

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, July 29, 1986

Present: Commissioner George R. Aud, President
Commissioner Ford L. Dean
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

(Commissioners Arnold and Millison were not present due to illness).

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Sayre, to approve the minutes of the Commissioners' meeting of Tuesday, July 22, 1986 as corrected. Motion carried.

APPROVAL OF BILLS

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

BOARD OF EDUCATIONAUTOMOBILE LIABILITY INSURANCE

Present: Dennis Younkin, Dir., Fiscal & Administrative Services

Mr. Younkin appeared before the Board to advise that the Board of Educations' automobile liability insurance coverage will be cancelled in the first part of August. Mr. Younkin requested the Board's consideration to amend the County's Self-Insurance Fund-Laws to include the Board of Education for automobile liability insurance on a temporary basis until at least September 1, 1986. Coverage is needed for the Board of Education-owned vehicles and school bus contractors. Mr. Younkin stated that the Board of Education is working the Maryland State Boards of Education to develop a liability self-insurance pool which would not be in effect until September 1.

The County Administrator advised that at the current time the Board of Education is excepted from the self-insurance fund; however, the Risk Management Committee and staff recommend that the by-laws be amended as requested with the following conditions:

- 1) That the Board of Education is committed to paying any losses incurred.
- 2) That the Board of Education is willing to discuss the payment of an administrative fee.

After discussion, Commissioner Dean moved, seconded by Commissioner Sayre, to amend the County's self-insurance by-laws as set forth above. Motion carried.

ECONOMIC DEVELOPMENT REVENUE BOND FINANCING

Present: David W. Morgan, Economic Development Coordinator

Mr. Morgan appeared before the Commissioners to request approval to extend the time limit for settlement of financing for two projects; W.R. Blair, Inc. and R.F.G. and F. from June 1, 1986 to September 30, 1986. Mr. Morgan state that the Commissioners in January had reaffirmed prior approval of the use of Economic Development Revenue Bonds (\$2.2 million - W.R. Blair; \$400,000 - R.F.G. & F). In that no other applicants have requested EDB financing and in that both applicants have indicated they should be able to close by September 30, 1986, and that the County's EDB allocation has been increased to cover these projects, the extension is requested.

Commissioner Sayre moved, seconded by Commissioner Dean to grant the extension as requested. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) ST. MARY'S COUNTY CRAB FESTIVAL

The County Administrator presented a memorandum dated July 25, 1986 from the Director of Recreation and Parks advising that Lions Club is requesting use of the Governmental Center Grounds on August 10 for the first annual St. Mary's County Crab Festival and on August 9 for preparations.

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

2) BUDGET AMENDMENT NO. 87-02
ORPHANS COURT

The County Administrator presented the referenced Budget Amendment recommended for approval by the Budget Director with the following justification: To void appropriation not required because of death of one of the Judges receiving pension funds.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign the Budget Amendment. Motion carried.

3) COASTAL ZONE MANAGEMENT CONTRACT

The County Administrator presented a Contract by and between the State of Maryland Department of Natural Resources (Tidewater Administration, Coastal Resources Division) and St. Mary's County for administration of the Coastal Zone Management Program.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign th Contract as presented. Motion carried.

Further, the County Administrator presented a memorandum dated July 28, 1986 from the Budget Director advising that the CZM Contract requests an additional \$3,000 to acquire a micro-computer. In that these funds are not budgeted, authorization for this expenditure is needed by the Board.

Commissioner Dean moved, seconded by Commissioner Sayre, to grant the authorization as set forth in the Budget Director's July 28 memorandum.

4) CRIME VICTIMS' SERVICES PROGRAM
DOMESTIC VIOLENCE/SEXUAL ASSAULT PROGRAM

The County Administrator presented Grant Applications for the referenced programs as follows: Battered Spouse/Rape Crisis Programs - \$28,842; Child Sexual Abuse Program - \$21,499.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign the appropriate documents relative to the Crime Victims' Services Programs as set forth above. Motion carried.

5) CLEARINGHOUSE PROJECT NO. MD 860630-0452
TRI-COUNTY COMMUNITY ACTION COMMITTEE, INC.
FmHA - SELF HELP HOUSING

The County Administrator presented the referenced clearinghouse project and recommended that it be forwarded to the State with the comment that it is consistent with the County's plans, programs and objectives. The Commissioners gave their concurrence.

6) PERSONNEL
COMMUNITY SERVICES COORDINATOR POSITION

The County Administrator presented a memorandum dated July 28, 1986 from the Personnel Officer recommending the appointment of Ann Kovalcik to the Community Services Coordinator position, Grade 9, effective August 4, 1986.

Commissioner Sayre moved, seconded by Commissioner Dean, to accept this recommendation. Motion carried.

7) PERMIT FEE WAIVER REQUEST
CALLAWAY BAPTIST CHURCH

The County Administrator presented correspondence dated July 22, 1986 from the Pastor of the Callaway Baptist Church requesting a waiver of the building permit fee for the construction of a shed for the Church.

In that the request is in compliance with Resolution No. 75-53, Commissioner Aud moved, seconded by Commissioner Sayre, to grant this request. Motion carried.

8) WALDEN/SIERRA AGREEMENT

The County Administrator presented an Agreement by the Board of County Commissioners and Walden/Sierra, Inc. for the administration of the County's Drug Abuse and Crisis Services and designates the Executive Director of Walden/Sierra as the coordinator of the Drug Abuse Treatment and Crisis Intervention Programs.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign the Agreement. Motion carried.

COUNCIL ON CHILDREN AND YOUTH REPORT

Present: Phebe Barth, Director, Office of Community Services
Valerie von Allmen, Chairperson, Council on Children & Youth
Jennifer Kalendek, "
Jack Kralle, "

The referenced individuals appeared before the Board to present the Council on Children and Youth's Annual Report.

Jennifer Kalendek began the presentation by reporting on the Youth Affairs for 1985-86 with the following priority issues: Child Victimization and Concerns; Alcohol and Drug Abuse; Teen Suicide; and "Celebrate the Youth".

Valerie von Allmen continued the Report and advised that the state of the youth in St. Mary's County is good, and the Council is appreciative of the support given by the Board of County Commissioners.

In closing each of the County Commissioners expressed appreciation to the Council members for their dedication and efforts on behalf of the youth in the County.

A copy of the Report is on file in the Commissioners' office.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) ROAD RESOLUTIONS

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

No. 87-1

Posting Moll Dyer Road at 25 miles per hour from its intersection with Md. Rt. 5 for its entire length.

No. 87-2

Posting Airport View drive at 35 miles per hour from its intersection with Md. Rt. 235 to its intersection with Hayden Road.

Commissioner Sayre moved, seconded by Commissioner Dean, to approve and authorize Commissioner President Aud to sign the Road Resolutions as presented. Motion carried.

2) EMPLOYMENT AGREEMENT
NURSING HOME PROJECT

Mr. Norris presented an Employment Agreement by and between James M. Raley and the Board of St. Mary's County Commissioners and the St. Mary's Building Authority Commission for support services to the Department of Public Works for various projects including the Nursing Home project.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner Aud to sign the Agreement. Motion carried.

3) PUBLIC WORKS AGREEMENT
WILDEWOOD SUBDIVISION
(WILDEWOOD PARKWAY/ASPEN LANE)

Mr. Norris presented a Public Works Agreement by and between Paragon Builders, Inc. and St. Mary's County, Maryland guaranteeing the completion of Wildewood Parkway (from Station 77+51.25 to Station 87+00) and Aspen Lane (Station 0+00 to Station 5+13) in Wildewood Subdivision, Eighth Election District, on or before July 29, 1988.

Commissioner Sayre moved, seconded by Commissioner Aud, to approve and sign the Public Works Agreement as presented. Commissioner Dean abstained. Motion carried.

4) BID TALLY SHEET
FURNISHING AND DELIVERY OF MATERIALS
(SALT STORAGE BARN)

Mr. Norris presented the bid tally sheet for the referenced project and recommended awarding the bids to the lowest bidders as follows:

Item No. 1 - Dean Lumber Company - \$11,449.82

Item No. 2 - Dunkirk Supply Company - \$5,074.12

Commissioner Sayre moved, seconded by Commissioner Aud, to accept Mr. Norris' recommendation. Commissioner Dean abstained. Motion carried.

5) PROJECT NO. SM 87-5-1
RETENTION OF VEHICLE

Relative to the bids on the purchase of certain vehicles and trade-ins that had been approved by the Board on July 15, 1986, Mr. Norris requested that he be permitted to retain Unit No. 114 rather than trade it in which would increase the cost of purchase of a new vehicle from \$11,394 to \$13,069.

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

6) PROJECT NO. SM 87-4-4
BRIDGE REPLACEMENT PROJECT

Mr. Norris presented correspondence to be forwarded to State Highway Administration supplementing the Master Agreement with SHA and the County dated June 11, 1986. The proposed project involves rehabilitation of Delabrooke Road Bridge over Horse Landing Creek. Funding is provided through the Federal Aid Bridge Replacement Program.

Commissioner Dean moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign the letter. Motion carried.

7) DISCOVERY SUBDIVISION

Mr. Norris advised the Commissioners that the County was unsuccessful in defending the appeal of the Republic Insurance Company on the Discovery Subdivision case. The County was awarded the full value of the bid price in excess of \$100,000 in the Circuit Court in 1983. However, Republic Insurance Company defended that and reduced the award to the County to \$65,500 plus interest. Mr. Norris advised that the County had already expended over \$47,000 in the construction of the roads in the Discovery Subdivision and anticipated expending another \$54,000 for a total cost of \$101,000. The \$35,000 difference between the settlement and the costs will have to be borne by the County. Mr. Norris requested authorization to the appropriate budget transfer from Asphalt Overlay (Account No. 020498) to the Discovery Subdivision Account so that work can begin in August.

Commissioner Dean moved, seconded by Commissioner Sayre, to authorize Mr. Norris to proceed as outlined. Motion carried.

8) SURFACE TREATMENT PROJECT
EXTRA WORK AUTHORIZATION NO. 1
PROJECT NO. SM 87-1-1

Mr. Norris presented Extra Work Authorization No. 1 in the amount of \$33,000 payable to Montgomery Construction Company to perform surface treatment work on additional roads (Long Neck Rd., Maypole Rd., Foley Mattingly Rd., Parson's Mill Rd., Joe Hazel Rd., Sandgates Rd.)

Commissioner Dean moved, seconded by Commissioner Sayre, to approve the Extra Work Authorization as presented. Motion carried.

9) ASPHALT CONTRACT
EXTRA WORK AUTHORIZATION NO. 1
PROJECT NO. SM 86-1-9

Mr. Norris presented Extra Work Authorization No. 1 in the amount of \$239,100 payable to Arundel Asphalt for the paving of additional streets as follows: Birch Manor Rd., Clarks Mill Rd., Drayden Rd., Piney Point Subdivision, shoulder work on Chingville Road and McIntosh Road.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve the Extra Work Authorization as presented. Motion carried.

10) OPTION AGREEMENT
ST. ANDREWS LANDFILL

Mr. Norris advised that St. Andrews Landfill is within seven years of approaching capacity. He stated that it is the principal landfill for St. Mary's County and that it takes from inception of expansion to actual use from three to five years. Therefore, Mr. Norris presented an Option Agreement by and between Nellie E. McLeod and the Board of County Commissioners of St. Mary's County granting to the County 64 acres located in the Eighth Election District, at a cost of \$2700 per acre, said purchase conditioned upon approval of the Board of Appeals and approve of Phase II of the design submittal by the State Health Department that the soils are suitable for a landfill. Mr. Norris recommended the Commissioners' acceptance of the Option Agreement based on discussions and negotiations since December 1985 and stated that the Option is the most favorable expansion of property for solid waste operation that the County has.

Commissioner Dean moved, seconded by Commissioner Sayre, to accept Mr. Norris' recommendation and authorize Commissioner President Aud to sign the Option Agreement. Motion carried.

ST. MARY'S RIVER WATERSHED PROJECT - CALIFORNIA PARK

Present: John V. Baggett, Director, Recreation and Parks
Senator Bernie Fowler
Delegate J. Ernest Bell
Delegate John F. Slade

Mr. Baggett appeared before the Commissioners to present a proposal for use of the state-owned property at the Watershed project site. He stated that the State had purchased property to put in a watershed, but were unable to do this. Mr. Baggett stated that he felt that this would be an opportunity to get a regional park in the county with much-needed facilities such as lighted ball fields and a community pool.

Mr. Baggett advised that the DNR has prepared a draft 50-year lease for 80 acres. The Commissioners reviewed the proposed lease with Mr. Baggett and senator and delegates and made several suggested amendments.

During discussion Mr. Baggett stated that he hoped that state money would become available to assist in the development of this park. He stated that he would like to use funds that had been appropriated by the County for development of this project to hire a consultant to develop a comprehensive master plan and construction drawings for the first phase of this project so that specific plans could be taken to the State in order to try to obtain funding.

After discussion, it was agreed that Senator Fowler would arrange a meeting in the County with the legislators, Commissioners and DNR representatives to discuss what commitments have been made prior to having a survey and a plan developed.

AIRPORT COMMISSION
STATUS REPORT ON ST. MARY'S COUNTY AIRPORT

Present: John Paradis, Chairman, Airport Commission
F. Elliot Burch, Sr., "
Ed Long "
Thomas McGuyre, "
Capt. Stuart Fitrell, Commanding Officer, NAS
Earl Hopkins, President, Atlantic Air
Ted Logan, Vice-President, Atlantic Aero
Joseph Mitchell, Director, Economic & Community Development
David W. Morgan, Economic Development Coordinator
Elizabeth Matarese, State Aviation Administration
Cal Roberts, Dynamac
George Havens, Director, Chamber of Commerce

Mr. Paradis, on behalf of the Airport Commission, appeared before the Commissioners to present an update on the activities and progress of the St. Mary's County Airport. By way of charts, Mr. Paradis reviewed the progress of the Airport stating that use of the airport facilities, flight training, maintenance and fuel sales have increased significantly. He stated that there is an experienced FBO and maintenance staff at the Airport, the Master Plan is under review and through various projects, FAA and the State have expressed interest in the Airport.

With regard to future plans at the Airport, Mr. Logan explained that current plans are or ten (or more, if needed) "T" hangars, a 15,000 square foot hangar, a 4,000 square foot hangar for offices, and the present hangar will be turned into a maintenance facility.

Mr. Paradis reviewed the budgeted future of the Airport stating that FAA will be appropriating \$3.2 million over the next four years for runway lengthening, taxiway improvements, and increase in instrumentation to support safe flights.

Mr. Hopkins explained Atlantic's interest in the Airport and that his company has invested a considerable amount of money in the Airport and is willing to commit more resources and help in the future development.

Ms. Matarese of State Aviation expressed praise for the County and the Airport and stated that St. Mary's County has been identified as one of the three airports in the State for terminal improvements. She stated that with a good Master Plan and adequate zoning the County Airport should have a good future. Ms. Matarese advised that she has been looking throughout the State for a facility that would be interested in teaching aviation technology and air traffic control, flight training, etc. She stated that it would be a good investment in the youth of the County to have this type of curriculum.

Mr. Morgan stated that in the County's DECD's efforts to attract new businesses to the County, the Airport gives a competitive edge. He stated that the Airport is also a help to existing businesses. Mr. Mitchell displayed a plan for the St. Mary's Business Airpark and an ad soliciting businesses to the Park.

Mr. Paradis went on to discuss the air passenger service from the County Airport to BWI, National Dulles and Norfolk and that the travel agencies have been supportive of this program. He stated that the use of the service has increased, and continuance of the service is important to the County, and to the future of the Airport. Capt. Fitrell and Cal Roberts expressed the cost savings and economics to the Navy and contractors of using the commuter service at the Airport.

In conclusion the County Administrator pointed out that a proposal is before the Board by way of a memorandum dated July 7, 1986 from the Airport Commission for the extension of the County's support of the passenger service for a period of six months at a cost of \$25,000.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve the request of the Airport Commission to continue the County's support of the passenger service at the St. Mary's County Airport. Motion carried.

Commissioner Dean suggested that inasmuch as the County is currently in the process of updating th Comprehensive Land Use Plan that the Airport Commission work with the Office of Planning & Zoning to look at AICUZ for the county airport.

PROCLAMATION
ST. MARY'S CRAB FESTIVAL

Present: Carl Raley, President, Leonardtown Lions Club
Joe Abell, Crab Festival Committee
Fran Bodine, Chairman, Crab Festival Committee
John Norris, Vice-President, Leonardtown Lions Club

The Commissioners presented the referenced Proclamation proclaiming Sunday, August 10, 1986 as the first annual St. Mary's County Crab Festival sponsored by the Leonardtown Lions Club.

OFFICE OF PLANNING & ZONING

Present: Robin Guyther, Planner
Anita Meridith, Recording Secretary

RESOLUTION NO. Z86-09: TEXT AMENDMENTS TO ZONING ORDINANCE
AND MINOR SUBDIVISION REGULATIONS

Proposed changes to the St. Mary's County Zoning Ordinance and Subdivision Regulations regardind the definitions and/or regulations of: "Farmsteads," "Access" Points, "Parcels of Record," "Minor Subdivisions" and "Roadway Standards."

Mr. Guyther provided the prepared Resolution for the Board's consideration and noted those areas which had been amended, per the Board's recent discussions and deliberations. Staff advised that a brochure would be prepared that would explain these changes in laymans terms.

Commissioner Dean moved, seconded by Commissioner Sayre, and unanimously passed, that Resolution Z 86-09: Text Amendments, Zoning Ordinance and Subdivision Regulations be approved with an effective date of August 1, 1986.

Mr. John Norris, Director of the Department of Public Works, addressed the Board and voiced concern with discrepancies contained within the regulations particularly with regard to cluster development. Mr. Norris spoke to a case considered the previous evening by the Planning Commission wherein that Board had deferred action because of an apparent conflict between the Zoning Ordinance and Road Ordinance insofar as construction standards within cluster developments. Mr. Norris urged that the Commissioners needed to elaborate on the definition of cluster and resolve the issue of what actually constituted a cluster development.

EXECUTIVE SESSION

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

Commissioner Dean moved, seconded by Commissioner Sayre, to discuss matters of property acquisition and personnel. Motion carried. The Session was held from 1:00 p.m. to 1:25 p.m.

ADJOURNMENT

The meeting adjourned at 1:30 p.m.

Approved,



George R. Aud
President