

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, March 21, 1989

Present: Commissioner Carl M. Loffler, Jr., President  
Commissioner W. Edward Bailey  
Commissioner Robert T. Jarboe  
Commissioner John 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 Thompson, to approve the minutes of the Commissioners' meeting of Tuesday, March 21, 1989. Motion carried.

APPROVAL OF BILLS

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

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

LETTER OF CREDIT  
MAYDEL MANOR SUBDIVISION

Mr. Ichniowski advised that the terms of the Public Works Agreement dated June 24, 1988 by and between James D. Cryer, and St. Mary's County have not been complied with and the Letter of Credit for the referenced project expires March 24. Upon the recommendation of the County Attorney, Mr. Ichniowski presented a letter to First National Bank of St. Mary's calling the letter of credit. In accordance with prior policy Mr. Ichniowski requested authorization for Commissioner Loffler to sign the call letter as presented.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the call letter 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:

No. 89-48  
County Commissioners

Justification: To provide funds for payment of recurring legal advertisements through June 30, 1989.

No. 89-49  
County Attorney

Justification: To cover costs for legal documents.

No. 89-50  
Procurement

Justification: To provide funds due to increase in volume of mail.

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

2) CONFORMITY AGREEMENT  
PARCEL B-2 - RESUBDIVISION OF NORTH INDIAN CREEK ESTATES

The County Administrator presented a Conformity Agreement dated March 21, 1989 by and between the Board of County Commissioners of St. Mary's County and Oliver R. Guyther removing restrictions from the January 10, 1979 Deed regarding prohibiting commercial development on the referenced parcel. Mr. Cox indicated that Assistant County Attorney Densford has reviewed the Agreement and gave his positive legal opinion.

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

3) REQUESTS FOR WAIVER OF BUILDING PERMIT FEES  
IMMACULATE HEART OF MARY'S  
IMMACULATE CONCEPTION CHURCH

The County Administrator presented the following requests for waiver of Building Permit fees:

- Immaculate Heart of St. Mary's - Correspondence dated February 15, 1989 requesting waiver of building permit fee for building of parish hall and classroom addition to present facility in Lexington Park.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve the request for waiver as it is in compliance with Resolution No. 75-53. Motion carried.

- Immaculate Conception Church - Correspondence dated March 14, requesting waiver of building permit fee for replacement of parish church.

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve the request for waiver as it is in compliance with Resolution No. 75-53. Motion carried.

4) COMMERCIAL INVENTORY TAX

(Commissioner Loffler did not participate in this discussion in that one of his businesses pays Commercial Inventory Tax.)

The County Administrator advised that presently St. Mary's County there is a 50% exemption less \$200,000 for commercial inventory tax. Section 7-222 of the Maryland Annotated Code states that this is subject to further action by the board and he stated that further exemptions could be provided without legislation. Mr. Cox presented a listing from the Department of Assessment and Taxation indicating local businesses that currently pay commercial inventory tax and the amounts. As a follow up to previous discussion, Mr. Cox recommended a plan to begin a phase out starting in FY '91 by 20% a year, and if the Commissioners concur with this proposal to sign and forward correspondence addressed to the Automobile Dealers Association regarding the plan. He further stated that the Automobile Dealers Association will be coming before the Board on March 28 to discuss the plan in detail.

After discussion Commissioner Bailey moved, seconded by Commissioner Jarboe, to accept the phase-out plan as proposed by the County Administrator. Four Commissioners voted in favor with Commissioner Loffler abstaining. Motion carried.

Commissioner Jarboe pointed out that Maryland Association of Counties is recommending a study of state legislation to make an exemption of the commercial inventory tax state-wide.

5) COMMUNITY FORUM  
FY '90 BUDGET

The County Administrator presented a proposal to the Board that the Commissioners host a budget discussion providing a forum for members of the community to speak one-on-one with several government representatives relative to the FY '90 Recommended Budget. He recommended that it be part of the Commissioners regularly scheduled monthly public forum on Tuesday, April 4, 7:00 p.m. at Southern Maryland Electric Cooperative (SMECO) building in Leonardtown.

The Commissioners gave their concurrence.

ANNUAL REPORT  
HOUSING AUTHORITY

Present: Michael Glaser, Chairman  
Billie Brown  
John Madel  
Joseph Mitchell, Director, DECD  
Dennis Nicholson, "  
Elmer Brown  
May Boecker, NATC

The referenced individuals appeared before the Commissioners to present the 1988 Annual Report for the Housing Authority.

Mr. Glaser reviewed the history of the creation of the Housing Authority, its purpose, achievements and activities, which include: Homeowner Demonstration Program, Tubman Douglas Child Care and Training Institute, Low-Rent Public Housing Project, and Rental Assistance Payments. Future plans include taking a leadership role in conjunction with the Commissioners in assisting the County in the development of an overall housing strategy program.

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

PERMIT PROCESS (ONE STOP SHOP)

Present: Jon Grimm, Director, OPZ  
Jim Weber, "  
Dan Ichniowski, Director, DPW  
Tom Russell, Director, Environmental Hygiene  
Steve King, Metropolitan Commissioner  
Al Stuart, Soil Conservation District  
Bruce Young, "

The referenced individuals appeared before the Commissioners to review the permit process for individual homeowners and for large developers of subdivisions or commercial development.

Steve King reported on recommendations to improve the present permit system:

- Computerization of land use inventories, which could be tied into the permit system

- Facsimile (FAX) machine
- Training Manual for employees dealing with permits explaining procedures and required information
- Establishment of a Coordination Committee through which all proposed changes to the permit issuance system would be cleared.

Mr. Grimm and Mr. Weber explained the current permit process for a single family house on a recorded lot or parcel and for a major developer.

During discussion Commissioner Loffler emphasized the need for a tracking system in order to ensure a timely process. Mr. Grimm indicated concurrence and stated that a standard control numbering system. Mr. Grimm further pointed out that in order to establish an effective one-stop shop that the personnel in all involved agencies are knowledgeable of the procedures for all departments.

The County Administrator pointed out that in the FY '90 proposed recommended budget there is a request to hire a consultant to look at computerization of the permit process system and land records. He further indicated that a Budget Amendment will be presented to the Commissioners next week to provide funds for the Facsimile Machine at the Health Department, Planning and Zoning, and Metropolitan Commission.

In conclusion Mr. Grimm stated that all involved agencies are interested in proceeding with the individual home builder one-stop shop process and recommended proceeding in that direction; however, they did not recommend proceeding with a major development one-stop shop at this time.

#### PROCLAMATIONS

##### Child Abuse Prevention Month - April

Present: Rose Marie Lamela, President, So. Md. Chapter, PACA

The Commissioners presented a Proclamation designating the month of April as Child Abuse Prevention Month in St. Mary's County.

Representatives presented a yellow bow and a teddy bear to begin the yellow ribbon campaign against child abuse.

##### Red Cross Month

Present: Murray Jackson  
Dr. Joseph Borkowski

The Commissioners presented a Proclamation designating the month of March as Red Cross Month in St. Mary's County.

##### Clean Up Campaign Month

Present: Jimmie A. Mora

The Commissioners presented a Proclamation designating the month of April as Clean Up Campaign Month.

#### IMPACT FEES

As a follow up to previous discussion, Commissioner Loffler presented information in support of his recommendation for a \$3,000 impact fee, \$2500 of which would go towards school construction.

Commissioner Bailey stated that he was not prepared to vote on the impact fee at this time.

Commissioner Lancaster stated that he was in the process of reviewing the information that he has received and stated that he was not prepared to vote on the fee because he has not determined what he felt the amount should be.

Commissioner Jarboe stated that he felt that there would have to be a fee, but he had not yet determined what he felt the fee should be.

#### COUNTY COMMISSIONERS' AGENDA

Because of inadequate time to research items on the agenda Commissioner Jarboe moved, seconded by Commissioner Bailey, that the Commissioners' agenda be prepared a week in advance and presented to the Commissioners on the previous Tuesday. Commissioners Jarboe, Bailey and Lancaster voted in favor of the motion with Commissioners Loffler and Thompson voting against. Motion carried.

During discussion Commissioner Lancaster suggested that a draft agenda be presented on Tuesday for the Commissioners information.

#### SHERIFF'S DEPARTMENT ANNUAL REPORT

Present: Sheriff Wayne Pettit

Sheriff Pettit appeared before the Board to present the Sheriff's Department Annual Report in order to keep the Commissioners informed of the law enforcement activities in the area of law enforcement. During his presentation Sheriff Pettit advised that crime in St. Mary's County is up 21% and that drug enforcement is the number one priority in the County. In closing the Sheriff indicated that his department is having difficulty in getting qualified applicants for deputies.

#### ANNUAL REPORTS

##### MARCEY HALF-WAY HOUSE BOARD OF DIRECTORS

Present: Jim McWilliams, Chairman  
Sharon Bradley  
Mary Agnes Plunkert  
McGuire Mattingly  
Robert Guest  
Dr. Richard Martin  
Suzanne Camp

The referenced individuals appeared before the Commissioners to present the 1988 Annual Report for the Marcey Half-way House. Mr. McWilliams explained the purpose, significant activities, problems and challenges, and plans for current year.

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

ST. MARY'S COMMUNITY DEVELOPMENT CORPORATION

Present: Joseph Mitchell, President  
Dennis Nicholson, Treasurer  
Philip M. Cranford, Vice-President  
Nancy J. Hutson, Secretary  
Elmer Brown  
Thomas Shea  
James Spence  
Joseph R. Densford

The referenced representatives of the St. Mary's County Development Corporation appeared before the Commissioners to present the 1988 Annual Report for the Corporation. Mr. Mitchell explained the purpose and mission of the corporation which is for charitable and social welfare purposes and the chief purpose is to promote and assist the growth and development of business concerns including small businesses. Ms. Hutson reviewed specific program activities and projects planned for the current year. She stated that the corporation is involved in relocating those families that have been displaced at Bay View Trailer Park.

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

AGRICULTURE AND SEAFOOD COMMISSION

Present: George Bradford Reeves  
R. Johns Dixon  
James Banagan  
Dan Capper  
Walter Raum  
Al Stewart  
Hilton L. Harrod  
Joseph Mitchell, Director, DECD  
Martha Daughdrill, Agr./Seafood Specialist

The referenced individuals appeared before the Commissioners to present the Agriculture and Seafood Commission's Annual Report for 1988. The sub-committee chairpersons gave a report on the activities of their committees.

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

FY 1990 BUDGET DISCUSSION

Present: Charles Wade, Jr., Director of Finance

As a follow up to discussion with the Commissioners at the March 16 work session, Mr. Wade presented the following information:

- Memorandum dated March 20 to the Board regarding state shared taxes and indicating that the Board of Education will be providing additional information.
- Reductions to FY '90 Tentative Recommended Budget to Avoid Increasing Energy Tax to 5%
- FY 1990 Recommended New Employees

In closing the County Administrator advised that:

- The Recommended Budget will be signed by April 1;
- A list of concerns will be presented to the Board in mid-April;

- Recommendations will be submitted from the Personnel Officer, Director of Finance and County Administrator
- Public Hearings will be held April 19 and 20

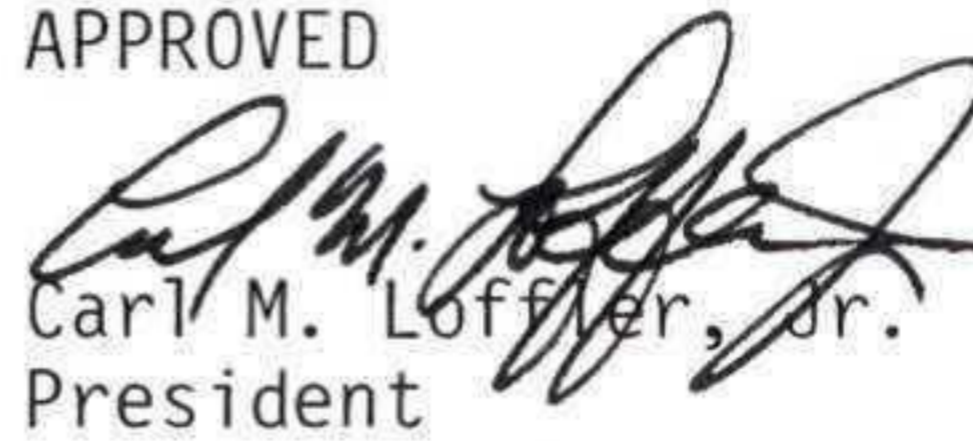
The Commissioners will have from mid-April to June 1 to make a decision on the final budget.

A work session is scheduled for Thursday, March 23 at 9:00 a.m. to continue deliberations on the budget.

ADJOURNMENT

The meeting adjourned at 3:15 p.m.

APPROVED

  
Carl M. Loffler, Jr.  
President