

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, August 8, 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
 Judith A. Spalding, Recording Secretary

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

APPROVAL OF MINUTES

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, August 1, 1989. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) LETTER OF APPRECIATION
SOUTHERN MARYLAND HEALTH SYSTEMS AGENCY

The County Administrator presented correspondence addressed to Mr. Gene Carter expressing appreciation for his service on the Southern Maryland Healths Systems Agency which has come to an end because of the dissolution of that agency.

The Commissioners agreed to sign and forward the letter as presented.

2) APPOINTMENTS
BOARDS, COMMITTEES AND COMMISSIONS

Commissioner Bailey moved, seconded by Commissioner Jarboe, and unanimously carried, to make the following appointments:

<u>St. Mary's Community Development Corporation</u>	<u>Term to Expire</u>
Elmer Brown	June 30, 1991
Phil Cranford	June 30, 1991
James Spence	June 30, 1991
 <u>Recycling Committee</u>	
Larry Donomyer	No Term
David Flood	"
Joseph Kuhna	"
Dudley Lindsley	"
Buddy Thompson	"
 <u>Maryland Shipping Point Advisory Board</u>	
Eugene Carter	No Term
Mary Ann Longmore	"

3) Maryland Association of Counties
Health Benefits Pool

The County Administrator advised that MACo has established a study committee to recommend successful ways of approaching insurance needs and requirements. Each jurisdiction is requested to allocate \$2,000 towards the study. Mr. Cox indicated that St. Mary's County currently participates in the insurance pool for liability, property, and casualty and recommended approval of the commitment of \$2,000.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to allocate \$2,000 as requested. Four Commissioners voted in favor with Commissioner Loffler voting against because of competition with insurance companies. Motion carried. four to one.

4) RECLASSIFICATION OF POSITION
ALCOHOL BEVERAGE BOARD

The County Administrator presented a memorandum dated August 7, 1989 from the Personnel Officer requesting the Board's approval of the reclassification of the Typist Clerk II position from Grade 10 to Grade 11.

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve this request. Motion carried.

5) ST. MARY'S PUBLIC RURAL TRANSPORTATION SERVICE

The County Administrator advised that the Public Service Commission has agreed that the County Commissioners may change the transportation system managed by the County's Office on Aging. In order to do so, the President of the Board needs to be authorized to sign the Application for Authority to Operate as a Carrier of Passengers in Interstate Commerce.

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

6) PLANNING COMMISSION WAIVERS

The County Administrator advised that the Commissioners had requested to meet with the Planning Commission on August 14 to discuss waivers by the Planning Commission. He stated that by memorandum dated July 26, 1989 Mr. Grimm, Director of Planning and Zoning, indicated that the Planning Commission has agreed that should the Commissioners desire to discontinue the practice of waiving specific requests of the Zoning Ordinance through site plan review, they will concur. In light of this action, Mr. Cox inquired whether the Commissioners were still interested in meeting with the Planning Commission.

During discussion Commissioner Jarboe indicated that the Planning Commission should be given some flexibility with waivers.

The Commissioners agreed to meet with the Planning Commission on August 14 as scheduled.

7) SUPERVISOR OF ELECTIONS

In response to a request by Commissioner Jarboe, the County Administrator presented a memorandum relating to compensation to board members and the personnel classification and salary system.

The Commissioners affirmed the County Administrator's understanding that compensation of Boards already in place would not be changed.

Mr. Cox pointed out that there was a mistake in the County's payroll process, which is being corrected, whereby all members were put on a "lump sum" status rather than payroll.

The Commissioners directed the County Administrator to prepare correspondence to the Supervisors of Elections clarifying these issues.

8) BUDGET AMENDMENT NO. 90-4
PLANNING AND ZONING

The County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Finance which would provide funds to cover costs of the recent Planning Commission workshop and dinner.

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

9) RELEASE OF LIENS FOR IMPACT FEES

The County Administrator advised that since October 1988 the Office of Planning and Zoning has been requiring impact fee agreements to be recorded which places a lien on the property. Since that time several properties have gone to settlement and the lien cannot be removed. An additional \$2500 has been collected in placed in an escrow account and held. Mr. Cox recommended that for administrative purposes the Commissioner approve the Impact Fee Release document whereby those properties going to settlement prior to the date of any increase in fee would be released of a lien on the property.

Commissioner Jarboe moved, seconded by Commissioner Bailey, to approval the Release of Lien document as presented. Motion carried.

10) REQUEST FOR LEAVE WITHOUT PAY

The County Administrator presented a memorandum dated July 31, 1989 from the Personnel Officer requesting approval of approximately 60 days of Leave Without Pay for Karen K. Price (Office of Community Services), who is on maternity leave.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve the request for Leave Without Pay. Motion carried.

11) ST. MARY'S COUNTY GUIDE - 1989 - 1990

The County Administrator presented correspondence expressing congratulations to the Lexington Park Rotary Club for preparation of the 1989-1990 St. Mary's County Guide, which will be distributed at the Oyster Festival held in October.

The Commissioners agreed to sign the letter as presented.

12) STATE SURPLUS PROPERTY

The County Administrator presented correspondence dated July 17, 1989 from State High Administration announcing surplus state land at the intersection of Md. Rtes. 4 and 235 and inquiring if the County was interested in acquiring the property.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to inform the State that the County has no interest in the property. Motion carried.

13) SLUDGE UTILIZATION PERMIT APPLICATION
PATUXENT NAVAL AIR STATION

The County Administrator presented correspondence dated August 1, 1989 from the Metropolitan Commission forwarding an application for sewage sludge permit application for the Patuxent River Naval Air Station, which is to be forwarded to the Department of Environment. The Metropolitan Commission has requested the Commissioners' support.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to forward correspondence to the Department of Environment advising that the Commissioners do not have any objection to the issuance of the permit. Motion carried.

DEPARTMENT OF PUBLIC WORKS

President: Daniel Ichniowski, Director

1) ADDENDUMS TO PUBLIC WORKS AGREEMENTS

Mr. Ichniowski presented the following Addendums to Public Works Agreements for the Commissioners' consideration:

- ° Flower of the Forest - By and between Thomas B. Watts and St. Mary's County extending the deadline for completion of roads to August 15, 1990. The Addendum is backed by a Letter of Credit in a reduced amount of \$173,200.
- ° North Indian Creek Estates - By and between Oliver R. Guyther and St. Mary's County extending the deadline for completion of roads to November 15, 1989. The Addendum is backed by a Letter of Credit in the amount \$33,500.

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

2) DUKEHART'S CREEK MAINTENANCE DREDGING PROJECT

Mr. Ichniowski presented the cover sheet of the contractor's drawings for the Dukehart's Creek maintenance dredging project and requested authorization for Commissioner Loffler to sign the cover sheet.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the cover sheet as presented. Motion carried.

3) WYNNE ROAD

In response to concerns expressed by an individual at the Commissioners August 1 public forum, Mr. Ichniowski advised that the gravel on Wynne Road was caused by vehicles turning on the shoulders and that the road has been cleaned.

4) TIPPING FEE - ST. ANDREWS LANDFILL

Commissioner Loffler advised that he received an inquiry regarding whether there were any modification factors used in determining the fee for watered down trash on wet days. Mr. Ichniowski pointed out that the water is part of what has to be processed and there were no modification factors.

LEONARDTOWN - USE OF SHERIFF'S DEPUTIES

Present: Charles Wade, Director of Finance
Lt. Phil Cooper
Barbara Dotson, Fiscal Specialist, Sheriff's Dept.

Lt. Cooper explained that the Leonardtown Commissioners have requested use of Sheriff's Deputies in a overtime status for the Town of Leonardtown. Mr. Wade indicated that he had spoken with Sheriff Pettit regarding this request and he was in agreement with the Town's offer to pay the County \$21 per hour for this service, which would not include fringes. The times would be 9:00 p.m. to 1:00 a.m. on Friday and Sunday nights.

Mr. Wade further pointed out that the Commissioners could approve this request and later there would be a supplemental appropriation to handle this. In the mean time, the funds could come from existing overtime funds.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve this request. Motion carried.

COUNTY COMMISSIONERS' TIME

1) IMPACT FEE/TRANSFER TAX

Present: Edward V. Cox, County Administrator
Charles Wade, Director of Finance

The Commissioners requested a report from the County Administrator and the Director of Finance relative to their meeting with the Economic Development Commission on Friday, August 4. The County Administrator stated that their presentation to the Commission was the same as that made before the County Commissioners, that the Commission discussed related issues for approximately two hours and unanimously approved a motion to provide a report to the County Commissioners within a reasonable period of time. Mr. Cox stated that there was no date established by which the report would be made and that the next meeting of the Commission was in September.

Commissioner Loffler suggested that the Commissioners had enough information to take action now and to take into account the report of the Economic Development Commission at a later date.

Commissioner Jarboe stated that the EDC members did not believe there was sufficient time for their review of this matter, and the members were requesting additional information. Accordingly, he believed no decision should be made until the EDC had an opportunity to issue its findings.

Commissioner Bailey concurred with Commissioner Jarboe and stated that he felt that it was unfair to ask the EDC to review and then make a decision without its report. He further stated that this item was not listed on the draft agenda, and that out of courtesy, no decision should be made.

Commissioner Lancaster stated that two weeks ago it was agreed that this item would be discussed today, and that even though it was not listed on the draft agenda, everyone knew that it was to be discussed today. He also stated that he had been told by members of the Commission that they believed the Commissioners were asking the members of the Commission to make a decision for the Commissioners and that was not his intent. Commissioner Lancaster stated that he is ready to make a decision, that he has studied the information, and he believes the proposal for a \$2000 impact fee and a one percent transfer tax is well below the actual needs.

Commissioner Thompson stated that he too believes there is enough information by which to make a decision and that he is ready to vote on this matter.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to impose an impact fee as follows:

\$1500	- School construction
300	- Parks
200	- Roads

Commissioners Lancaster, Thompson and Loffler voted in favor of the motion, with Commissioners Bailey and Jarboe voting against. Motion carried three to two.

Later in the day the three Commissioners voting for the impact fee increase (Commissioners Loffler, Lancaster and Thompson) signed Resolution No. 89-21 amending Resolution No. 88-24 and setting forth the provisions by which the impact fee is to be administered.

2) TRANSFER TAX LEGISLATION

The Commissioners unanimously agreed to submit in the 1990 Legislative Package a request for authority to establish a transfer tax.

3) DRAFT AGENDA

Commissioner Jarboe requested that the Draft Agenda be an item of discussion for the Commissioners' meeting next week.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
Charles Wade, Director of Finance

Commissioner Thompson moved, seconded by Commissioner Lancaster, to meet in Executive Session to discuss matters of Property Acquisition and Personnel. Motion carried.

The Session on Property Acquisition with Mr. Cox and Mr. Wade was held from 10:40 a.m. to 11:05 a.m. and the Executive Session continued on Personnel with the County Administrator until 11:20 a.m.

COUNTY EMPLOYEES - LENGTH OF SERVICE AWARDS

Present: William E. Ball
Barbara M. Dotson
Nancy J. Hutson
Joseph P. Jones
John T. Rhodes, Jr.

The Commissioners presented 15-year pins to the referenced individuals for their 15 years of service with County Government.

MEMORIAL CEREMONY JAMES D. SCHUELE

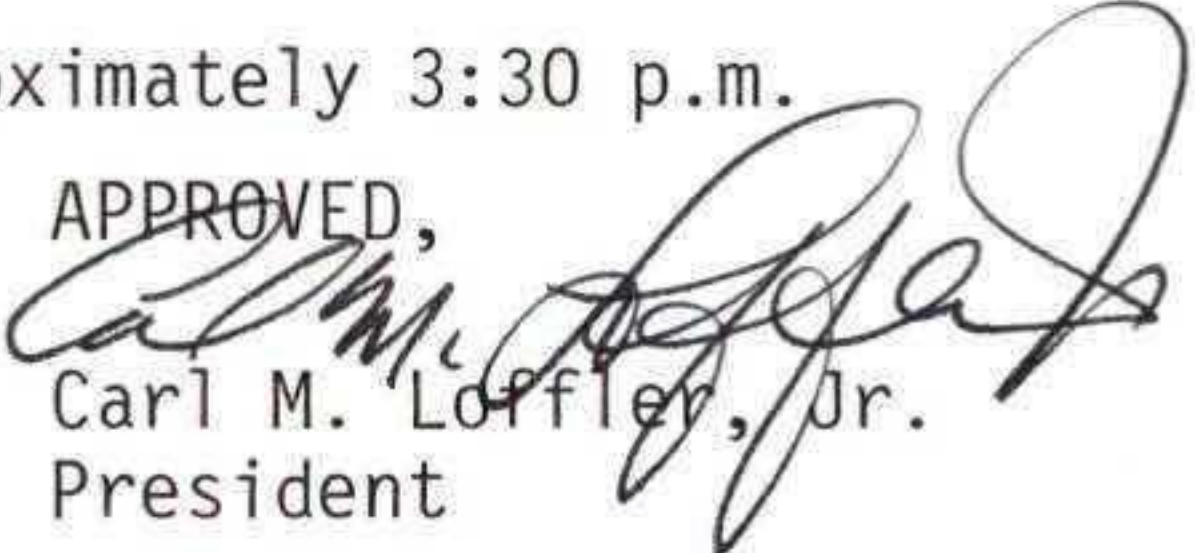
The Commissioners conducted a Memorial Ceremony for James D. Schuele, who worked for the Emergency Operations Center.

MEETING WITH BOARD OF EDUCATION

The Commissioners left to attend a meeting with the Board of Education at Green Holly School followed by a tour of Green Holly School.

ADJOURNMENT

The meeting adjourned at approximately 3:30 p.m.

APPROVED,

Carl M. Loffler, Jr.
President