal from Raymond Woodburn in the amount of \$1.75 per cubic yard. Mr. Norris indicate to the board that this work would provide additional space for approximately 90 days, and he would keep the Board apprised with regard to the situation.

Commissioner Dean moved, seconded by Commissioner Aud, to award the bid to Raymond Woodburn, the lowest bidder, with the source of funding to be identified by the Budget Director and further that a Budget Amendment will be presented to the Board. Motion unanimously carried.

5) REQUEST FOR EQUIPMENT OPERATOR POSITIONS

Mr. Norris requested approval from the Board for three new equipment operator positions (two Operators III and one Operator I) based on the following justifications:

- a) To replace county highway equipment operators utilized by Solid Waste;
- b) To support two additional work activities daily in highway operation.

Mr. Norris distributed to the Commissioners a position request paper setting forth information supporting this request including a suggestion that funding could be dervied from rubble landfill fees.

Commissioner Dean stated that he would be in agreement with adding these three positions if it is agreed that they would not be hired until such time as we have adopted a rubble fee schedule to generate the funds. The other Commissioners concurred.

REQUEST TO PURCHASE RAILROAD RIGHT-OF-WAY PROPERTY

Present: David Gwynn
John Norris, Director, Public Works

Mr. Gwynn appeared before the Commissioners to inquire whether the county would be amenable to selling a 65 footstrip of the old railroad right-of-way or the gravel thereon at a location in Charles County. The Commissioners advised that they have an agreement with Southern Maryland Electric not to sell the property; however, suggested that he meet with Mr. Norris to discuss the request for the gravel. Mr. Norris will return to the Commissioners with a specific proposal from Mr. Gwynn.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
John B. Norris, Director, Public Works

Commissioner Sayre moved, seconded by Commissioner Dean, to meet in Executive Session to discuss matters of Personnel. The Session was held from 12:45 p.m. to 1:30 p.m.

ADJOURNMENT

The meeting adjourned at 1:30 p.m.

Approved,



George R. Aud
President