

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, May 10, 1988

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
Commissioner Rodney Thompson
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

The meeting was called to order at 9:05 a.m.

APPROVAL OF MINUTES

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, April 12, 1988. Motion carried.

APPROVAL OF BILLS

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve payment of the bills as presented. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) BUDGET AMENDMENTS

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

- a) No. 88-54
Judicial

Justification: To funds books for Law Library (\$7,100)

- b) No. 88-55
Public Works

Justification: To fund public utilities account to pay SMECO Street Lighting bills (\$4,000)

- c) No. 88-56
Economic & Community Development

Justification: To adjust office supplies account

- d) No. 88-57
Finance Department

Justification: To provide for special studies performed by the audit team beyond the regular year-end audit.

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve and authorize Commissioner Loffler to sign the Budget Amendments as presented. Motion carried.

2) DEPARTMENT OF HUMAN RESOURCES
GRANT CONTRACT AGREEMENTS

The County Administrator presented the following Grant Contract Agreements for the period July 1, 1988 - June 30, 1989.

Rape Crisis Services:	\$59,601
Battered Spouses:	\$54,393
Homeless Shelter Services for Women:	\$49,079

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the Grant Agreements as presented. Motion carried.

3) ASSOCIATION FOR RETARDED CITIZENS
COUNTY'S INSURANCE HEALTH INSURANCE PLAN

The County Administrator presented correspondence dated May 4, 1988 from the Association for Retarded Citizens requesting the Commissioners' consideration for ARC to participate in the County's Health Insurance Plan. Therefore, Mr. Cox presented a response to the ARC advising that in light of rising health insurance costs, it would not be feasible for the County to expend its risk basis at the present time.

Commissioner Thompson moved, seconded by Commissioner Bailey, to sign and forward the letter as presented. Motion carried.

4) CHESAPEAKE BAY CRITICAL COMMISSION
AMENDED BUDGET REQUEST

The County Administrator presented correspondence to the Critical Area Commission amending the initial FY '89 Budget Request from \$127,000 to \$143,000. The original request included salaries for three positions (Environmental Planner, Critical Areas Inspector, and Secretary). The amended request includes a request for an additional \$16,000 to cover salary and benefits for one full-time secretary for the Soil Conservation District.

5) ELMS PROPERTY

The County Administrator presented a memorandum dated April 14, 1988 from the Department of Recreation and Parks requesting permission to erect a wooden sign on county property at the entrance of Bay Forest Road indicating the location of Elms Property Beach. The sign had been located across the road on private property; however, due to recent construction, it had to be removed.

Commissioner Bailey moved, seconded by Commissioner Lancaster to approved this request. Motion carried.

6) CLEARINGHOUSE PROJECT NO. MD880429-0322
RIGHT OF WAY TO ST. MARY'S COUNTY - 8.05 ACRES
TO RECONSTRUCT/WIDEN INDIAN BRIDGE ROAD

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 or objectives.

Commissioner Thompson moved, seconded by Commissioner Lancaster, that it be forwarded to the State as recommended. Motion carried.

7) SEVENTH DISTRICT FIRE TAX

The County Administrator presented correspondence dated April 20, 1988 from the Seventh District Volunteer Fire Department requesting that the fire tax bill be placed on referendum on the ballot in the November 1988 General Election. Therefore, the County Administrator presented correspondence to the Supervisors of Elections formally requesting to have placed on the November ballot the fire tax issue.

Commissioner Thompson moved, seconded by Commissioner Bailey, to sign and forward the letter to the Supervisors of Election as presented. Motion carried.

8) CORRESPONDENCE TO TRI-COUNTY COUNCIL
MARYLAND/VIRGINIA AQUACULTURE CONFERENCE

As a follow up to last week's meeting, the County Administrator presented correspondence addressed to the Tri-County Council authorize the Council to use the funds for the Aquaculture Conference. The Commissioners agreed to sign and forward the letter.

9) S.M.I.L.E., INC.
PARCEL VI - CHARLOTTE HALL

The County Administrator presented correspondence dated April 15, 1988 from the President of S.M.I.L.E., Inc. requesting the County to extend its commitment from June 30, 1988 to June 30, 1991 for Parcel VI at Charlotte Hall for adult day care services. Therefore, the County Administrator presented a response advising that the County is renewing its commitment to allocate Parcel VI of the Charlotte Hall property for adult day care services and is extending its commitment from June 30, 1988 to June 30, 1991.

Commissioner Thompson moved, seconded by Commissioner Bailey, to sign and forward the letter. Motion carried. (Commissioner Loffler did not participate.)

10) PERSONNEL

The County Administrator presented the following items of personnel for the Commissioners' consideration:

OFFICE ON AGING
CONVERSION OF GRANT POSITIONS

Memorandum dated May 9, 1988 from Personnel Office recommending the conversion to permanent part time two temporary grant positions: Guardianship Coordinator and Nutrition Aide.

Commissioner Bailey moved, seconded by Commissioner Thompson to approve the conversion of the two referenced positions at the Grade 4 level. Motion carried.

OFFICE ON AGING
REQUEST TO ESTABLISH OUTREACH PROJECT DIRECTOR

Memorandum dated April 26, 1988 from Director of Finance requesting establishment of an Outreach Project Director position, Grade 7, which would be funded through the State Department of Transportation grant (SSTAP). If approved, the Director of the Office on Aging would like to hire Pamela D. Hollin, currently a Typist Clerk II, on a 90-day temporary full-time appointment, Grade 7, pending advertisement and selection of a permanent employee.

Commissioner Bailey moved, seconded by Commissioner Lancaster to approve the referenced requests. Motion carried.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) ACCEPTANCE OF DEEDS
ROAD RESOLUTIONS
PATUXENT PARK WEST SUBDIVISION

Mr. Norris presented the following documents relative to Patuxent Park West Subdivision:

Deed dated May 10, 1988 between Patuxent Park Limited Partnership and St. Mary's County accept Liberty Street and Pacific Drive into the County's Highway Maintenance System.

Deed dated March 24, 1988 between RFG&F Partnership Southern Maryland Associates, Inc., Robert F. Gabrelcik and RFG&F Associates Partnership and the Board of County Commissioners of St. Mary's County accepting Pacific Drive West into the County's Highway Maintenance System.

Road Resolution No. R87-33 posting Pacific Drive and Liberty Street at **25 miles per hour.**

Road Resolution No. R87-34 designating the following streets as Stop Streets:

Pacific Drive at its intersection with Md. Rt. 246
Liberty Street at its intersection with Pacific Drive.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to accept the referenced Deeds and to approve the Road Resolutions as presented. Motion carried.

2) ST. MARY'S RIVER PARK

Mr. Norris advised that correspondence dated March 23, 1988 was received from the Chairman of the St. Mary's River State Park Citizens Advisory Committee expressing concern relative to a proposal for a large collector road crossing the northeastern section of the Park in that it is inconsistent with the anticipated use of the area.

Mr. Norris presented a response to the Chairman advising that strong consideration for the route selection was due to the availability of the property from the State and minimization of inconvenience and acquisition from local landowners. However, the exact route has not been selected and all efforts will be made to minimize all wetland areas.

The Commissioners agreed to sign and forward the letter.

3) CAPITAL PROJECT STATUS REPORT

Mr. Norris presented the Capital Project Status Report for the Department of Public Works and highlighted certain projects.

4) EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
John Norris, Director, DPW
Joseph Densford, Assistant County Attorney

Commissioner Thompson moved, seconded by Commissioner Jarboe, to meet in Executive Session to discuss matters of Property Acquisition. Motion carried. The Session began at 10:22 a.m. to 10:50.

EDUCATION ASSOCIATION OF ST. MARY'S COUNTY

Present: Laura Cirrincione, President
Charles Purcell,
Bob Pellicoro,

The referenced individuals appeared before the Commissioners to present additional information with regard to the Board of Education's budget and in particular, the County's contribution to the public schools.

Prior to the presentation, Commissioner Loffler announced that the Board of County Commissioners will be granting the 7% increase for the teachers. A letter will be forwarded to the Board of Education later today with regard to this and other issues.

In closing the Commissioners thanked the Education Association representatives for their efforts towards the budget.

PROCLAMATIONS

Tourism Week

Present: Dana Gladysz

The Commissioners presented the referenced Proclamation designating May 15-21 as Tourism Week in St. Mary's County.

Hospital Week

Present: Peter Lambert, Administrator, St. Mary's Hospital

The Commissioners presented the referenced Proclamation designating May 8-14, 1988 as Hospital Week in St. Mary's County.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
John Norris, Director, DPW
Joseph Densford, Assistant County Attorney

Commissioner Bailey moved, seconded by Commissioner Thompson, to continue in Executive Session on property acquisition and litigation. Motion carried. The Session was held from 11:20 a.m. to 12:30 p.m. (Commissioner Loffler left the session at 11:50 during discussion of PRB Associates.)

OFFICE OF PLANNING AND ZONING

Present: Robin Guyther, Deputy Director
Betsy Anthony, Recording Secretary.
Charles Norris, Esq.
Dick Myers, WMDM/WPTX

Mr. Guyther read the Notice of Public Hearing aloud, as advertised in "The Enterprise" Newspaper on April 20, 1988 and April 27, 1988, a publication of county-wide circulation, providing legal notice for the following public hearing:

ZONE # 86-1087: LEONARD COPSEY (SITE OF "DRIFT IN" SIGN)

Requesting rezoning of $\frac{1}{2}$ acre from AR to CL, Commercial Limited. The property is located on the west side of Md. Rt. 5 in Mechanicsville, just south of DJ's, where the "Drift In" sign is located. The property is shown on Tax Map 61, Block 23 as Parcel 29.

Representing counsel, Mr. Charles Norris, came forward on behalf of Mr. Leonard Copsey, proffering into evidence the returned postal receipts from the certified letters of notification sent to all contiguous property owners, marked as Applicant's Exhibit No. 1. Also stating for the record, Mr. Norris indicated that the placard had been posted on the site. Mr. Norris explained that the site was approximately .52 acres, considered surplus property by the state, 1/3 of which could not be used because it was located within a ravine. The applicant felt that it would be a good location for a business sign, and he contacted the state to purchase the land. After purchasing the land from the state and erecting a sign, Mr. Copsey was informed that the state had adopted a new regulation stating that all business signs had to be placed on commercial property only. He was then instructed, by letter, to remove his signs within one year of receiving the letter. The state also offered to buy back the property. Mr. Copsey agreed but the state then recinded its offer.

Mr. Guyther interjected stating that the county did not have those requirements.

Mr. Norris explained that he felt there had been a substantial change in the neighborhood that would justify rezoning the property to Commercial Limited (CL).

Mr. Guyther distributed copies of the Commercial Limited requirements from the Zoning Ordinance for the Commissioners review. He indicated that the Planning Commission had accepted Mr. Norris' argument that they had been a change in the neighborhood since 1974. The Planning Commission also recommended that the property be rezoned to CL.

Commissioner Loffler asked if, by changing the rezoning, would it allow the applicant to then install larger billboards, and Mr. Guyther replied affirmatively.

Commissioner Bailey inquired as to the types of restrictions that could be placed on the property if the rezoning were given, and Mr. Guyther explained that the applicant had already stated that he was only using the site for his business sign.

Commissioner Jarboe asked if Mr. Norris thought the state would remove the sign, and he stated that he did not know.

Commissioner Loffler inquired whether anyone present wished to speak either in favor or opposed. No comment being offered, the hearing was closed and the matter taken under advisement.

Commissioner Jarboe moved, seconded by Commissioner Bailey, and unanimously passed, to request the County Attorney to prepare the appropriate resolution changing the zoning of the property from AR to CL.

FY '89 DEPARTMENTAL BUDGET REVIEWS

Present: Charles H. Wade, Director of Finance

Historical Society

Also Present: Al Dillow
Ezra Schwartz
J. Ernest Bell II

The referenced individuals appeared before the Commissioners to request restoration of funds in the FY '89 Budget for the Historical Society in the amount of \$10,800, which is the amount that had been allocated in previous years.

Southern Maryland Regional Library

Also Present: Katherine Hurrey, Director
Mary Wood
Charles Young
Mary Ann Chasen

The referenced individuals appeared before the Commissioners to request reconsideration of funds that had been reduced in the Recommended Budget. Mrs. Hurrey explained that because of increases for fringe benefits, cost-of-living adjustments, opening of Charlotte Hall Library and other costs, the library would not be able to operate at the current level. She indicated that the Library had requested \$633,393 and the Commissioners approved \$483,221 in the Recommended Budget. Mrs. Hurrey requested that the level be brought up to \$500,000.

In other matters with regard to the Library, Mrs. Hurrey discussed the following:

1. Automation for County Libraries - Requesting each of the tri-counties to participate in funding. The Commissioners will be in attendance at a tri-county Commissioner meeting on May 26 during which time the matter will be discussed.

2. Maintenance of County Records - In response to discussions with the County Administrator, Mrs. Hurrey indicated that there were certain requirements in State law concerning what can and cannot be destroyed. Training would be necessary for all county departments, and there would be a need for the County to hire one county archivist, two full-time clericals and one part-time clerical.

3. Lexington Park Library Space Needs - Mrs. Hurrey indicated that there is need for expansion of the Lexington Park Library. If land is not available at the current site, perhaps consideration would be given to another building.

CORRESPONDENCE TO BOARD OF EDUCATION

The County Administrator presented correspondence addressed to the Board of Education regarding setting of priorities and distribution by categories for the Commissioners' review and approval.

Commissioner Thompson moved, seconded by Commissioner Bailey, to approve and sign the letter as presented. Commissioner Lancaster voted against the motion. Motion carried four to one.

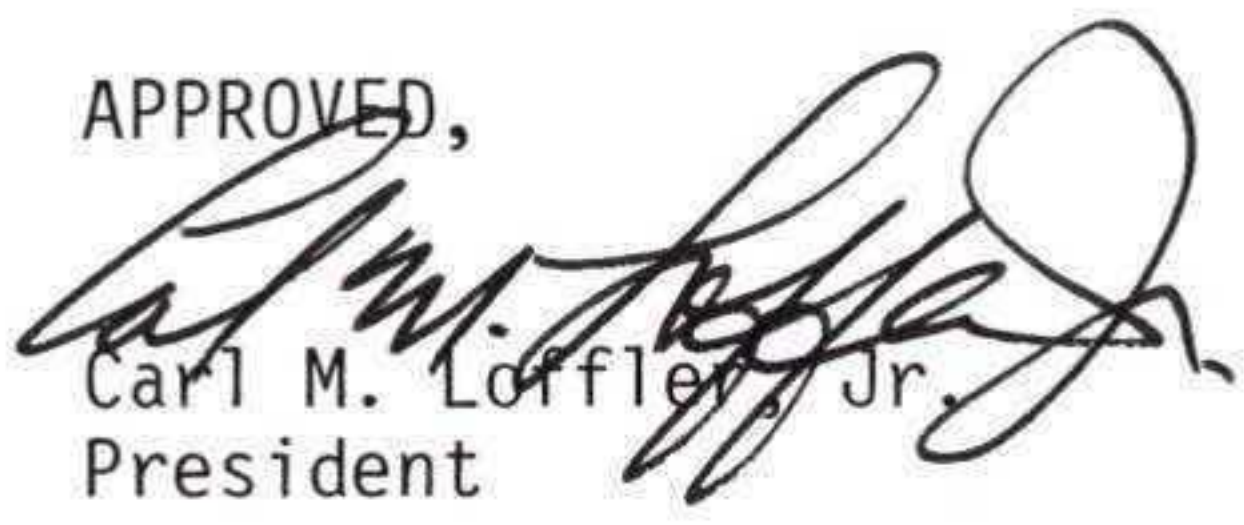
EXECUTIVE SESSION

Commissioner Thompson moved, seconded by Commissioner Bailey, to meet in Executive Session to discuss matters of Personnel. Motion carried. The Session was held from 3:40 p.m. to 4:50 p.m.

ADJOURNMENT

The meeting adjourned at 4:50 p.m.

APPROVED,


Carl M. Löffler, Jr.
President