

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, October 11, 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 Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, October 4, 1988. Motion carried.

APPROVAL OF BILLS

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

SGT. PURDY GRIEVANCE

Present: Sgt. Donald Purdy

Also Present: Sheriff Wayne Pettit
 Gerda Manson, Personnel Officer

As authorized by the Commissioners at last week's meeting, Sgt. Purdy appeared before the Board to request a 30-day continuance of his grievance proceedings. He stated that the summary presented to the Board by the Personnel Officer was an incomplete record of the proceedings in that some of the most important evidence has not been brought to the Board's attention, particularly the eligibility list. He indicated that the promotional policy was violated because Lt. Clark was only eligible to evaluate four out of the 12-month period. Sgt. Purdy requested the Commissioners to consider the testimony from the Circuit Court hearing and the Grievance Board hearing.

During discussion Commissioner Loffler pointed out that the Commissioners' decision is whether to reopen the grievance or uphold the decision of the grievance board.

After discussion with Sgt. Purdy, the Commissioners discussed the evaluation process with Sheriff Pettit. The Sheriff stated that his signature on the evaluation indicated that he had reviewed the evaluation and explained how this particular evaluation had been conducted. Sheriff Pettit advised that in accordance with an opinion received from the Attorney General, he will request an opportunity for rebuttal if any new evidence is submitted.

Discussion ensued as to whether the Commissioners would conduct their deliberations on the matter in executive session, and Sgt. Purdy offered that he had no objections that it be discussed in open session. The Commissioners agreed to discuss whether to conduct a new hearing or uphold grievance board's decision at next week's meeting.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) DEPARTMENT OF SOCIAL SERVICES
AFTER HOURS PROTECTIVE SERVICES FOR CHILDREN AND ADULTS

The County Administrator presented correspondence dated October 5, 1988 from the Department of Social Services requesting an adjustment to the Department's budget allowing use of the After Hours Coverage funds of \$16,895 for the continuance of the Intensive Family Services Program.

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

2) ST. MARY'S COUNTY MEMORIAL LIBRARY VAN

The County Administrator presented correspondence dated September 28, 1988 from the Library Board of Trustees advising that the Southern Maryland Regional Library Association has offered the used van to the St. Mary's County Library in return for reimbursement of the repair costs.

The Commissioners agreed to defer a decision until more information is received.

3) BUDGET AMENDMENTS

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

No. 89-14
Personnel

Justification: To provide for temporary help proof read data base and microfiche.

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

No. 88-15
Airport Commission

Justification: To provide funds for unanticipated airport repairs.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the budget amendment as presented. Motion carried.

No. 88-16
Office of Planning and Zoning

Justification: To provide additional funds for Consultant's Fees for Comprehensive Plan Update.

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

4) DONCASTER YOUTH ADVISORY BOARD

Commissioner Bailey moved, seconded by Commissioner Jarboe, to appoint Molly Rae McKay and David Densford to the Doncaster Youth Advisory Board. Motion carried.

5) INNOVATIVE AND ALTERNATIVE SEWAGE DISPOSAL SYSTEMS

The County Administrator presented correspondence dated July 29, 1988 from the Maryland Department of Environment forwarding an extension to the existing Memorandum of Understanding for the I/A grant program. Grant funds for the program for St. Mary's County have remained unspent due to the difficulty in finding appropriate candidates.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the Memorandum of Understanding as presented. Motion carried.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) WATERWAY IMPROVEMENT FUND GRANT APPLICATION
RAMP AND PIER REPAIR

Mr. Norris presented the referenced grant application in the amount of \$25,000 for the rehabilitation of existing public ramps and and piers throughout the county.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler, to sign the grant application. Motion carried.

2) PUBLIC WORKS AGREEMENT

Mr. Norris presented the following Public Works Agreements for the Commissioners' consideration and approval:

Esperanza Farms Subdivision, Section II

By and between Esperanza Farms Corporation and St. Mary's County guaranteeing the completion of improvements for Kimberly Court by September 1, 1989, backed by a Letter of Credit in the amount of \$77,000 with the First National Bank of St. Mary's.

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

North Indian Creek Estates (Commercial)

By and between Oliver R. Guyther and St. Mary's County guaranteeing the completion of improvements for Potomac Way by March 22, 1989, backed by a Letter of Credit in the amount of \$33,500 with First National Bank of St. Mary's.

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

4) ADDENDUM TO PUBLIC WORKS AGREEMENT
WILDERNESS CLUSTER

Mr. Norris presented an Addendum to the Public Works Agreement by and between Redgate Ventures Partnership and St. Mary's county extending the deadline for completion of improvements in Wilderness Cluster to August 1, 1989, backed by Letters of Credit with Potomac Savings Bank in the amount of \$49,000 and \$145,000.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Addendum as presented. Motion carried.

5) ROAD RESOLUTIONS

Mr. Norris presented the following Road Resolutions for the Board's review and consideration:

R88-15 - Trent Hall Road

Posting Trent Hall Road at 35 miles per hour

R88-16 - Harry James Road

Posting Harry James Road at 35 miles per hour

R88-17 - Nalley Road

Posting Nalley Road at 25 miles per hour

R88-18 - Flora Corner Road

Posting Flora Corner Road at 35 miles per hour

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Road Resolutions as presented. Motion carried.

6) MEDICAL WASTE DISPOSAL

Mr. Norris advised the Commissioners of a new regulation by the state regarding the disposal of medical waste. He stated that the Solid Waste Ordinance Public Hearing is scheduled for October 18, and he would be including a provision for this type of waste in the proposed Ordinance. Generators of 110 pounds or less of medical waste are required to render the waste inert and dispose of it in special containers, which are then taken to the landfill by regular refuse haulers. Generators of over 110 pounds must have the waste incinerated. Mr. Norris indicated that perhaps all medical waste should be incinerated, and would be making a recommendation at next week's hearing.

7) ACCEPTANCE OF DEED
BEECHVILLE ESTATES
(PROPOSED FDR BOULEVARD ALIGNMENT)

Mr. Norris presented a Deed dated October 7, 1988 by and between Israel Z. Swarey and Board of County Commissioners of St. Mary's County conveying to the county approximately 900 square feet of land in the Eight Election District, in conjunction with the proposed FDR Boulevard alignment.

Commissioner Bailey moved, seconded by Commissioner Thompson, to accept the Deed as presented. Motion carried.

8) PEGGS ROAD RECONSTRUCTION

Mr. Norris displayed the plans for the Peggs Road reconstruction and requested authorization for the President of the Board to sign the title sheet. He further requested that the commissioner accept a Deed dated October 27, 1988 between Interstate General Company (purchaser of the Tosca property) and the Board of County Commissioners of St. Mary's County conveying 5.8 acres to the County for the reconstruction of Peggs Road.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the title sheet for Peggs Road Reconstruction from Rt. 237 to south of Jarboesville Run and to accept the Deed with Interstate General Company as presented. Motion carried.

EXECUTIVE SESSION

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

Commissioner Lancaster moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss a matter of property acquisition. Motion carried. The Session was held from 10:45 a.m. to 11:05 a.m.

PROCLAMATION NO. 88-79
NATIONAL BUSINESSWOMEN'S WEEK

The County Commissioners presented the referenced Proclamation designating the week of October 16 - 22, 1988 as National Businesswomen's Week in St. Mary's County.

PROCLAMATION NO. 88-81
COMMUNITY SERVICE DAY

Present: Dr. William Burroughs, Acting Superintendent of Schools

The County Commissioners presented the referenced Proclamation designating October 13, 1988 as Community Service Day.

RESOLUTION NO. 88-25
ISSUANCE OF GENERAL OBLIGATION BONDS

RESOLUTION NO. 88-26
APPROVAL OF RESOLUTION OF ST. MARY'S COUNTY METROPOLITAN COMMISSION

Present: Charles H. Wade, Director of Finance
Edward Clarke, Piper & Marbury
Sam Ketterman, Alex Brown and Sons
Larry Petty, Director, Metropolitan Commission

Mr. Clarke presented and reviewed the referenced Resolutions.

After discussion Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and sign Resolution No. 88-25 authorizing the issuance and sale of \$1,375,000 of general obligation bonds designated as "County Commissioners of St. Mary's County Public Facilities Bonds of 1988," the proceeds of which to be used for certain capital projects. Motion carried.

Commissioner Thompson moved, seconded by Commissioner Bailey, to approve and sign Resolution No. 88-26 approving the passage and adoption of a Resolution adopted on October 11, 1988 by the St. Mary's County Metropolitan Commission, which authorized the issuance of \$6,400,000 Metropolitan Commission Bonds of 1988." Motion carried.

OFFICE OF PLANNING AND ZONING
COMPREHENSIVE PLAN DISCUSSION

Present: Robin Guyther, Acting Director
Betsy Anthony, Recording Secretary

Mr. Guyther advised the Commissioners that the Planning Commission in acceptable to the proposed changes to the draft Comprehensive Plan with the exception of the density. Therefore, the Commissioners directed Mr. Guyther to prepare a recommendation for open space requirements in view of the fact that the recommended density has been increased. The proposed Comprehensive Plan was be discussed next week's meeting.

SECOND DISTRICT TOUR

The Commissioners departed at 11:50 a.m. to tour the Second District area.

(THE MEETING RESUMED AT 4:50 P.M.)

RICHARD D. ARNOLD MEMORIAL AUCTION
LOST/STOLEN BICYCLES

Commissioner Bailey advised that Sheriff Pettit had indicated that there are a number of lost or stolen bicycles that have not been claimed and need to be disposed of. Commissioner Bailey suggested that some of them be donated for the Richard d. Arnold Memorial Auction to be held October 22.

After discussion Commissioner Bailey moved, seconded by Commissioner Jarboe, to authorize the donation of ten bicycles for the auction. Motion carried.

EXECUTIVE SESSION

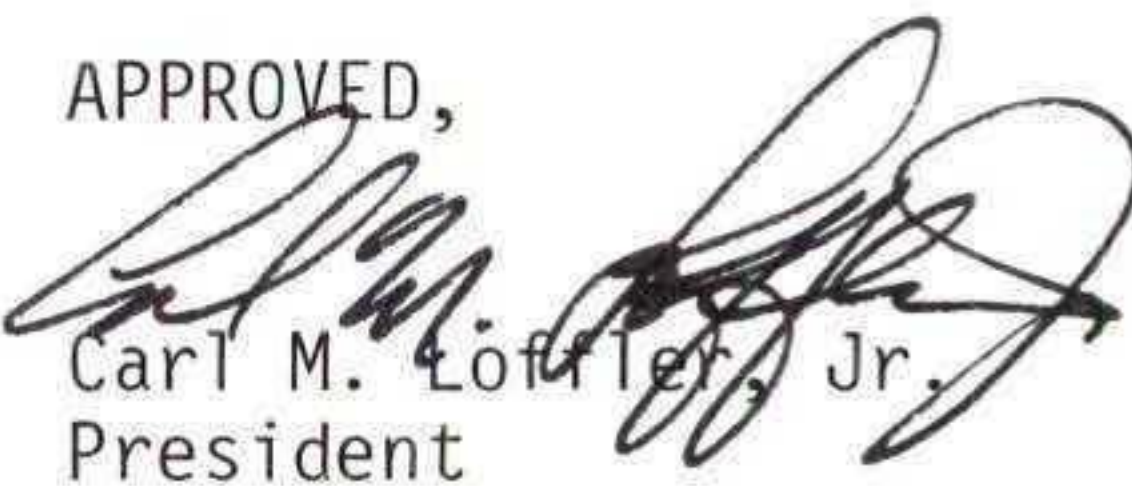
Present: Edward V. Cox, County Administrator

Commissioner Bailey moved, seconded by Commissioner Lancaster, to meet in Executive Session in order to discuss matters of property acquisition and personnel. Motion carried. The Session was held from 5:15 p.m. to 6:00 p.m.

ADJOURNMENT

The meeting adjourned at 6:00 p.m.

APPROVED,


Carl M. Löffler, Jr.
President