

**BOARD OF COUNTY COMMISSIONERS' MEETING**

**Tuesday, August 21, 1990**

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

**CALL TO ORDER**

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

**APPROVAL OF MINUTES**

Commissioner Jarboe moved, seconded by Commissioner Bailey, to approve the minutes of the Commissioners' meeting of Tuesday, August 14, 1990. Motion carried.

**APPROVAL OF BILLS**

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

**COUNTY ADMINISTRATOR'S ITEMS**

**Present:** Edward V. Cox, County Administrator

1) **METROPOLITAN COMMISSION**  
**REQUEST FOR SURPLUS VEHICLE**

The County Administrator presented correspondence dated August 9 from the Metropolitan Commission requesting two additional sheriff's department vehicles when they become available.

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve this request, which will be forwarded to Procurement for handling. Motion carried.

2) **INNOVATIVE AND ALTERNATIVE SEWAGE DISPOSAL SYSTEM GRANT**

The County Administrator presented correspondence dated August 9 from the Maryland Department of Environment offering supplemental state funding in the amount of \$22,450 for Innovative and Alternative grant program for St. Mary's County through the septic system modification and restoration program. County Administrator Cox indicated authorization for Commissioner Loffler to sign the Memorandum of Understanding is required.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the Memorandum of Understanding as requested. Motion carried.

3) **LETTER OF INTENT**  
**MARYLAND HOUSING REHABILITATION PROGRAM**

The County Administrator presented a Letter of Intent for St. Mary's County to participate in the Fiscal Year 1991 Maryland

Rehabilitation Program. \$71,990 has been allocated for St. Mary's County which will be used along with Community Development Block Grant funds to assist low-income families along Md. Rt. 245 for hookup to the public sewer system.

Commissioner Bailey moved, seconded by Commissioner Thompson, to authorize Commissioner Loffler to sign the Letter of Intent to participate. Motion carried.

4) PERSONNEL

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

- Fiscal Clerk II  
Sheriff's Department

Memorandum dated August 20, 1990 from Personnel Officer advising that Sheriff Pettit has requested the establishment of a Fiscal Clerk II, Grade 13, position to provide assistance with the increased fiscal requirements workload.

- Clerk Typist II  
Recreation and Parks

Memorandum dated August 20, 1990 from Personnel Officer requesting approval to change the Clerk Typist II, Grade 10 position within Recreation and Parks Department to a Fiscal Clerk II, Grade 13 position.

- Leave Without Pay  
Office on Aging

Memorandum dated August 20, 1990 from Personnel Office indicating that Barbara Price was placed on Accident Leave because of a back injury incurred during the performance of her duties. Her Worker's Compensation

claim had been denied and she returned to work with limited duties; however, she has been unable to work in a limited duty without risk of further injury. There, Leave Without Pay is requested until her physician certifies her as able to perform her duties or until November 30, 1990.

Commissioner Thompson moved, seconded by Commissioner Bailey to approve the three referenced personnel items as presented. Motion carried.

5) EMERGENCY SHELTER DURING FREEZING WEATHER SURVEY

The County Administrator presented correspondence responding to the Department of Human Resources and forwarding the completed survey regarding the types of services provided by the County for homeless during freezing weather. The survey was completed with the assistance of the County's Department of Social Services.

Commissioner Bailey moved, seconded by Commissioner Thompson, to sign and forward the correspondence as presented. Motion carried.

6) WALDEN SIERRA  
DOMESTIC VIOLENCE PROGRAM GRANT MODIFICATION

The County Administrator presented a Modification of the VOCA Contract between St. Mary's County Commissioners and the Community Service Administration submitted by Walden Sierra. The Modification provides an addition \$9,595 for the Women's Service Program and provides services to crime victims.

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

7) CORRESPONDENCE

The County Administrator presented the following items for correspondence for the Commissioners' review:

Health Department Management Decisions

To Dr. Marek requesting explanation regarding concerns expressed by Ms. Pat Chaney who questioned certain management decisions which she felt negatively affect the quality of health care provided to county citizens.

The Commissioners agreed to sign and forward the letter.

Reconsideration of Classifications  
Sheriff's Department

To Sheriff Pettit responding to request for reconsideration of reclassification request of positions currently held by Rebecca Norris and Deborah Parsons, indicating that after review the Commissioners believed the positions are properly classified.

The Commissioners agreed to sign and forward the letter.

8) DEPARTMENT OF PUBLIC WORKS ITEMS

On behalf of the Director of Public Works, the County Administrator presented the following items:

Acceptance of Deed  
Road Resolutions  
Ellen Hills Subdivision  
Fifth Election District

Acceptance of Deed

Deed dated July 11, 1989 between Mechanicsville Equipment and the County Commissioners of St. Mary's County accepting Ellen Court into the County's Highway Maintenance System.

R90-28 - Designating Ellen Court as a Stop Street as it intersects with Flora Corner Road.

R90-29 - Posting Ellen Court at 25 miles per hour.

Road Resolution

Graves Road

Sixth Election District

Posting Graves Road at 30 miles per hour.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and sign the referenced Deed and Road Resolutions as presented. Motion carried.

9) APPOINTMENTS

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

<u>Economic Development Commission</u>	<u>Term to Expire</u>
Joseph M. Daley	6/30/93
James M. McKay	6/30/93

Private Industry Council

Shirley Colleary (Private Sector Rep.) 6/30/94

10) RESOLUTION NO. 90-04A  
OAK CREST CENTER  
ZPUD #90-0444

The County Administrator advised that Resolution No. Z90-04 was approved and signed by the Commissioners at their meeting of August 7; however, since that time the attorney for the applicant and the County Attorney requested that it be held because of additional information needed on the Resolution. County Administrator Cox reviewed the two documents pointing out the additional items in proposed Resolution No. Z90-04A which, he indicated, did not change the substance, but served to provide clarification.

After discussion Commissioner Thompson moved, seconded by Commissioner Bailey, to rescind Resolution No. Z90-04 and to approve and sign Zoning Amendment Resolution No. Z90-04A. Motion carried.,

11) MUTUAL AID AGREEMENT  
MECHANICSVILLE FIRE DEPARTMENT/CHARLES COUNTY

The County Administrator presented a Mutual Aid Agreement among Charles County Commissioners, Charles County Volunteer Firemen's Association, Inc., Charles County Association of Emergency Medical Services, Inc., St. Mary's County Commissioners, and St. Mary's Fire Board Association whereby parties of the Agreement would assist each other with fire protection and ambulance services. If the Commissioners concur with the Agreement, a final document will be prepared by Charles County and returned to the Commissioners for approval and signature.

Discussion ensued regarding the authorization for Commissioner Loffler to sign the Agreement, and Commissioner Jarboe indicated he would like to see it before it is signed.

After discussion Commissioner Bailey moved, seconded by Commissioner Thompson, to approve the language in the Mutual Aid Agreement, which will be returned to the Board for final approval and signature. Motion carried.

CHILDREN'S TRUST FUND GRANT APPLICATION  
LATCH-KEY ENRICHMENT PROJECT

Present: Becky Stevens, Community Services Coordinator  
Joe Dick, Alcohol/Drug Prevention Coordinator

The referenced individuals appeared before the Commissioners to present the referenced grant application requesting \$15,000 for the St. Mary's County Latch-Key Enrichment Project. The purpose of this pilot program, which will be a duration of 34 weeks, is to implement for 26 children in one middle school a self-care training program and provide sexual abuse prevention and to provide latch-key training. The grant would also provide for the expansion of the "Developing Capable People" program. Mrs. Stevens indicated that it is a competitive one-year grant.

Commissioner Lancaster moved, seconded by Commissioner Bailey, to approve and sign the Grant Application as presented. Motion carried.

SHERIFF'S DEPARTMENT  
DRUG ENFORCEMENT REPORT

Present: Sheriff Pettit  
Lt. Richard Vorhaar  
Detective Charles Malone  
Lt. James Petrik, Charles County Sheriff's Dept.

The referenced individuals appeared before the Commissioners to present a report on the drug enforcement efforts in St. Mary's County. Det. Malone and Lt. Petrik gave an overview on the efforts of the Southern Maryland Narcotics Task Force and stated that the "open-air" drug markets have significantly decreased since 1988 in St. Mary's County from 11 to four. He explained that the task force concentrated on apprehending drug users in order to try to decrease the demand.

Sheriff Pettit pointed out some of the efforts currently underway and indicated that the task force has been supplemented with a drug dog which is handled by Det. Malone.

Lt. Vorhaar advised that every school in grades K through 12 have some type of drug resistance or drug information training.

In closing Sheriff Pettit commended the Alliance for its efforts in drug abuse prevention and expressed appreciation to the Commissioners and the community for their support.

TEEN CENTER REPORT

Present: John Baggett, Director, Recreation and Parks  
Claude Clarke, Recreation Supervisor

The referenced individuals appeared before the Commissioners to present a report on the recently opened Teen Center. He advised that

the Center was opened on July 26 at the old Frank Knox School with a great deal of assistance from the community.

Mr. Clarke advised that the Center is open on Thursday and Friday afternoons and from 1:00 p.m. to midnight and pointed out that approximately 100-110 youths attend on the weekends.

Mr. Clarke indicated that there were a number of people to be thanked in getting the Center opened providing equipment, materials, labor, money and time.

Because the site may be turned over to the Navy and the lack of adequate heating, Mr. Clarke stated that the Teen Center Committee will be looking at other possible locations. He stated that the Committee is also looking into various fund-raising efforts.

In closing Mr. Baggett invited the Commissioners to visit the teen center.

**OFFICE OF PLANNING AND ZONING**

Present: Jon Grimm, Director, Planning & Zoning

1) **ZPUD#89-1916**  
**HUNTING QUARTER, PHASE TWO**

The Commissioners had conducted a public hearing on August 7 on the application of Tom Watts and Alva Watson for rezoning from PDR.92 to PDR2.0 on 88 acres of property in the Second Election District.

Mr. Grimm stated that the applicant was to submit a revised conceptual development plan, and this has not been received to date; therefore, Mr. Grimm recommended that the Commissioners delay action until it is received.

The Commissioners agreed to defer action and requested Mr. Grimm to draft a letter to the applicant explaining exactly what is needed.

2) **CLABAUGH COMMERCIAL STABLE**

Mr. Grimm advised that a request had been received for the construction of a 40' x 90' commercial stable to breed, board, and train horses on the 328 acre Clabaugh farm, which is an Agriculture Land Preservation District (ALPD). The Planning Commission has heard and recommended approval of the request.

Mr. Grimm stated that he has prepared correspondence to the Maryland Agricultural Land Preservation Foundation indicating the Commissioners' support of the applicant's request and recommending approval along with any restrictions deemed necessary to protect the integrity of the agricultural use of the property.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to sign and forward the letter as presented. Motion carried.

3) **CRITICAL AREAS BRIEFING**

The Commissioners requested Mr. Grimm to give a briefing on the critical area regulations at a future Commissioner meeting.

**EXECUTIVE SESSION**

Present: Edward V. Cox, County Administrator

Commissioner Bailey moved, seconded by Commissioner Lancaster, to meet in Executive Session to discuss matters of personnel.

**Personnel**

Held from 11:30 a.m. to 11:55 a.m.

**Personnel**

Also Present: Charles Wade, Director of Finance  
George Foster, Personnel Officer

Held from 11:55 a.m. to 12:10 p.m.

**PUBLIC HEARING**

**ST. MARY'S COUNTY CABLE TELEVISION SYSTEM FRANCHISE ORDINANCE**

Present: Charles Norris, Chairman, Cable Television  
Review Committee  
John Armentrout, "  
Joseph Densford, "  
Mary Lillian Hewitt "  
Cable/Television Company Representatives  
Interested citizens

The Commissioners conducted a public hearing on the draft Cable Television Ordinance which provides for: the granting of franchises for the construction and operation of cable television systems in St. Mary's County; the regulation of each cable system; the payment of fees by a franchisee; the promotion of widespread availability of cable service to county residents; the encouragement of development of cable as a means of communication among the public; and the provision of diverse information to the community.

Mr. Norris and Mr. Densford reviewed and highlighted each section of the proposed Cable Television Ordinance.

The Commissioners opened the meeting for public comment and questions:

**Al Daley (Channel 10)** - Commented on the progress of Channel 10 stating that they provide local news and information to the community.

**Viki Volk (Enterprise)** - Questioned whether the channels an individual subscribes to would be released to the County. Mr. Densford explained that only financial records and and complaints would be submitted to the County.

**Jim Reichard, (Channel 52)** - Commented on the community programs of Channel 52 and presented a petition of over 700 signatures to have Channel 52 on cable television throughout the county. Commissioner Loffler suggested that something be added to the Ordinance to provide for inclusion of local channels.

**Philip Goldsborough** - Discussed a problem he has had with installation of cable television which he had requested three years ago, and has recently learned that the trunk lines need to be upgraded. He suggested that language be added to Section 11 requiring cable company to upgrade the trunk lines. Bob Russman, Senior Vice President of Simmons, explained that when an area increases the lines need to be increased and this area has been included for that. Commissioner Loffler suggested that the Ordinance include a timeframe.

**A. Finkleston** - Questioned Statement of Intent of the Ordinance, a procedure to waive minimum requirements, and whether citizens can look at complaints.

**Betty Reichard (Channel 52)** - Requested the Commissioners to consider having Channel 52 included on the cable system.

**Harry Dalton** - Expressed positive comments regarding Channel 10 and stated adding Cable 52 would provide competition.

**Viki Volk (Enterprise)** - Inquired as to whether an Agreement currently exists with Simmons. Mr. Densford responded that one only exists with the Town of Leonardtown and Simmons; however, there is a 5% cable franchise tax that all cable companies must pay. He further stated that the cable companies must obtain construction permits and post a bond if work is being done on county's right-of-way.

**Phil Dorsey** - Expressed appreciation for work done by Cable Committee and recommended that the Commissioners adopt this Ordinance after deliberation.

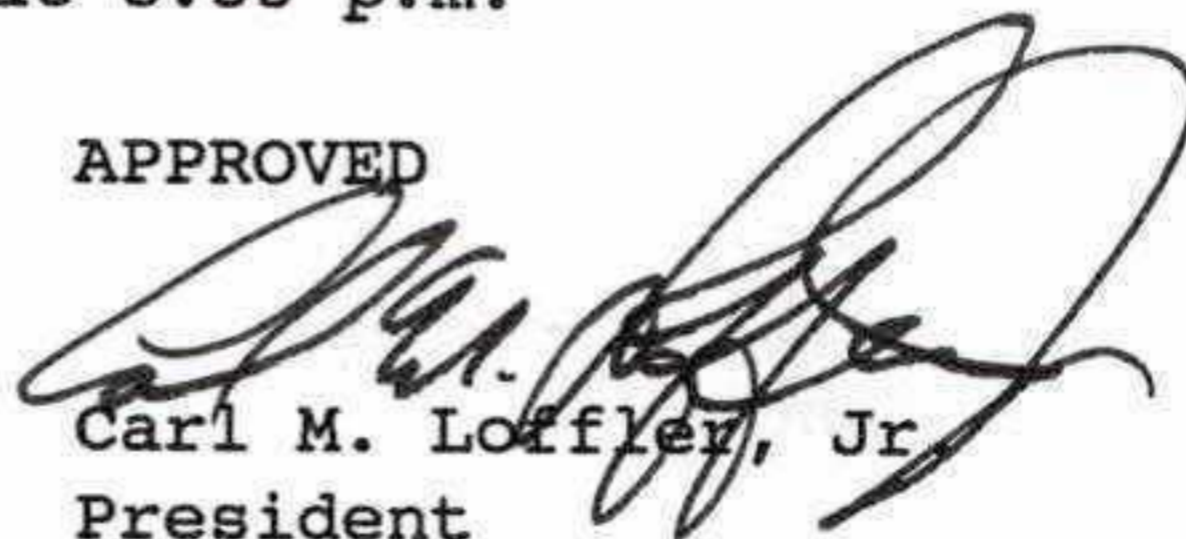
**Joseph Goddard** - Commented on difficulty in getting cable on two rental properties of his and complained about how it had been installed. He pointed out, however, that he understood that Simmons does do a better job now.

**Coletta Haliscak** - Expressed dissatisfaction with the \$5 late charge in that the billing reflects advance payment. Mr. Densford responded that the federal law prevents the County from regulating payment practices; however, he stated that within the intent and purpose of the Ordinance billing practices would be scrutinized when issuing a franchise or renewing one.

**ADJOURNMENT**

The meeting adjourned at 8:55 p.m.

APPROVED



Carl M. Loffler, Jr.  
President