

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, May 20, 1986

Present: Commissioner George R. Aud, President
 Commissioner Larry Millison, Vice President
 Commissioner Ford L. Dean
 Commissioner David F. Sayre
 Edward V. Cox, County Administrator
 Margaret Nelson, Recording Secretary

(Commissioner Arnold was not present due to illness).

CALL TO ORDER

The meeting was called to order at 9:00 a.m.

APPROVAL OF MINUTES

Commissioner Aud moved, seconded by Commissioner Sayre, to approve the minutes of the Commissioners' meeting of May 13, 1986 and the Special County Commissioners' meeting of May 17, 1986. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) APPOINTMENTS
BOARDS, COMMITTEES AND COMMISSIONS

Commissioner Millison moved, seconded by Commissioner Sayre, and unanimously carried to make the following appointments:

Tri-County Youth Services Bureau
 Jane Sypher - term to expire December 31, 1987

Nursing Home Board
 Norris Jay Hanks - term to expire June 30, 1988

Southern Maryland RC&D Board
 Edward Swecker - term to expire Mrch 31, 1989
 Philip Miller - term to expire March 31, 1989

Building Code Task Force
 Thomas Elmer Bailey, Sr. - No Term

Domestic Violence/Sexual Assault Board
 Delores Fleming - term to expire June 30, 1989
 Jonathan Nelson - term to expire June 30, 1989
 Emily Snell - term to expire June 30, 1989
 Lucinda Rothwell - term to expire June 30, 1989

2) CORRESPONDENCE

Maryland Fire-Rescue Education & Training Commission

Commissioner Millison moved, seconded by Commissioner Sayre and unanimously carried to make the following appointments to the Maryland Fire Service Personnel Qualification Board as requested by correspondence dated May 19, 1986:

Member: Carl Scully
 Alternate: Gregory Adams

Blessing of the Fleet

By correspondence dated May 20, 1986, Mr. Al Raley, Chairman of the Optimist Club of the Seventh District, was informed that county government staff and equipment was unanimously approved for assistance during their annual Blessing of the Fleet scheduled for Sunday, September 28, 1986.

Southern Maryland Tri-County Community Action Committee, Inc.
Women, Infant and Children (WIC) Program

Commissioner Aud moved, seconded by Commissioner Sayre to forward correspondence to Mr. Dana M. Jones, Executive Director of Southern Maryland Tri-County Community Action Committee, Inc. expressing support for the consolidation of the WIC programs in Charles and St. Mary's Counties with Southern Maryland Tri-County Community Action Committee, Inc. being made the lead agency. Motion unanimously carried.

3) PERSONNEL
MOTOR EQUIPMENT OPERATOR I, II, III
HIGHWAY MAINTENANCE WORKER

Commissioner Aud moved, seconded by Commissioner Sayre approving a memorandum from the Personnel Officer dated May 19, 1986 to establish an eligibility list for Motor Equipment Operator I, II, and III, and Highway Maintenance Worker. Motion carried.

4) MODIFICATION TO MEMORANDUM OF UNDERSTANDING
BETWEEN ST. MARY'S COUNTY COMMISSIONERS AND
DEPARTMENT OF HEALTH AND MENTAL HYGIENE
INNOVATIVE AND ALTERNATIVE SEWERAGE DISPOSAL STUDY

Commissioner Sayre moved, seconded by Commissioner Millison approving the modification to the memorandum of understanding to allow for an extension of time to June 30, 1987, and Section 9 is modified concerning payment requests for completion work on the innovative and alternative experimental system design study by the University of Maryland. The County Administrator informed the Board that the State has been invoiced for \$37,500. Motion unanimously carried.

5) RELEASE OF SERVICES
GAUDREAU, INC.

Commissioner Sayre moved, seconded by Commissioner Millison to authorize President Aud to sign the agreement terminating the services of Gaudreau, Inc. who was the architect for the St. Mary's Nursing Home. Motion unanimously carried.

6) CLEARINGHOUSE PROJECT
NINTH YEAR IMPLEMENTATION GRANT FOR MARYLAND COASTAL ZONE
MANAGEMENT PROGRAM

The County Administrator recommended that the project was consistent with the County's plans, programs, and objectives. Item No. 1 was approved, and there was unanimous agreement for the President to sign the notification and return it to the Department of State Planning.

7) HERRING CREEK/TALL TIMBERS
SHORE EROSION MITIGATION PROJECT

Commissioner Sayre moved, seconded by Commissioner Millison authorizing President Aud to sign correspondence to Colonel Martin Walsh, Jr., of the Army Corps of Engineers, concerning the county's commitment to fund its obligation for the initial project costs in excess of the federal limitation of \$1,000,000. Current estimates place the local funding obligation at \$117,000, but adjustments to either design or construction methods by the Corps could reduce the local funding obligation. Motion carried.

DIRECTOR OF RECREATION AND PARKS

Present: John V. Baggett, Director

1) BIDS ON PORTABLE TOILETS

Commissioner Aud moved, seconded by Commissioner Sayre with unanimous approval to accept the lowest bid which was from James Banagan in the amount of \$4,995 for portable toilets for the period of July, August, and September, 1986. Motion carried.

2) BIDS ON TRASH DISPOSAL

Commissioner Aud moved, seconded by Commissioner Millison with unanimous approval to accept the lowest bid which was from Buddy's Disposal in the amount of \$2,444, for trash disposal. Motion carried.

DEPARTMENT OF PUBLIC WORKS

Present: John B. Norris, Jr., Director

1) ROAD RESOLUTIONS

Mr. Norris presented the following Road Resolutions for approval by the Board:

- R86-8 Establishing "No Parking Zones" on East Key Way, County Route 3672, and, Tudor Place, County Route 3673.
- R86-19 Designating Drayden Road in the 2nd Election District as a 40-mile per hour speed limit zone from its intersection with Md. Rt. 249 for its entire length.
- R86-20 Attachment A - Establishing New Route Names; Attachment B - Establishing New Route Name and Route Number; Attachment C - Roads Added to County Highway Maintenance System; Attachment D - Route Length Corrections; Attachment E - Roads to Eliminate From County Highway Maintenance System; Attachment F - Route Number Changes. This Resolution was given to the Board to review for later discussion.

The Commissioners authorized Commissioner President Aud to sign R86-8 and R86-19.

2) PUBLIC WORKS AGREEMENTS
COUNTRY LAKES, SECTION II AND SECTION IV

Commissioner Millison moved, seconded by Commissioner Sayre to adopt Public Works Agreements for Country Lakes, Sections II and IV between Benjamin H. Burrough, Jr. and St. Mary's County as recommended by the Director of Public Works. Motion carried.

WETLANDS LICENSE NO. 86-216
MAINTENANCE DREDGING AT LEWIS CREEK

Commissioner Sayre moved, seconded by Commissioner Millison authorizing President Aud to sign the application for Wetlands License for maintenance dredging of Lewis Creek. Motion carried.

3) TRAFFIC SIGNALIZATION ALONG MD. 235

The Director of Public Works presented correspondence dated April 25, 1986 from Maryland Department of Transportation which referred to the short and long term needs for traffic signalization along Md. Rt. 235. Mr. Norris stated that being studies show the need for signalization at this time at Md. Rt. 235 and Town Creek, and at Md. Rt. 5 and Golden Beach, it is necessary to consider a portion of the budget for this project.

4) SPOIL DISPOSAL EASEMENTS

Commissioner Millison moved, seconded by Commissioner Sayre to accept the Spoil Disposal Easements between Marvin C. and Joyce J. Franzen, Raymond S. and Patricia A. Runco, and Marvin S. and Marlene R. Kaminetz, Grantors, and the Board of County Commissioners. Motion carried.

5) EASEMENT AGREEMENT

Commissioner Millison moved, seconded by Commissioner Sayre to accept the Easement Agreement dated April 16, 1986 between Nazareth Literary and Benevolent Board and Dimitri P. Mallios, Grantors, and the Board of County Commissioners. Motion carried.

(COMMISSIONER DEAN ARRIVED AT 10:13 a.m.)

6) MAINTENANCE OF BRIDGES

The Director of Public Works discussed the need for maintenance to bridges which included culverts. He estimated approximately \$45,000 would be required for bridge repairs, excluding Delabrooke bridge, and \$30,000 to \$35,000 in culvert repairs. Mr. Norris asked the Board to consider allowing the engineering firm of Wilson T. Ballard, who is presently contracted by the county, to prepare the plans and specifications. He asked that additional funding for the referenced maintenance work be included in the FY-87 budget. Mr. Norris was asked to do a fiscal analysis for the repair work and return to the Board for further discussion.

7) LEXINGTON PARK SPECIAL DRAINAGE TAXING DISTRICT

The Director of Public Works informed the Board that correspondence has been forwarded to property owners concerning design completion with little response. Mr. Norris will return with an updated status.

LEXINGTON PARK RESCUE SQUAD

Present: John Sobola, Chairman
John Levy

The two representatives discussed the Lexington Park Rescue Squad's financial problems with the Board and presented a detailed outline of expenses. After discussion, the Board was asked to amend the 8th District Fire Tax to include the Rescue Squad. The Board agreed with the Squad's need for financial assistance and stated that their request would be taken under advisement and would return with a decision after a comprehensive review.

COUNTY INSURANCE COVERAGE

Commissioner Dean reported on the efforts of the Commissioners' office to assist the volunteer fire departments in working with the State Insurance Commission to obtain liability insurance coverage for the carnivals. He reported that an insurance company in Florida is interested in providing such insurance coverage and has been approved to do business in the state of Maryland. Those interested in purchasing insurance should work through their usual insurance agents and contact Mr. John Quinn, of the State Insurance Commission's Office at 659-4069.

ST. MARY'S COUNTY FIRE BOARD

Present: Andy McWilliam, President
Joe Cooper
Interested Fire Department Members

The Fire Board members appeared before the Commissioners to solicit financial assistance for the seven volunteer fire departments throughout the county. Due to increased costs, particularly insurance premiums, the Fire Board requested assistance in obtaining a fire tax for six of the seven departments who do not presently have that tax. Commissioner Aud moved, seconded by Commissioner Millison to place the referendum for a fire tax on the ballot for voting in 1986 for Districts 1, 2, 3, 4, 5, 6, 7, and 9. Motion carried. District 8 presently has a fire tax.

EXECUTIVE SESSION
PROPERTY ACQUISITION

Present: Commissioners Aud, Millison, Dean, and Sayre
Edward V. Cox, County Administrator
John B. Norris, Jr., Director of Public Works

Commissioner Aud moved, seconded by Commissioner Sayre to enter into Executive Session for the purpose of discussing property acquisition. Motion carried. The meeting began at 10:20 a.m. and ended at 11:44 a.m.

PROCLAMATION
TOURISM WEEK

Present: Jack Candela, Tourism Advisory Committee Member
Chris Clarke, Tourism Specialist

Commissioner Dean presented a Proclamation depicting May 18 - 24, 1986 as Tourism Week in St. Mary's County.

PUBLIC HEARING
PUBLIC ACCOMMODATIONS TAX ORDINANCE

Present: County Administrator
Budget & Data Services Director
Edward Burroughs
Pat O'Donnell
Mary Whetstine
William Hebb
Mr. Lostuge
Lawrence Caples
Other Interested Citizens

The Public Hearing was opened by Commissioner Aud at 1:00 p.m. The County Administrator stated that HB 935 amended Article 81 to include St. Mary's County along with Garrett County which was enacted by the 1986 General Assembly. The secretary read the notice of public hearing after which the floor was open to the public for discussion of the Ordinance.

The above referenced citizens gave their views. A tape is on file for reference.

Commissioner Aud stated that a decision would be made after ten days.

LONGVIEW BEACH CITIZENS' ASSOCIATION
SPECIAL TAXING DISTRICT POLICY

Present: John B. Norris, Director, Department of Public Works
Bernard Lucas
John Dixon,
Latrey Washington
Other Interested Citizens

This follow-up meeting was held to give a decision to the Longview Beach Citizens' Association regarding road improvements in Longview Beach and their request for a waiver of interest on the repayment of interest on the loan as was discussed during a meeting before the Board on May 13, 1986.

The Board agreed to the following:

- 1) Present to the legislature a request for an extension of time from fifteen (15) to twenty (20) years for repayment of interest on the loan for upgrading roads
- 2) Review of the road standards by the Department of Public Works.
- 3) Check into the reduction of interest rate.

Commissioner Dean stated that to grant the request of a waiver of interest on repayment of interest on the loan would be an exception to the county's current policy that would have to include all taxing districts in the county in order to be a fair policy. The Board felt there was no equality or unfair treatment when a decision was made concerning road improvements in Longview Beach versus the Golden Beach subdivision. Present policy standards must be adhered to for establishing taxing districts today that were not in effect at the time Golden Beach was established. After further discussion, the Board denied the request for the interest waiver

JOSEPH ABELL CLARK
DECISION OF MARINA SLIPS

Present: Joseph Abell Clark

Mr. Clark requested that his application for boat slips be increased from thirty-two to 100. After a discussion it was agreed that in order for a viable livelihood for Mr. Clark that thirty-two slips would not be enough. Commissioner Aud moved, seconded by Commissioner Sayre setting the maximum at 100 boat slips. Motion carried.

FY 1987 BUDGET DISCUSSION

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

The Budget Director summarized decisions regarding the tentatively approved FY 1987 budget as follows:

General Fund Revenue
General Receipts \$35,350,655
Other financing
resources 1,318,015
Total Revenue \$36,668,670
Tax Rate effective July 1, 1986 is \$2.14.
General Fund use of surplus is zero.
Tobacco Barn Abatement is included.

General Fund Outlays
Outlays within General Fund \$35,867,000
Transfers from General Fund
to Capital Fund 801,668

Capital Fund Revenue
General Fund Transfer 801,668
State & Federal Grants 4,551,937
Bond Proceeds 3,769,313
Fund Balance 574,832
Total \$9,697,750

Capital Fund Outlays

Projects funded by Fund Balance or General Fund transfers amount to \$2,066,500.

Projects funded by bonds including grant revenue amount to \$7,631,250.

Enterprise Funds

Recreation and Parks is to be authorized at \$481,127 in revenue as well as similar amount in outlays.

Building Authority and County lease concerning Nursing Home construction is estimated to be \$6,053,161. Bond size \$5,285,000; State grant \$500,000; fund raising proceeds \$100,000; construction fund interest \$168,161.

Special Assessment Fund

The addition to the Lexington Park Drainage District in the amount of \$101,000. Debt Service requirements of \$19,896 and tax receipts from previously authorized projects amounting to \$74,221.

Total General Fund	\$36,668,670
Total Capital Fund	9,697,750
Combined Totals	<u>\$46,366,420</u>

Commissioner Dean moved, seconded by Commissioner Sayre to adopt the FY 1987 budget as presented by the Budget Director. Motion carried. The vote was 3 - 1 in favor. Commissioner Millison voted against.

YEAR-END DEPARTMENTAL SPENDING

Commissioner Dean reiterated that an accusation has been made that there is a considerable increase in year-end spending by county departments above prior months of the year. He presented figures from the expenditure approval computer printout as of April 30, 1986 which showed expenditures of 84% for the lapsed fiscal year which leaves 16% to be expended during May and June. Therefore, he feels the statement is unfounded.

ADJOURNMENT

The meeting adjourned at 2:57 p.m.

Approved,



George R. Aud
President