

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, February 24, 1987

Present: Commissioner Joseph P. O'Dell, President
Commissioner W. Edward Bailey
Commissioner Robert Jarboe
Commissioner John G. Lancaster
Commissioner Rodney Thompson
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Bailey, to approve the minutes of the Commissioners' meeting of Tuesday, February 17, 1987. Motion carried.

APPROVAL OF BILLS

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the bills for payment.

DIRECTOR OF FINANCE
RETIREMENT

Present: Harris Sterling

The County Administrator advised that Mr. Sterling will be retiring at the end of this week and thought it fitting that the Commissioners give him a formal farewell as the first item of the agenda.

On behalf of the Board Commissioner O'Dell expressed pleasure in working with Mr. Sterling and wished him well on his retirement.

HOUSING LIVABILITY CODE

Present: Frank Gerred, Director, Office of Planning and Zoning
Joseph Mitchell, Director Economic & Community Development

The referenced individuals appeared before the Commissioners to advise that the Livability Code has been mandated by legislation. Mr. Gerred advised that there is a 50-50 grant being made available for the study of the Code and determining the County's responsibility. Mr. Gerred indicated that the County's Office on Economic & Community Development will conduct the study and determine which department should be on-going involved in this matter.

Therefore, Mr. Gerred presented correspondence for the Commissioners' signatures addressed to the State DECD indicating the County's intent to apply for grant funds to assist in the adoption and implementation of the State Minimum Livability Code.

Associated with the Code, Mr. Mitchell advised that there will be a grant program administered by the State to allow landlords to borrow money below market interest rates for the purpose of bring rental units in compliance with the new Livability Code.

After discussion, Commissioner Thompson moved, seconded by Commissioner Bailey, to authorize President O'Dell to sign and forward the letter as presented. Motion carried.

PROCUREMENT MANUAL

Present: Paul Raley, Director, Purchasing & Logistics

Mr. Raley appeared before the Board to present an update on the progress of the preparation of the Procurement Manual for the County. There will be a work session with Department Heads on March 5 to discuss any problem areas in the implementation of the proposed Manual. The Commissioners are invited to attend this Session if they so desire. The draft manual will be presented to the Commissioners around mid-March at which time a public hearing will be scheduled. After the public hearing, the adoption date of the Manual will be determined.

In closing, Commissioner O'Dell requested the County Administrator to provide the Board with an activity list and dates relative to the Procurement Manual.

FY '88 BUDGET REVIEW

Present: Charles H. Wade, Jr., Director of Finance

Mr. Wade appeared before the Commissioners to bring the Commissioners up to date relative to the FY '88 budget process. He stated that next week he will be presenting initial revenues and expenditures and noted that there are some significant increases in budget requests. Budget submissions received to date will be placed in the Commissioners' Offices today.

In conclusion Mr. Wade presented budget review schedules and criteria to be used in the review process.

WELLNESS PROGRAM PROGRAM COMMITTEE

Present: Phebe Barth, Coordinator
Gerda Manson,
Bill Miedzinski

The referenced representatives of the Committee appeared before the Commissioners to inform them of the establishment of the Wellness Program for county employees. The Program has been established because Blue Cross/Blue Shield has informed the County of increased health care expenses exceeding premiums and the results of the wellness survey reflect inadequate health care among employees. Aggregate statistics from the Wellness Survey has surfaced concern relative to the health of a number of employees, and the Program will be geared to develop education and activity programs to the County's benefit. Ms. Barth advised that Dr. Marek and Mary Novotny of the Health Department have been very helpful in this endeavor by providing educational materials and suggestions.

Ms. Barth requested the County Commissioners support for the Program for County employees and advised that the "Kick-Off" Day is Tuesday, March 10 at 12:00 Noon. There will be a walk plotted out by Bill Miedzinski and the Committee will be asking the department heads to be lead walkers with participation by the Commissioners. Nutritious snacks will be made available after the walk.

Employees will be surveyed to see what their interests and needs are and the Committee will look at ways to try to solve them.

In conclusion, the Commissioners requested the County Administrator to make a special request to the Department Heads indicating the Commissioners' support of the Program and requesting their participation.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) CORRESPONDENCE TO MARYLAND ASSOCIATION OF COUNTIES
350TH CELEBRATION COMMITTEE

The County Administrator presented correspondence addressed to the President of MACo requesting assistance in obtaining an endorsement of other counties in the County Government Day to be held in June 1987 in conjunction with the 350th Celebration of the founding of St. Mary's County.

The Commissioners agreed to sign and forward the letter.

2) CORRESPONDENCE TO COMMENTS RECREATIONAL COUNCIL
ST. CLEMENTS SHORES ROAD AND DRAINAGE PROBLEMS

The County Administrator presented correspondence addressed to the Comments Recreational Council responding to concerns relative to road and drainage problems at St. Clements Shores.

The Commissioners agreed to sign and forward the letter.

3) LANDLORD'S WAIVER AND CONSENT
MCGREGOR AND WERNER

The County Administrator explained that some years ago the County participated with St. Mary's Press in an state-funded program making St. Mary's County the landlord of the grounds of St. Mary's Press located at the industrial park. St. Mary's Press must obtain a release from the County whenever it purchases equipment. Therefore, Mr. Cox presented the Landlord's Waiver and Consent for the purchase of certain equipment for the Commissioners' approval.

Commissioner Bailey moved, seconded by Commissioner Thompson to authorize the President of the Board to sign the Waiver as presented. Motion carried.

4) CLEARINGHOUSE PROJECT NO. MD870218-0115
DEPARTMENT OF NATURAL RESOURCES -TIDEWATER ADMINISTRATION
REQUEST FOR EMERGENCY ASSISTANCE FROM NATIONAL MARINE
FISHERIES SERVICE TO DEVELOPMENT CHESAPEAKE BAY OYSTER
MANAGEMENT STRATEGY

The County Administrator presented the referenced clearinghouse project and recommended that it be forwarded to the State with the comment that it is not inconsistent with this agency's plans, programs or objectives.

The Commissioners gave their concurrence.

5) RETIREMENT PAY FOR FIRE DEPARTMENT AND
RESCUE SQUAD VOLUNTEERS

The County Administrator presented a memorandum dated February 10, 1987 attaching listings of fire department and rescue squad volunteers who qualified for service in 1986. Also attached is a listing of current retirees who serve an additional year and those who qualify for retirement pay for the first time in 1987.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve and sign the annual listings as presented. Motion carried.

6) EMPLOYEE CONTRACTS

The County Administrator advised that that for all employees other than those who are full-time merit, a contract arrangement employee agreement is developed. The Contract spells out the terms of employment for that individual. He stated that in the past the President of the Board was authorized to execute those contracts unless there is a reason for deliberations by the Board and inquired whether the Board wished to continue with that policy.

After discussion, Commissioner Bailey moved, seconded by Commissioner Lancaster to authorize the President to sign the Employee Contracts unless further deliberation by the Board is necessary. Motion carried.

7) METROPOLITAN COMMISSION
STAFF POSITION CREATION/ABOLISHMENT

The County Administrator presented correspondence dated February 23, 1987 from the Metropolitan Commission requesting approval for the creation of an Assistant Superintendent and Wastewater Mechanic for the staff of the Pine Hill Run Wastewater Treatment Plant. Further requested was the elimination of Wastewater Maintenance Specialist and Wastewater Operator. This request is in compliance with Chapter 113 of the Code of Public Local Laws.

The Commissioners agreed to defer action on this request until next week.

8) SHERIFF'S PENSION SYSTEM
TRUST EXECUTION AGREEMENT

The County Administrator informed the Commissioners of the Board of Directors for the administration of the Trust Fund for the Sheriff's Department Pension System. The Trust Execution document has been signed by the Trustees and is now in order for the Commissioners to sign.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to authorize Commissioner President O'Dell to sign the Trust Execution Agreement as presented. Motion carried.

9) APPOINTMENT OF "CHIEF FINANCIAL OFFICER"

Commissioner O'Dell requested action by the Board for the appointment of a Chief Financial Officer for the County as provided in legislation submitted this year.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to appoint Charles H. Wade, Jr., the Director of Finance, as the Chief Financial Officer. Motion carried.

10) SHERIFF'S PENSION SYSTEM
BOARD OF TRUSTEES

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to appoint Charles H. Wade, Jr. to the Sheriff's Department Pension System Board of Trustees, to replace Joseph O'Dell, who was Budget Officer and now Commissioner President. Motion carried.

11) BATTERED SPOUSE PROGRAM
AMENDMENT TO CONTRACT AGREEMENT

The County Administrator presented correspondence dated February 5, 1987 forwarding amendment to the Contract Agreement for the Battered Spouse Program increasing the amount of the grant by \$2,469 for fiscal period July 1, 1986 - June 30, 1987. Amendment increases the Grant to \$43,312.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to acknowledge increase as set forth above. Motion carried.

12) FIRE DEPARTMENTS/RESCUE SQUADS APPRECIATION

Commissioner Thompson suggested that letters be forwarded to individual members of fire departments and rescue squads expressing appreciation for their service to the community.

It was agreed that some type of appreciation night be arranged for the fire departments/rescue squads later in the year.

CHAPTICO RECREATION ASSOCIATION

Present: John V. Baggett, Chairman (Director, Recreation & Parks)

Mr. Baggett advised that he has put out a Request for Proposals for the study relative to Chaptico Recreation Association for the primary goal of maximizing revenues and minimizing expenses. The proposals are due March 2, 1987, and the Corporation Board will be presenting recommendations for acceptance of a proposal. Once the study is completed, decisions will need to be made regarding payment of bills, staff, etc.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
John V. Baggett, Director, Recreation and Parks

Commissioner Bailey moved, seconded by Commissioner Jarboe, to meet in Executive Session in order to discuss a matter of Personnel. Motion carried. The Session was held from 9:55 a.m. to 10:30 a.m.

SOUTHERN MARYLAND HEALTH SYSTEMS AGENCY

Present: Joanna McCarthy, Acting Director
Kitty Shoap

The referenced representatives of the SMHSA appeared before the Commissioners to discuss the funding for FY '88. Mrs. McCarthy advised that the federal government has withdrawn funding and state funding appears to be reduced at this time. State-wide funds are anticipated to be cut back to approximately \$580,000, and \$1.5 Million is required to continue at the local health planning level. She stated that it was her opinion that there is an attempt to diminish the consumer participation process in HSA and to have the Certificate of Need process done at the State level. The local jurisdiction would only be involved in the development and implementation of the health planning.

Mrs. McCarthy, therefore, requested the Commissioners's support in keeping SMHSA going by continuing the financial support in the amount of \$1500 (\$100 additional from last year).

In conclusion, Commissioner O'Dell advised that the Commissioners meet quarterly with the other Southern Maryland Commissioners and will discuss this issue with them at the next meeting. In the meantime the Commissioners will review the budget request as submitted by SMHSA and will make a decision during the budgetary process.

SHERIFF'S DEPARTMENT ANNUAL REPORT

Present: Sheriff Wayne Pettit
Bill Miedzinski, Administrator
Al Smith, Jail Administrator
Lt. Gene Pellillo

The Sheriff, having previously distributed the Annual Report for the Sheriff's Department, inquired whether any of the Commissioners had any questions. He stated that he was interested in keeping the Board informed of the activities and programs of his department.

(A copy of the report is on file in the Commissioners' Office.)

In closing, the Commissioners complimented the Sheriff and staff on the positive job being done by the Department.

EXECUTIVE SESSION

Present: Sheriff Wayne Pettit
Richard Vorhaar
Lt. Pellillo
Edward V. Cox, County Administrator

Commissioner Bailey moved, seconded by Commissioner Thompson, to meet in Executive Session in order to discuss police matters. Motion carried. The Session was held from 10:55 a.m. to 11:30 p.m.

MARYLAND STATE POLICE
ANNUAL REPORT - LEONARDTOWN BARRACKS

Present: Lt. James Plunkert, Commander
Lt. Robert Short, Assistant Commander

Lt. Plunkert and Lt. Short appeared before the Commissioners to introduce themselves to the Board and to present the Annual Report for the Leonardtown Barracks.

(A copy of the Report is on file in the Commissioners' Office.)

In conclusion the Commissioners thanked the MSP representatives and offered the County's assistance whenever needed.

PROCLAMATION
WOMEN'S HISTORY WEEK

Present: Dorothy Barclift
Joan Stine
Elvare Gaskin

The Commissioners presented the referenced Proclamation designating the week of March 1-7, 1987 as Women's History Week in St. Mary's County.

PROCLAMATION
VOCATIONAL EDUCATION WEEK

Present: Dee Cross
Cindy Dixon
Beth Hammett
Vicki Stevens
Minnett Hall

The Commissioners presented the referenced Proclamation designating the week of February 23-27, 1987 as Vocational Education Week at Chopticon High School.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
Theodore Weiner, County Attorney

Commissioner Jarboe moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss a matter of litigation with the County Attorney and followed by an Executive Session with the County Administrator regarding personnel. Motion carried. The Session was held from 11:55 a.m. to 12:45 p.m.

TOUR OF RECREATION AND PARKS FACILITIES

At this time the Commissioners left for a tour of various facilities of the Department of Recreation and Parks.

(THE COMMISSIONERS RESUMED THE MEETING AT 6:30 P.M.)

OFFICE OF PLANNING AND ZONING

Present: Frank Gerred, Director

1) SUBDIVISION REGULATIONS

Mr. Gerred informed the Commissioners of the proposed changes to the Subdivision Regulations regarding road classifications, setbacks, and minimum drive separation. He stated that the intent is to eliminate a problem that the Planning Commission was seeing with regard to too many entrances along county roads.

Mr. Gerred pointed out that the Planning Commission had approved the change to the Subdivision Regulations and the past Commissioners had a public hearing and had agreed to adopt the regulations; however, the Resolution had never been prepared. He stated that the County Attorney has rules that the current Board can review the record on the matter and act without conducting another hearing.

The Commissioners requested Mr. Gerred to have the adopting Resolution prepared for their review and further to devise a way for those who would be affected to be notified prior to approval.

2) BUILDING CODE TASK FORCE

Also Present: James Kenney, Chairman

Mr. Kenney appeared before the Commissioners to review with the recommendations of the Building Code Task Force. He stated that the basic conclusion was that the time had arrived for St. Mary's County to seriously consider adopting a building code. The Task Force recommended that the County review codes that are in place and select one for adoption by the County.

Mr. Kenney pointed out that in addition to the Task Force the Commissioners may want to consider hiring a consultant to assist in the process of adopting a code. He stated that among the considerations in adopting a code will be costs in administering it, inspectors, total impact, etc.

During the discussion, Mr. Kenney indicated that there appeared to be general support by the developers in the community for such a code and noted that the Task Force itself is comprised of residential and commercial builders.

In conclusion the Commissioners directed that the Task Force continue its mission by reviewing various codes, identifying objectives, costs involved (personnel, training, etc.) and report back to the Board with recommendations. Mr. Kenney stated that the Task Force will first submit a proposal on what the next steps should be.

RENTAL ALLOWANCE PROGRAM APPLICATION

Present: Dennis Nicholson, County Dept. of Economic & Community Dev.

Mr. Nicholson appeared before the Commissioners to explain the referenced Program and to request approval of the Grant Agreement for submission to the Community Development Administration. He stated that the Grant is in the amount of \$34,800 to assist low income individuals with housing allowance and to offer other support services to enhance economic independence. The funds would provide assistance for a six-month period.

After discussion, Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner O'Dell to sign the Grant Agreement as presented. Motion carried.

EMERGENCY SHELTER GRANT PROGRAM

Present: Dennis Nicholson, DECD
Ella May Russell, Director, Dept. of Social Services
Dr. Patricia Hawkins, Director, Walden Counseling Center

As a follow up to last week's discussion, the referenced individuals appeared before the Commissioners to explain the referenced Program and to obtain the President of the Board's signature on the "Letter of Intent to Participate."

The purpose of the Program is to provide a shelter for homeless women and children which is planned to be located at the old convent behind Holy Face Church in Great Mills.

After discussion Commissioner Lancaster moved, seconded by Commissioner Jarboe, to authorize Commissioner President O'Dell to sign the "Letter of Intent to Participate." Motion carried.

TIN TOP HILL PROJECT

Present: Steve King, Metropolitan Commission
Dennis Nicholson, DECD

Mr. King appeared before the Commissioners to describe the referenced project and explained that a study was underway to develop alternatives for wastewater treatment in the McIntosh Road area. By way of a map, Mr. King pointed out the original area to be studied. He indicated that at the public meeting regarding this matter, it became apparent that the planning area needed to be expanded. The project is to be funded through EPA and HUD funds. Mr. King advised that the original cost of the contract with Buchar and Horne, the consultant performing the study, is \$14,000, and has agreed to expand the contract at an additional cost of \$2,731.

During discussion Commissioner O'Dell suggested that preliminary information be obtained with regard to potential development of the area with the expansion of the scope of the project as presented.

After discussion Commissioner Lancaster moved, seconded by Commissioner Jarboe, to authorize the President of the Board to sign the Letter of Participation to the Contract for the expansion of the project as set forth above. Motion carried. Mr. King will have the letter prepared for Commissioner O'Dell's signature.

COUNTY COMMISSIONERS' ITEMS

1) NURSING PROGRAM

Commissioner Thompson inquired as to the possibility of resuming the nursing program at the Tech Center. The County Administrator advised that it had been discontinued because of the cost per student and the fact that most of the students were out-of-school age. He indicated that the Board of Education and Charles County Community College were working on a proposal for the reinstatement of the LPN Program.

2) LEXINGTON PARK STORM DRAINAGE
SPECIAL TAXING DISTRICT
PROJECT NO SM 86-4-3

Commissioner Jarboe requested the County Administrator and Director of Department of Public Works to locate available fund for the design of the Lexington Park Stormwater Management Drainage System and further that the County Attorney proceed with the establishment of the Special Taxing District. The Director of Public Works should have the Agreement by all participants signed and presented.

3) HIRING PROCEDURES

As a follow up to last week's discussion, Commissioner Jarboe stated that he and Commissioner Bailey reviewed the policy for hiring. It was their conclusion that there was no need for change other than to emphasize the understanding that the Commissioners be given an opportunity to review the qualifications prior to appointment of directors, assistant directors, (or others on that level).

4) GROUNDWATER STUDY

Commissioner Jarboe advised that the referenced subject was a matter of discussion at the Tri-County Council executive meeting. The County Administrator indicated that Tri-County Council is aware of the County's interest in a regional study and that the Director of OPZ is proceeding to negotiate with Maryland Geological Survey to develop costs for such a study.

5) SENATE BILL 273
INCOME TAX REFORM

Commissioner O'Dell advised that correspondence dated February 19, 1987 was received from Maryland Association of Counties with an analysis of S.B. 273 on the counties. The Bill has the objective of reducing local subdivision's income tax collection because it would tie the federal government reduction to the State and pass it on to the County. He stated that this would have a serious impact on the Counties' revenue capabilities, and therefore, presented correspondence to the legislators for the Commissioners' signatures opposing the fiscal impact of the bill.

The Commissioners agreed to sign and forward the letter.

6) STATE AID TO SCHOOLS

Commissioner O'Dell presented correspondence for the Commissioners' review and signatures addressed to the Legislators requesting support of Governor Shaefer's proposal to increase state aid to schools.

The Commissioners agreed to sign and forward the letter.

7) SIGNING FOR GARVEY CENTER

Commissioner O'Dell advised that correspondence had been received from an individual requesting the placement of a sign designating the location of the Garvey Center at Leonard Hall. The County Administrator advised that there are other many other activities at the Governmental Center and would look into have a signing study done.

8) FRESH POND NECK ROAD (TIRE ISSUE)

Commissioner O'Dell stated correspondence was received regarding the dumping of tires in the area of Fresh Pond neck Road. Commissioner Jarboe responded that the section of the Zoning Ordinance regarding junkyards is being reviewed to seek how it could be amended to handle this. This will be discussed at a later date.

9) ITEMS FOR NEXT WEEK'S AGENDA

Commissioner O'Dell listed the following items to be discussed by the Commissioners at next week's meeting:

- a) Board of Education Categorical Transfers
- b) Department of Social Services purchase of micro-computer
- c) McKay's Beach Road Improvements petition.
- d) Metropolitan Commission's Legislative Items.

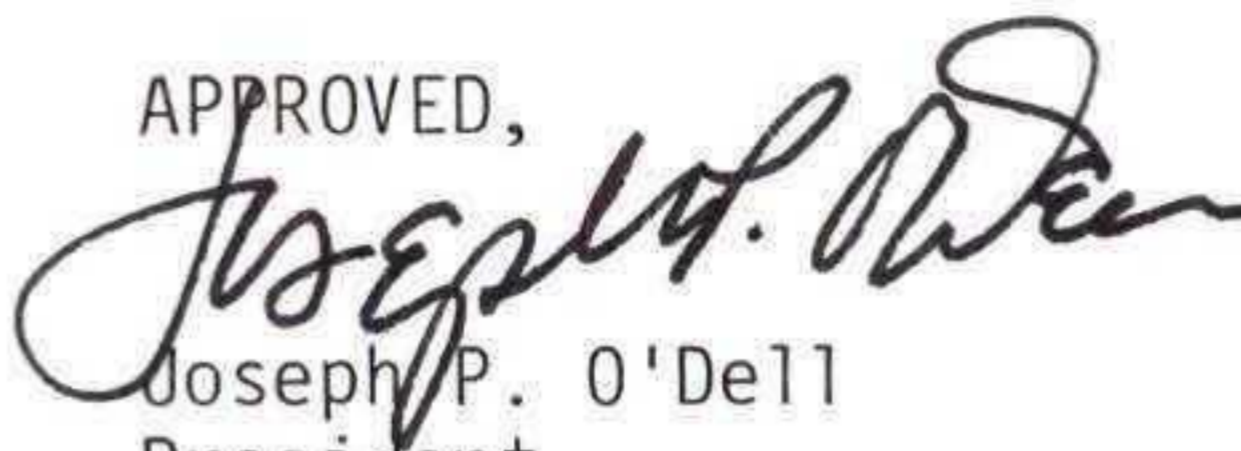
PUBLIC FORUM

At this time the Commissioners opened the floor for comments and questions. Several of the citizens present expressed opinions and raised several questions.

ADJOURNMENT

The meeting adjourned at 9:45 p.m.

APPROVED,



Joseph P. O'Dell
President