

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, June 20, 1989

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  
 Margaret Nelson, Recording Secretary

The meeting was called to order at 9:02 a.m.

APPROVAL OF MINUTES

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, May 23, 1989. Motion carried.

APPROVAL OF BILLS

Commissioner Bailey 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) Board of Education Agenda Discussion

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

Mr. Wade presented to the Board a prepared pamphlet outlining the topics for discussion at the joint meeting scheduled for the Board of County Commissioners and the Board of Education at 3:00 p.m. today. The topics recommended for discussion concerned the financial trends FY '86 - FY'95; Board of Education capital project funding issues; other policy issues. Mr. Wade commented that the two most important issues requiring discussion are 1) mobile home classrooms; 2) size of schools.

2) Budget Amendments

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

a. 89-75, Recreation and Parks

Justification: To cover mileage for May and June, 1989 in the amount of \$1,300.

b. 89-76, Department of Public Works

Justification: Purchasing CAT 963 Loader to replace fire damaged loader in the amount of \$37,000.

c. 89-77, Procurement

Justification: Funds needed to cover additional telephone expenses for FY 1989.

d. 90-1, Circuit Court

Justification: Convert Circuit Court and Law Library to Herget scale

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



3) Letters of Gratitude

The County Administrator presented correspondence for Commissioners' signatures expressing gratitude for service on county Boards and Commissions:

- a. Marie Duff who served on the Human Relations Commission and did not accept reappointment;
- b. Lois Chesser who served on the Human Relations Commission and did not accept reappointment;
- c. Michael S. Glaser who served on the Housing Authority and his term will expire on June 30, 1989.

4) Appointments to Boards, Committees and Commissions

Commissioner Bailey moved, seconded by Commissioner Lancaster, to make the following appointments which were unanimously approved:

- a. Domestic Violence/Sexual Assault Board of Directors  
Delores Fleming - Reappointment - Term to expire 6/30/93  
Reverend Robert Kirkley - Reappointment - Term to expire 6/30/93
- b. Human Relations Commission  
Deloris Bomarc - Term to expire 6/30/93  
Kevin J. Suggs - Term to expire 6/30/93

5) St. Mary's County Records Center and Archives

The County Administrator explained that the St. Mary's County Record Center and Archives is the central repository of the county's non-current documentary records. Its mission is to facilitate optimum and efficient use of county records and to preserve and make accessible those portions of the documentary heritage of the county of permanent historical value. The Center and Archives was established in 1988 by order of the County Commissioners and operating under the auspices of the County Library Board, and is located on the second floor of the St. Mary's County Memorial Library in Leonardtown. He added that the state is cooperating fully with the project, and it is expected to be in operation within the next month.

6) St. Mary's County Memorial Library  
Part-time Employees' Insurance Benefits

The County Administrator presented correspondence from the President of the St. Mary's County Board of Library Trustees dated June 5, 1989 in which was requested a one year extension to continue providing insurance benefits to their six part-time employees at the 90%/10% level. The County Administrator explained that county part-time employees receive the 55%/45% level of insurance benefits; full-time employees receive the 90% level. The County Administrator recommended that the part-time Library employees receive the same benefits in line with county employees.

Commissioner Thompson moved, seconded by Commissioner Lancaster, authorizing correspondence be sent to the St. Mary's County Board of Library Trustees notifying that their six part-time employees' insurance benefits be reduced to 55%/45%, putting them in line with other county employees. Motion unanimously carried.

7) Adult Day Care Grant

The County Administrator presented a Notice of Grant Award for the Adult Day Care Grant for County Commissioner approval. The grant is for the period of July 1, 1989 through June 30, 1990 in the amount of \$51,760.

There was unanimous approval by the Board authorizing Commissioner Loffler to sign the grant.



8) Appointment of Engineer IV  
Department of Public Works

The County Administrator presented correspondence from the Director of Personnel recommending approval of the appointment of Douglas H. Brown, Sr. to the position of Engineer IV, Grade 21, Step 5, with an annual salary of \$34,430.

Commissioner Thompson moved, seconded by Commissioner Lancaster to approved the personnel request as presented. Motion carried.

9) Maryland Department of Transportation Correspondence

The County Administrator presented correspondence to the Maryland Department of Transportation for review concerning a traffic signal and crossover in conjunction with a shopping center under construction by Larry Millison.

The Board gave unanimous concept concurrence to the proposal conditioned on the fact that the proposal receive technical evaluation and Planning Commission approval.

10) Cable Television Access on Channel 10

The County Administrator informed the Board that Channel 10 Cable TV has offered a spot in order to provide county government information regarding meetings, special events, activities, etc., to expand the county's ability to better communicate with citizenry.

11) 911 Emergency Service Fee

Commissioner Bailey moved, seconded by Commissioner Lancaster, approving the 911 emergency rate be increased from 20¢ to 40¢, and directed Tom Oliver, Director of Civil Defense and Emergency Preparedness to prepare the appropriate resolution establishing the rate change. Motion carried.

RECREATION AND PARKS

Present: John V. Baggett,  
Director of Recreation and Parks

Commendations to Volunteers

The Director of Recreation and Parks commended the following volunteers for their dedicated service:

1) Super Seniors of Leonardtown

Irene Holdson  
Charlotte Powell

2) Volunteers at Wicomico Municipal Golf Course

Nellie Snellings  
Melvin Reed

The Director of Recreation and Parks also acknowledged Robert Bowes who is the Complex Manager of the Golf Course and commended him for his outstanding management abilities.



STATE'S ATTORNEY  
PROJECT GRADUATION COMMENDATION

Present: Walter Dorsey  
State's Attorney

Commissioner Bailey presented State's Attorney Dorsey with a commendation in recognition of Project Graduation which has been an immense success with the graduating seniors of the County, acknowledging that the State's Attorney's office, through Project Graduation, has contributed to the safety of the graduates and citizens of our County.

OFFICE ON AGING  
SENIOR COORDINATED COMMUNITY CARE GRANT (GATEWAY II)

Present: Gene Carter, Director  
Bernice Smith, Member, Steering Committee  
Gary Anderson, Department of Social Services

The Director of Office on Aging presented the Senior Coordinated Community Care Grant Proposal explaining that this grant is designed to deliver needed services to the poorest and most frail elderly senior citizens in this area, noting that this grant will supplement the home-delivered meal program, respite care, medical goods, hearing aids, eye glasses, etc. He added that this is a gap-filling grant providing services to the elderly so individuals can stay out of institutions as long as possible.

Bernice Smith and Gary Anderson explained the life-line units available through this grant, that are operable through signals transmitted through the telephone system alerting emergency units of their service needs.

Mr. Carter said this grant is entirely state funded in the amount of \$69,500 for the period of July 1, 1989 to June 30, 1990.

Commissioner Lancaster moved, seconded by Commissioner Bailey, authorizing President Loffler to sign the grant as presented. Motion carried.

EXECUTIVE SESSIONS

Commissioner Bailey moved, seconded by Commissioner Lancaster to enter into executive session for the following reasons:

- 1) Present: Joseph R. Densford, Assistant County Attorney  
John V. Baggett, Director of Recreation and Parks  
Edward V. Cox, County Administrator

Executive Session was held for the purpose of property acquisition. The Session was held from 10:15 a.m. to 11:06 a.m.

- 2) Present: Dr. William Marek, Health Officer  
Edward V. Cox, County Administrator

Executive Session was held for a matter of personnel. The Session began at 11:07 a.m. and concluded at 11:45 a.m.

- 3) Present: Joseph Mitchell, Director, DECD  
Charles H. Wade, Jr., Director of Finance  
Edward V. Cox, County Administrator  
Charles Palmer, St. Mary's Press  
Stuart Stern,

(Commissioner Loffler did not participate in Executive Session).

Executive Session was for a matter of property acquisition held from 11:49 a.m. to 12:27 p.m.



PUBLIC HEARING  
EAGLES GLENN MOBILE HOME PARK

Present: Edward V. Cox, County Administrator  
Jon R. Grimm, Director, Planning and Zoning  
Vivian Marsh, Deputy Director, Planning and Zoning  
Peggy Childs, Recording Secretary

ZONE #88-1862 - EAGLES GLENN MHP

Requesting rezoning from MHP, Mobile Home Park, to Multifamily Residential (to be RH) for approximately 45 acres in the 8th Election District. The property is located on the northeast side of Barefoot Drive off of Route 237, and is shown on Tax Map 42, Block 6, as Parcel 187.

Mr. Marsh stated that this public hearing was advertised, as required by law, in The Enterprise on May 31st and June 7, 1989.

Attorney Jim Kenney appeared for the applicants, Amber Meadows Joint Venture, and presented the following Applicant's Exhibits:

- #1 - Certified Receipts/Notification to contiguous property owners of today's public hearing on on this request.
- #2 - No exhibit was introduced; however, Mrs. Sally Feicht, owner/applicant, testified that she had posted the property with the placard for this hearing.
- #3 - Resume of W. C. Dutton, Jr., AICP.
- #4 - Planning & Zoning Review prepared by W. C. Duncan, Jr., AICP, dated April 10, 1989.
- #5 - Aerial photograph showing adjacent properties.
- #6 - Tax Map of subject parcel identifying zoning classification of adjacent properties.
- #7 - Tax Map identifying "neighborhood" for purpose of this rezoning.
- #8 - Resume of Rocco V. Tricarico, AIA.

Mr. Kenney stated that this case was formerly approved as the Amber Meadows Mobile Home Park. He said that one of the things looked at in the new Comprehensive Plan was how to handle mobile home parks, and one concept was to upgrade them for townhouses and apartments. He said that is what the applicant is requesting.

Mr. Kenney presented Mr. W. C. Dutton as his first witness and asked that he be accepted as an expert witness. Mr. Dutton offered his credentials and stated that, as a planner, his approach is to look at the local jurisdiction's planning policies and related previous actions to determine whether he can support and recommend the application; then, if he reaches a positive conclusion, he examines the application to see whether it is eligible for rezoning under the "change or mistake" rule. He said he believes the project meets the argument for change in the neighborhood. He said that his summary of the facts in this case indicate that it is consistent with the new Comprehensive Plan, with recent zoning actions of the County and with the recommendation of the Planning Commission for growth in this area.



Mr. Tony DelBalzo, Real Estate Developer, testified that, when the mobile home park was approved 3 years ago, they had felt they could do a quality, almost a Florida-type product; however, they had proved themselves wrong and that the MHP would not be consistent with what they would like to be associated. Mr. DelBalzo said they think they can make a town house community work in St. Mary's County and would like to have the opportunity to do so. He said that a few of the mobile homes have been sold and some have been rented, but a number are still vacant. He said they can accommodate the units that are sold and make sure the owners are not hurt by this, and the rentals were apprised of the situation when they signed their lease, so they are aware of what will happen.

Mr. Rocco Tricarico, Architect, also testified for the applicants, stating his function is to manage the design team as it engineers construction of the project. He said the facilities there are abundant for a project of this size; there is a community building, tot lots, playground equipment, swimming pool, a wading pool for tots, and they have graded for the first tennis court and a volley ball court.

Regarding the five staff recommendations, Mr. Tricarico said numbers 2, 3, and 4 are typical, but he would like to comment on the 1st and 5th recommendations. #1 - higher water pressure: the initial design of the project anticipated a water system that were regional solutions, and Mr. Tricarico said he hopes the Commissioners will agree that a regional solution is a better solution than the developer providing his own, and they would like to see that. If not, the developer would have to provide enhancement at his cost, which would mean the landscape would be dotted with water towers which would be extensive. He said he doesn't know the conditions placed upon other projects surrounding this one, but he strongly suspects they would have the same water pressure problems if a regional system is not provided.

#5 - compliance with the new Plan and Ordinance: it is a little difficult, Mr. Tricarico said, to see how that can work because they don't know what the timing is, and they are going to be completing a site plan under the existing Ordinance. He said they purpose to do that, and if something happened in the future to change the requirements, it could confuse the entire development process. He said they need a tool to work with, and they are suggesting development under the existing Ordinance. He said he didn't think there would be large areas of missing elements.

Mr. Kenney stated there would be a contribution from this developers, as other developers, to a regional solution; otherwise, the developer will have to meet whatever the requirement is based on methods available. Mr. Kenney said the applicant feels the current Ordinance, but the developer is prepared to meet either. Mr. Kenney said, should the rezoning request be approved, the development plan would have to be resubmitted.

Commissioner Loffler noted that no study had been offered on impact on schools. Mr. Marsh advised that the Planning Commission had requested a cost-benefit ratio, and there are some statistics in the staff report using the maximum of 15 units per acre, which is maximum buildout. Mr. Dutton offered his estimate of 216 children for the townhouses, using .5 children per unit, 65 more than the MHP; however, the townhouses would be \$94,725 less than the buildout of the mobile home park; there is still a deficit of \$297 per child, but it is less than the \$1,054 per child deficit produced by the mobile home park. However, Mr. Marsh noted that figure is only for the daily operations, and not for construction of the schools or other services.

Commissioner Loffler opened the meeting for public comment. Mr. Roger Crowley, homeowner in Eagles Glenn, asked whether this rezoning would put his mobile home in violation of the Zoning Ordinance. Mr. Grimm stated that the mobile home would become a nonconforming use, but there would be certain stipulations.



This concluded the public hearing. Commissioner Loffler advised the record would be kept open for 10 days. Mr. Marsh advised the staff report will be available in two weeks.

The hearing was closed at 1:43 p.m.

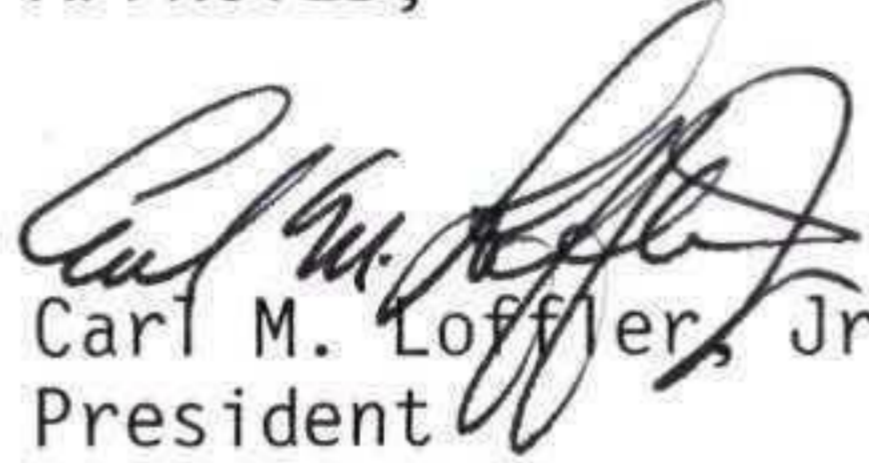
BOARD OF EDUCATION/COUNTY COMMISSIONERS' MEETING

The Commissioners entered into a meeting with the Board of Education at the Board of Education Conference Room at 1:30 p.m. and returned at 3:20 p.m.

ADJOURNMENT

The meeting adjourned at 3:20 p.m.

APPROVED,

  
Carl M. Loffler, Jr.  
President