

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, June 26, 1990

Present: Commissioner Rodney Thompson, Acting President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

(Commissioner Loffler was not present, and therefore, Commissioner Thompson presided over the meeting.)

(Commissioner Bailey was not present at beginning of meeting.)

The meeting was called to order at 9:10 a.m.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, June 19, 1990. Motion carried.

APPROVAL OF BILLS

Commissioner Jarboe moved, seconded by Commissioner Bailey, to approve payment of the bills as presented. Motion carried. (Motion on the bills was made later in the meeting when Commissioner Bailey was present.)

ALL AMERICA CITY AWARD
FINALIST CITATION

Present: Judy Landau Pedersen, Public Information Specialist
Mary Pat Agostinelli, Administrative Officer

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) EASEMENT AGREEMENT

The County Administrator presented an Easement Agreement between the Board of County Commissioners of St. Mary's County, Southern Maryland Electric Cooperative, Inc. and C & P Telephone Company of Maryland for easement across the railroad right-of-way at Md. Rt. 5 near Mohawk Drive, Mechanicsville for installation of an underground communication cable.

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

2) FISCAL YEAR 1990
MARYLAND HOUSING REHABILITATION PROGRAM (MHRP)

On behalf of the Director of Economic and Community Development, the County Administrator presented the Rehabilitation Program Plan and the Annual Renewal of the Local Rehabilitation Plan for Fiscal Year 1990. Mr. Cox advised that the Commissioners had indicated intent to apply for this program's funds from the Community Development Administration in the amount of \$71,497 at their September 5, 1989 meeting.

After discussion Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the Annual Renewal of Local Rehabilitation Plan and the Local Rehabilitation Plan for FY 1990 - 1991. Motion carried.

(Commissioner Bailey entered the meeting 9:20 a.m.)

3) USERS FEES
RESPONSE TO MR. WETTENGEL

The County Administrator presented correspondence to Edmund Wettengel, Paragon Builders, regarding a review of the users fees for construction and development plans. The letter indicates that staff is currently reviewing and updating the fees and will be submitting recommendations in the near future.

The Commissioners agreed to sign and forward the letter.

4) CATEGORICAL TRANSFER - BOARD OF EDUCATION

The County Administrator presented correspondence to the Superintendent of Schools approving requested transfer of funds in the Board of Education's FY '90 budget as follows:

<u>Category</u>	<u>Present Authorization</u>	<u>Approved Authorization</u>	<u>Change +/-</u>
02 Instr. Salaries	\$23,645,613	\$23,554,613	\$(91,000)
07 Maint. of Plant	2,000,528	2,091,528	91,000

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the categorical changes as presented and to sign and forward the letter. Motion carried.

5) BUDGET AMENDMENT
CHAMBER OF COMMERCE

The County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Finance with the following justification: Additional funding for Chamber of Commerce approved by the Board of County Commissioners on June 19.

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

6) PERSONNEL ITEMS

The County Administrator presented the following personnel items for the Commissioners' consideration:

° Agriculture Development Coordinator
Economic & Community Development

Memorandum dated June 22 from Personnel Officer requesting approval to hire Donna Sasscer as the Agriculture Development Coordinator, Grade 18, Step 3, in the Office of Economic and Community Development.

° Outreach Specialist
Office on Aging

Memorandum dated June 25 requesting approval to change Jane Kostenko, Outreach Specialist, from a full time county-funded position to a permanent part time grant-funded position. The position had been formerly classified as Administrative Assistant and because of certain tasks has now been changed to Outreach Specialist.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve the personnel actions as referenced. Motion carried.

7) APPOINTMENTS
BOARDS, COMMITTEES, COMMISSIONS

Commissioner Bailey moved, seconded by Commissioner Lancaster, and motion carried, to approve appointments as follows:

<u>Commission on Aging</u>	<u>Term to Expire</u>
Carol B. Giesen (Reappt.)	06/30/93
<u>Council on Children and Youth</u>	
Ruth A. Heibel (Reappt., Student Rep.)	6/30/91
Michell Lawyer (" ")	6/30/91
Kevin Williams (" , St. Mary's College)	6/30/91
<u>Plumbing Board</u>	
Laurence (Deedy) Garner (Reappt.)	6/30/93
Robert A. Lynch, Sr. (Reappt.)	6/30/93
<u>Tri-County Group Home Board</u>	
J. Abell Longmore (Reappt.)	6/30/93
<u>Airport Commission</u>	
George Haliscak	6/30/93
Samuel E. Leach	6/30/93
Richard V. Wilson	6/30/93

FREEDOM FEST
ALCOHOL/DRUG ABUSE PREVENTION ALLIANCE

Present: Judy Landau Pedersen, Public Information Specialist

Ms. Pedersen appeared before the Board to formally invite the Commissioners to attend the July 4th Freedom Fest activities at Dorsey Park and to participate as guest Master of Ceremonies during part of the celebration.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) CAPITAL PROJECTS

Mr. Ichniowski presented and reviewed the Capital Project Priority Listing in Engineering, Highways, Highway/Construction, Marine, and Solid Waste. During review of the Engineering items, Mr. Ichniowski pointed out Item No. 15 (Adult Detention Center Expansion - SM 90-4-6), which is the design and construction of an addition to the jail. He requested authorization for the president of the board to correspondence and the submittal proposal for state funding planning for the expansion of the Detention Center to be forwarded to the Maryland Division of Corrections.

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

At the conclusion of the Capital Project review, Mr. Ichniowski indicated that DPW will proceed with the schedule based on this report and would continue to present quarterly status reports.

2) PUBLIC WORKS AGREEMENT
CEDAR COVE, SECTION 5

Mr. Ichniowski presented a Public Works Agreement dated May 24, 1990 between Patuxent Development Inc., J. Laurence Millison, and St. Mary's County guaranteeing completion of Shannon Boulevard, Willis Wharf Street, and Wingate Place in Cedar Cove, Section 5. The Agreement is backed by a \$353,000 Letter of Credit with Maryland National Bank.

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

3) ADDENDA TO PUBLIC WORKS AGREEMENTS

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

◦ Chancellor's Village Subdivision

Between Harkins Associates, inc. and St. Mary's County
Commissioners
extending the deadline for completion of roads in Chancellor's Village Subdivision to July 5, 1991. The Addendum is backed by an amended Federal Insurance Company Bond in the amount of \$373,500.

◦ Cedar Cove, Section III

Between J. Laurence Millison and St. Mary's County Commissioners
extending the deadline for completion of improvements to November 1, 1990.
The Addendum is backed by an amended Letter of Credit in the amount of \$97,000 with Maryland Bank and Trust Company.

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

3) CALLING LETTERS OF CREDIT

Mr. Ichniowski presented the following correspondence calling Letters of Credit as indicated:

◦ Flower of the Forest, Section 2

Grading Permit #87-01
Letter of Credit #340 with Maryland Bank and Trust
Company in the amount of \$75,000.

◦ Wildewood Mall

Grading Permit #86-05
Letter of Credit #336 with Maryland Bank and Trust Co.
in the amount of \$66,400.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the referenced correspondence calling letters of credit if necessary.

SEWAGE SLUDGE COMPOST

The Commissioners conducted a public hearing on June 5 on the transportation and utilization of sewage sludge compost in St. Mary's County. The County Administrator indicated that it is the staff's recommendation that the Commissioners permit the transportation and use of compost provided that it meets the legal definition of compost and meets the requirements of the Department of the Environment.

After discussion Commissioner Jarboe moved, seconded by Commissioner Lancaster, to authorize staff to prepare a Resolution approving the transportation and utilization of compost in St. Mary's County. Motion carried.

TRANSFER TAX

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

The County Commissioners conducted a public hearing on June 12 on the adoption of an Ordinance imposing a one (1%) percent transfer tax on real property transfers. County Administrator Cox reviewed the two changes made in the document since the public hearing:

Paragraph M. - Changing from one (1%) percent to five (5%) the amount deducted and retained by the Clerk of the Court in accordance with State Law.

Mr. Cox pointed out that an item will be included in the 1991 Legislative Package to request a change from five (5%) percent to one (1%) percent the amount retained by the Clerk of the Court.

Effective Date - Changed from July 1 to August 1, 1990.

During discussion Commissioner Jarboe expressed concern for the impact the transfer tax would have on first-time home buyers and suggested an exemption for this category of home-buyers. Commissioner Bailey indicated that he felt the main problem with the tax is the "up-front money" that must be paid by home-buyers and suggested that the tax be spread over a period of three years with interest charged.

Mr. Wade stated that \$850,000 had been included in the FY '91 Capital Budget and was concerned that there were capital projects in the budget using these funds.

Commissioner Lancaster inquired as to what the impact would be if there were exemptions or a delay in payment of the transfer tax on the need for school construction.

In conclusion the Commissioners requested staff to develop figures as to the impact of exempting first-time buyers or spreading the payment out over a three-year period. The transfer tax issue is to be brought back before the Board in two weeks (July 10).

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
Joseph Densford, County Attorney
John Baggett, Director, Recreation and Parks
Dr. James Carroll Boyd

Commissioner Bailey moved, seconded by Commissioner Lancaster, to meet in Executive Session to discuss a matter of property acquisition. Motion carried. The Session was held from 11:20 a.m. to 11:55 a.m.

COMMENDATION
THOMAS A. MATTINGLY

Present: Thomas A. Mattingly

The Commissioners presented a Commendation to Tom Mattingly for outstanding accomplishments during a distinguished career as a volunteer fireman highlighted by selection as President of the Maryland State Firemen's Association.

COMMENDATION
THE ENTERPRISE NEWSPAPER

Present: John Martin, Publisher

The Commissioners presented a Commendation to The Enterprise Newspaper recognizing the paper's contributions and research assistance for the All America City Award application.

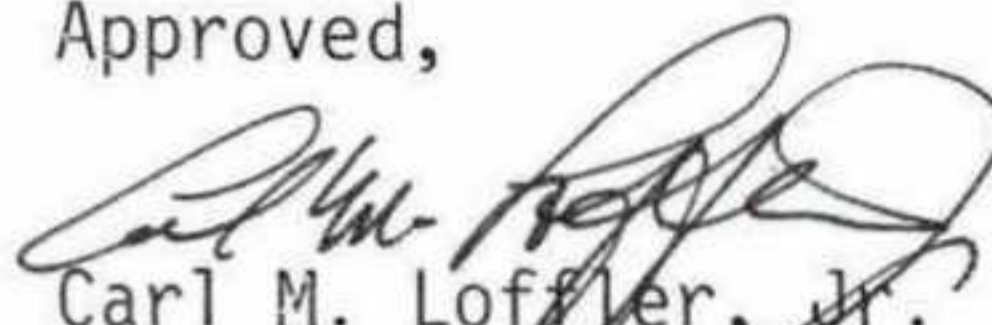
ADJOURNMENT

The meeting adjourned at 11:55 a.m.

ROAD TOUR

At the conclusion of the meeting the Commissioners, accompanied by the County Administrator and Director of Public Works, went on a road tour of the Airport, Frank Knox School site, Felix Johnson property, and Southampton Subdivision.

Approved,


Carl M. Loffler, Jr.
President