

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, November 15, 1988

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

(Commissioner John Lancaster was not present due to the death of his mother. The Commissioners requested a moment of silence for the Lancaster family.)

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

APPROVAL OF MINUTES

Commissioner Thompson, moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, November 1, 1988. Motion carried.

APPROVAL OF BILLS

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

SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT
TUBMAN DOUGLAS CHILD CARE CENTER AND TRAINING

Present: Joseph Mitchell, Director, Economic & Community Development
 Dennis Nicholson, Deputy Director, "
 Nancy Hutson, Admin. Officer, Housing & Community Development

Mr. Mitchell advised the Commissioners that the State has approved the \$92,000 grant application for the the day care center at Tubman Douglas and career training for child care.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the appropriate documents accepting the \$92,000 grant as presented. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) CLEARINGHOUSE PROJECT NO. MD 880826-0704
PARK HALL POSTAL FACILITY

CLEARINGHOUSE PROJECT NO. MD 880429-0324
HOLLYWOOD POSTAL FACILITY

The County Administrator presented the referenced clearinghouse projects and recommended that they be forwarded to the State with the comment that the projects are consistent with this agency's plans, programs, and objectives.

The Commissioners agreed to authorize Commissioner Loffler to sign the Clearinghouse projects as presented. Motion carried.

2) DECEMBER 6 MEETING

The County Administrator advised that Governor Schaefer will be having a program on the evening of December 6 that will involve two or three Commissioners. In that December 6 is the first Tuesday of the month at which an evening meeting would be held, Mr. Cox suggested that evening meeting be changed to December 13. The Commissioners gave their concurrence.

3) ZONING AMENDMENT RESOLUTION NO. Z88-06
ZPUD #87-0201 - HUNTING CREEK PUD

The County Administrator reported on the meeting with the Planning Commission he attended at the direction of the Board of County Commissioners and stated that the consensus of the Planning Commission was not to change its previous recommendations relative to this rezoning application.

Commissioner Loffler stated that he has a problem trying to balance maintaining the rural character of the County and handling of the growth created by the Naval Air Station and NESEA and the growth the County brings in to balance the Navy influence. Weighing those factors, he stated that he would prefer placing growth in concentrated areas rather than development all along Route 5 to St. Mary's City and NESEA. Infrastructures will be provided through proper impact fees.

Commissioner Bailey stated he believed there is a need for growth in the lower end of the County because most of the people who live in that area work in the County. According to the new Comprehensive Plan, this is a growth area.

Commissioner Thompson indicated that there were more pro's than con's for the project and he, therefore, was in favor of it.

Commissioner Jarboe advised that Commissioner Lancaster was not present and suggested the Board may want to give him an opportunity to vote. He further stated that this was not an agenda item, but the Commissioners could proceed to vote if they so desire.

After discussion, Commissioner Thompson moved, seconded by Commissioner Bailey, to approve the rezoning application for Hunting Creek from R-2, Low Density Urban Residential, to PDR 5. Commissioners Thompson, Bailey and Loffler voted in favor of the motion and Commissioner Jarboe voted against. Motion carried three to one.

4) ST. MARY'S DEVELOPMENTAL CENTER

The County Administrator presented correspondence addressed to Mrs. Genevieve Thompson in Avenue in response to her letter of concerning relative to the St. Mary's Developmental Center.

The Commissioners agreed to sign and forward the letter.

5) BUDGET AMENDMENTS

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

No. 88-21
Department of Social Services

Justification: To cover burial expenses for individual unable to pay.

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

No. 88-22
St. Mary's County Library

Justification: For acquisition of used van from SMRLA for
St. Mary's County Library

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

6) LETTER OF AGREEMENT FOR DISTRIBUTION OF COMMODITIES

The County Administrator presented a one-year renewal agreement from
the Department of Human Resources for the distribution of commodities and for
funds for temporary emergency food assistance program for the period of October
1, 1988 through September 30, 1989.

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

7) APPOINTMENTS

Commissioner Bailey moved, seconded by Commissioner Thompson, and
motion carried, to make the following appointments:

<u>Ethics Commission</u>	<u>Term to Expire</u>
Janice B. Baldwin (alternate)	6/30/89
<u>Human Relations Commission</u>	
David Blount	6/30/91
<u>Mental Health, Alcoholism, Drug Abuse Advisory Council</u>	
Joseph L. Dick (ex-officio)	No Term
<u>Social Services Board</u>	
Joseph Horton	6/30/91
Marian Lowe	6/30/90-93
<u>Tri-County Group Home Board</u>	
Joanne Martin	6/30/91
<u>Wicomico-Zekiah Scenic River Local Advisory Board</u>	
Sid Moreland	No Term

8) DIRECTOR, OFFICE OF PLANNING AND ZONING

The County Administrator presented a memorandum from the Personnel
Office recommending the selection of Mr. Jon R. Grimm for the Director, Office
of Planning and Zoning position.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to appoint
Mr. Grimm as the Director, Office of Planning and Zoning. Motion carried.

9) STORMWATER MANAGEMENT AGREEMENT

The County Administrator presented the Stormwater Management Grant-In-Aid Program Grant Agreement for the administration of the County's Stormwater Management Program to be submitted to the Department of Environment.

Commissioner Thompson moved, seconded by Commissioner Bailey, to approve and authorize Commissioner Loffler to sign the Stormwater Management Agreement as presented. Motion carried.

10) MARYLAND CITIZEN PLANNERS ASSOCIATION
RESIDENTIAL/COMMERCIAL DEVELOPMENT GUIDELINE PROJECT

The County Administrator presented correspondence dated September 26, 1988 from Joseph Gough in his capacity as a member of the Maryland Citizens Planners Association requesting the Commissioners to honor their commitment to contribute \$5,000 to this planning project.

After discussion Commissioner Bailey moved, seconded by Commissioner Thompson, to contribute the \$5,000 towards the referenced project as requested. Motion carried.

11) PRIDE OF BALTIMORE II

The County Administrator presented correspondence addressed to the Executive Director of the Pride of Baltimore II formally requesting positive consideration of the petition by the Seventh District Optimist Club for the Pride of Baltimore II to be a guest at the Annual Blessing of the Fleet.

The Commissioners agreed to sign and forward the letter.

12) EMPLOYMENT CONTRACT
RECREATION COMPLEX MANAGER

The County Administrator presented a contract with Robert F. Bowes, Recreation Complex Manager for the Recreation Complex at Wicomico Shores for a term of five years.

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

13) CORRESPONDENCE TO METROPOLITAN COMMISSION

The County Administrator presented correspondence addressed to the Metropolitan Commission denying the request for increase in the amount of compensation for the members of the Metropolitan Commission and advising that the Commissioners have been struggling with the issue of compensation for volunteers.

14) EASEMENT AGREEMENT
RAILROAD RIGHT-OF-WAY - DONALD SMITH

The County Administrator advised that affirmation is needed in the record for a majority of the Board's approval of the Easement Agreement dated November 3, 1988 among Board of County Commissioners, Southern Maryland Electric, and Donald Smith granting Mr. Smith easement across the railroad right-of-way for access to Foxes Run, Eighth District, Charles County. he stated that emergency approval was need in order for the developer to go to settlement.

Commissioner Thompson moved, seconded by Commissioner Bailey, to affirm the decision by three Commissioners on November 3, 1988 approving Commissioner Loffler to sign the Easement Agreement as referenced above. Motion carried.

HOUSE BILL 1071
STATEMENT OF NEEDS - BEFORE AND AFTER SCHOOL CHILD CARE

Present: Sue Wilkinson, DECD
Phebe Barth, Office of Community Services
Wayne Guy, Department of Social Services
John Baggett, Recreation of Parks

As a follow up to the meeting with the Commissioners on October 25, the referenced Committee appeared before the Commissioners to request the Board to sign and forward a letter of support to the Governor's Office on Children and Youth forwarding the needs assessment and recommendations for St. Mary's County.

Discussion ensued regarding the establishment of child care centers, the costs, and concerns about competition with private industry.

After discussion Commissioner Jarboe moved, seconded by Commissioner Bailey, to authorize Commissioner Loffler to sign the forwarding the needs assessment and recommendations as presented. Motion carried.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

ASBESTOS HAZARD AWARENESS TRAINING

Also Present: Cindy Schoonmaker, Consultant CINMAC
George Jarboe, Supervisor, Bldg. Inspections

The referenced individuals appeared before the Commissioners to present and discuss the Asbestos Hazard Awareness Training information and to report on asbestos in county buildings.

Ms. Reynolds gave a brief overview of the document and highlighted the list of buildings that contain asbestos, sited material types, location, quantity and access.

In closing Mr. Norris indicated to the Commissioners that clean up can be done over a period of time.

2) SOLID WASTE

Also Present: Joseph Densford, Assistant County Attorney

Mr. Norris distributed the section of the proposed Solid Waste Ordinance relative penalties. Mr. Densford indicated that the Ordinance would handle violations of the Ordinance in the same manner as is done with the Zoning Ordinance and Sedimentation Control Ordinance by issuance of a ticket or citation of the violation. Inclusion of this section will require approval by the Maryland General Assembly.

Discussion ensued regarding imposing violations that are covered by state law, which Mr. Norris stated need to be enforced. Commissioner Jarboe pointed out the need for additional signs in areas where illegal dumping is occurring.

Regarding the fee for dumping at the landfill for residents, Mr. Norris recommended that the Commissioners adopt the fee schedule for all except residents and take the first six months to educate the public and add the residents in later.

After discussion Commissioner Jarboe moved, seconded by Commissioner Thompson, to approve the Solid Waste Ordinance and Rules and Regulations governing the Solid Waste operation in St. Mary's County, to be effective January 1, 1989. Motion carried.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to adopt the fee schedule as presented by the Director of Public Works with the exception of the residential collections. Motion carried.

In conclusion Mr. Norris encouraged the Commissioners to request legislative authority from the Maryland General Assembly for the addition of a penalty section in the Solid Waste Ordinance.

3) APPLICATION FOR STATE GRANT
SHORE EROSION CONTROL
POINT BREEZE ROAD

Mr. Norris presented an Application for State Grant for the state to do a waterfront protection project on Point Breeze Road at Colton Point. The project will be managed by the State.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the application as presented. Motion carried.

4) FEDERAL/STATE APPLICATION
TALL TIMBERS

Mr. Norris presented the referenced grant application for the installation of 455 feet of rip rap revetment extending the existing bulkhead at Tall Timbers.

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

5) ACCEPTANCE OF DEED

Mr. Norris presented a Deed dated June 8, 1988 between State Highway Administration, Board of Public Works of Maryland, and St. Mary's County whereby the State transfers to St. Mary's County the following roads in exchange for Chancellors Run Road:

Md. Rt. 234-A from Md. Rt. 234 to Md. Rt. 868H
Md. Rt. 242-A from Md. Rt. 242 to Md. Rt. 5
Md. Rt. 244 from Md. Rt. 249 to end of State Maintenance
at Frog Marsh Rd.
Md. Rt. 868H from N. of Md. Rt. 234-A to S. of Md. Rt. 234-A

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

6) LETTER TO STATE HIGHWAY ADMINISTRATION

Mr. Norris presented correspondence to State Highway Administration setting forth St. Mary's County's priorities for various projects as a result of the October 25 meeting with SHA.

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

ST. MARY'S NURSING CENTER STATUS OF OPERATIONS

Present: George Smith, Director, St. Mary's Nursing Center
Dan Capper, St. Mary's Nursing Center Board
Joseph Tolson, "

The referenced individuals appeared before the Commissioners to present a handout on the status of operations at the Nursing Center. The handout included a report on residents (full occupancy), quality of care, staffing, and financial picture. During the presentation Smith requested the following of the Board of County Commissioners:

1. To approve request for an additional eight beds to bring total occupancy to 146 beds, which would generate an additional \$200,000 in revenue.

2. to consider a "line of credit" of \$200,000 until cash reserve problem is corrected.

3. To take care of facility problems and define the support expected from the county regarding elevator maintenance, heating/air conditioning maintenance, vehicle maintenance, and grounds maintenance.

4. To continue support of the Nursing Center's efforts.

Commissioner Bailey moved, seconded by Commissioner Thompson to sign and forward letter of support of eight additional beds. Motion carried

The Commissioners agreed to review the request for the "line of credit" of \$200,000 and respond at a later date.

COMMENDATIONS

Present: Capt. Stuart Fitrell, Commanding Officer, NAS
Tom Oliver, Director, Emergency Operations Center

The Commissioners presented the referenced individuals with commendations as a result of their response and service to the public during the closing of the Governor Thomas Johnson Bridge.

PROCLAMATION

Present: Dr. William Burroughs, Acting Superintendent of Schools

The Commissioners presented a Proclamation to Dr. Burroughs designating the week of November 13 - 19, 1988 as American Education Week in St. Mary's County.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Bailey moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss matters of Personnel and Property Disposition. Motion carried. The Sessions were held as follows:

Personnel

Also Present: John Norris, Director, Dept. of Public Works

(Held from 12:15 p.m. to 12:30 p.m.)

Property Disposition

Also Present: Charles H. Wade, Jr., Director of Finance
James Haley, Procurement Officer
Joseph R. Densford, Assistant County Attorney

(Held from 12:30 p.m. to 12:45 p.m.)

FISCAL YEAR 1990 CAPITAL IMPROVEMENT PROGRAM

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

Mr. Wade requested the Board's concurrence to designate \$1.9 million for Capital Projects for Fiscal Year 1990, which will leave a balance of \$2.7 million.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to designate \$1.9 for Capital Projects for FY 1990 as requested. Motion carried.

COUNTY COMMISSIONERS' ITEMS

1) Police Boys Camp/Camp Brown

Commissioner Jarboe advised a request was received from the citizens in the First District in the Scotland area regarding the Metropolitan Police Boys Camp and Camp Brown. The camps may be converted to a year-round camps and the residents of the area are requesting the Board to forward correspondence to the respective agencies requesting responses to the residents' questions concerning the camps. Mr. Cox indicated that he would prepare the correspondence requesting that the agencies schedule a public meeting to respond to the residents.

2) Cedar Cove Yacht Basin

Commissioner Jarboe questioned the Army Corps of Engineers' approval of additional slips for the Cedar Cove Yacht Basin at Herring. The proposed expansion of the marina at Herring Creek required approval by the Corps for the increase in the number of slips at the marina. On January 26, 1988 the County Commissioners in response to citizen concerns, requested the Corps to conduct a public hearing in St. Mary's County on the proposed expansion. In correspondence dated November 7, 1988 the Corps rejected the County Commissioners' request and stated there will not be a public hearing in St. Mary's County and that the permit is approved. Commissioner Jarboe requested concurrence from the Board to forward a letter of protest to the Corps expressing dissatisfaction with the decision not to conduct a public hearing as requested. The Commissioners concurred and the County Administrator was directed to prepare correspondence for the next Commissioners' meeting.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Thompson moved, seconded by Commissioner Jarboe, to meet in Executive Session to discuss a matter of personnel (consideration of appointments to Boards, Committees and Commissions). Motion carried. The Session was held from 1:30 p.m. to 2:15 p.m.


NEW HEALTH DEPARTMENT BUILDING DEDICATION

The Commissioners departed at 2:25 p.m. to attend the dedication of the new health department building located at the old health department building.

ADJOURNMENT

The meeting adjourned at 2:25 p.m.

APPROVED,


Carl M. Loffler, Jr.
President