

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, October 9, 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 Secretary

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, October 2, 1990. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR'S ITEMS

Present: Edward V. Cox, County Administrator

1) BUILDING TRADES FOUNDATION - IMPACT FEE

The County Administrator advised that the Building Trade Foundation, Inc. has requested the Board's consideration to charge \$500 for the impact fee instead of \$2,000 because of the timing of the Lot #12 project in Little Holly Subdivision. He stated that in September 1988 the Commissioners approved delay in payment of the Impact Fee, which at that time was \$500, until the issuance of the Certificate of Use and Occupancy. Certificate of Occupancy did not occur until after the Impact Fee was increase to \$2,000. County Administrator Cox recommended that the Commissioners approve the request to charge \$500 for the Impact Fee and return the \$1500 for use in the next housing project.

Commissioner Loffler questioned whether this was a waiver of the fees, and if so whether it was legal to do so. County Administrator Cox was requested to get a determination from the County Attorney on this.

After discussion the Commissioners were in agreement with the concept of returning the fee and to proceed with the waiver or reimbursement as determined by the County Attorney.

2) HEATING OF NAS SECURITY PASS OFFICE

The County Administrator presented correspondence to the Commanding Officer, Naval Air Station advising that the County will abide by the lease agreement to heat the Pass Office and that NAS staff and county staff will develop the best method to accomplish this.

The Commissioners agreed to sign and forward the letter.

3) INNOVATIVE AND ALTERNATIVE ON-SITE SEWAGE DISPOSAL SYSTEM

The County Administrator presented a Grant Agreement and Easement for Installation of an Innovative and Alternative On-Site Sewage Disposal System dated September 25, 1990 among Joseph C. and Edna M. Long, St. Mary's County Health Department and the Department of Environment for installation of a system on property on Cedar Lane, First election District.

Prior to the Board making a decision on the Agreement, Commissioner Loffler requested the County Administrator to determine whether this was for an unimproved lot or for a failing system on an existing lot.

4) BUDGET AMENDMENT NO. 91-14
RECREATION AND PARKS - ST. CLEMENTS ISLAND MUSEUM

The County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Finance with the following justification: Due to the cut in state funding it is necessary to transfer the \$1,678 from our miscellaneous account to cover the remaining contract payment to Free Spirit Cruises.

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

5) NOTIFICATION OF GRANT AWARD
RURAL PUBLIC TRANSPORTATION CAPITAL ASSISTANCE AGREEMENT

On behalf of the Office on Aging the County Administrator presented the referenced NGA in the amount of \$49,000 for the purchase of a wheelchair lift-equipped mini-bus under Section 18. \$2,450 is the County's share, which is in the budget.

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

6) CLEARINGHOUSE PROJECT NO. MD900910-0887
LEONARDTOWN COMPREHENSIVE PLAN

The County Administrator presented the referenced clearinghouse project recommending that it be forwarded to the State with the comment that it is consistent with the County's plans, programs and objectives.

During discussion Commissioner Jarboe requested clarification regarding the town's parking requirements in its relationship with the Comprehensive Plan.

After discussion the Commissioners agreed to accept the County Administrator's recommendation.

7) RESOLUTION NO. 90-18
POLYVINYL CHLORIDE (PVC) PLASTIC PIPE

The County Administrator advised that the Plumbing Board has recommended a clarification to Resolution No. 85-06 which would require the use of Schedule 40 PVC pipe rather than just PVC pipe. Therefore, County Administrator Cox presented the referenced Resolution approving the use of Schedule 40 PVC pipe as the minimum requirement.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and sign Resolution No. 90-18. Motion carried.

PROCLAMATIONS

The Commissioners issued the following Proclamations:

Margaret Brent Business and Professional Women's Week

Designating October 14-20 as Margaret Brent Business and Professional Women's Week.

Fire Prevention Week

Designating October 7-13, 1990 as Fire Prevention Week.

National Society Daughters of the American Revolution

Recognizing the Year of October 11, 1990 - October 11, 1991 as the DAR Centennial Year in St. Mary's County.

Learning Disabilities Month

Designating the Month of October as Learning Disabilities Month.

LENGTH OF SERVICE AWARDS

The Commissioners presented the following employees with Length of Service Awards:

Virginia Johnson	35 years of service
Mary Lou Norris	25 years of service
John V. Baggett	20 years of service
Phillip I. Trossbach	20 years of service
Richard N. Thompson	20 years of service
George C. Duke	20 years of service
James R. Hayden	20 years of service
John W. DeLozier	20 years of service
Joseph R. Maloy	20 years of service
Stanley J. Williams	20 years of service
Alice V. Bailey	15 years of service
Cynthia A. Pilkerton	15 years of service
Elinor A. Mattingly	15 years of service
Mary c. Hickson	15 years of service
Mary T. Toney	15 years of service
Richard J. Voorhaar	15 years of service
George A. DeLozier, Jr.	15 years of service
James K. Raley, Jr.	15 years of service

WOMEN'S CENTER

Present: Lynn Fitrell, Commission for Women
Susan Borneman, Director, Women's Center
Katie Kangus, Commission for Women
(Other Commission for Women Representatives)

Representatives of the Women's Center and Commission for Women appeared before the Board to explain the services provided by the Women's Center and to request the County's financial assistance. Mrs. Fitrell gave an overview of the history of the Center, which began in 1979 to address an unmet need in the community. The Center provides a support system to family members to help them become more self-

sufficient. Funds are derived from the business community, grants, fund raisers, and private donations. During review of the Center's budget, Mrs. Borneman indicated that there is a deficit of \$6232.16

County Administrator Cox advised that the Commissioners were aware that the Commission for Women and Women's Center would be submitting a lease, and should the Commissioners concur with the request a Budget Amendment is required. He recommended that the Commissioners approve the lease in the amount of \$4500 and to defer a decision on the remainder.

After discussion Commissioner Thompson moved, seconded by Commissioner Jarboe, to approve the lease for the Women's Center and to request staff to prepare a budget amendment in the amount of \$4500 with the remainder to be addressed during the supplemental budget review. Motion carried.

ST. MARY'S REGIONAL PARK

Present: John Baggett, Director, Recreation and Parks
Gene Carter, Director, Office on Aging
Dan Ichniowski, Director, Public Works
Dave Gerdel, Deputy Director, DPW

Also Present: Teen Center Committee Members

Representatives of the Departments of Recreation and Parks, Office on Aging and Public Works appeared before the Commissioners to present plans for the St. Mary's Regional Park and to discuss the possible combination of the Adult Day Care Center, Senior Activity Center and the Teen Center. Concept has been completed for the three facilities and a decision is needed regarding funding for the Teen Center in order to proceed with the consolidated design.

Mr. Baggett explained the Regional Park project pointing out the items to be included in first phase of the park; i.e., ball diamonds, soccer fields, hard surface courts. Items that are needed next year to complete the park are landscaping, reforestation and reseeding.

During discussion of the teen center, Mr. Baggett indicated that it appeared to be more economical to combine it with the two Office on Aging projects (Adult Day Care and Senior Activity Center.). He further indicated that there were two advantages to combining the facilities: (1) It gives both age groups an opportunity to mix and (2) seniors would use the facility during the day and the teens would use it mostly in the evening.

Mr. Gerdel presented cost estimates and space allocation percentages for each facility. The estimated amount to construct the facility is \$1,252,000. Mr. Gerdel indicated that if the Commissioners agree to proceed with the combined design, a commitment is needed for \$296,213 from the Fiscal Year 1992 budget with \$150,000 coming from the Teen Center funds. If not, the Department of Public Works must proceed with the Adult Day Care/Senior Activity Center in order to protect the Office on Aging grants from the State. Mr. Baggett suggested that perhaps a portion of the funds needed for the teen center could come from the "Money in Lieu of Land" account.

During discussion Commissioner Loffler raised questions concerning the estimated dollar amounts relative to the size of the facility and proposed sources of funding.

After discussion Commissioner Bailey moved, seconded by Commissioner Lancaster, to commit \$296,213 in the FY '92 budget for the combined Senior Activity Center, Adult Day Care Center, and the Teen Center. Motion carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Bailey moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss a matter of Personnel and Property Acquisition. Motion carried. Sessions were held as follows:

Personnel

Also Present: Sheriff Pettit
Lt. Alan Potts, MSP
Lt. Col. Hayman, "
Major Harmel
Capt. Stufft

Held from 11:15 a.m. to 12:15 p.m.

Property Acquisition

Also Present: Charles Wade, Director of Finance

Held from 1:30 p.m. to 2:25 p.m.

GREAT MILLS FACILITY

Present: Charles Wade, Director of Finance

Commissioner Loffler advised that Director of Recreation and Parks Baggett had indicted that \$34,000 was needed to bring the Great Mills High School facility up to Recreation and Parks standards. Commissioner Bailey raised questions regarding the items to be completed and expressed concern that some of the items similar to the other high schools may have been done by the boosters of those schools.

Commissioner Thompson moved, seconded by Commissioner Lancaster to appropriate \$30,000 for the needed repairs at the Great Mills High School facility with the additional \$4,000 to come from the Department of Recreation and Parks. During discussion Commissioner Bailey requested that the matter be delayed until there was clarification regarding the items. Commissioners Bailey and Jarboe voted against the motion. Motion carried three to two.

BOARD OF EDUCATION SUPPLEMENTAL FUNDS REQUEST

Present: Charles Wade, Director of Finance

Mr. Wade distributed a handout setting forth the Board of Education's supplemental budget request pointing out the revenues and requested items, items that are recurring and not recurring and those items that the Boards of Education and County Commissioners had made commitments to. In summary Mr. Wade presented recommendations of Board of Education items to be funded totalling \$1,557,342 and County items to be funded totalling \$3,101,017 for a total of \$4,658,359. Fund balance available from FY '89, FY '90 and Board of Education FY '90 totals \$4,999,505. Mr. Wade reminded the Commissioners that the County must maintain 5% of the forecasted FY '92 budget for bond rating purposes.

After discussion Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve \$4,658,359 from the combined totals of the Board of Education and County Commissioners undesignated fund balance prior to the conclusion of the audit, to be designated for an as-yet-specified list of items. Motion carried.

MARYLAND YOU ARE BEAUTIFUL

Present: Cynthia Brown, Director, Office of Community Services
Florene Applefeld, Maryland You Are Beautiful Coordinator

The Commissioners presented Commendations other gifts to the following "Maryland's Most Beautiful People:"

Norma Swem (overall winner), Kennedy Abell, Joseph Ernest Bell, II, Bertie Bowman, Ralph Butler, Jim Chaney, George Gardner, Viola Gardner, Estelle Hyde, Calvin Joy, Dudley Lindsley, Pam Litz, Hugo R. Lopez, Fayrene Mattingly, Dana McGarity, Ellie Mowbray, Judy Raley, Audrey Ridgell, Charles W. Ridgell, Jr., Carol Samuel, Christopher Smith, Laverne Stewart, Thomas L. Taylor, Robert Wayne Young,

A reception in Room 16 followed the presentations.

TRESPASSING CONCERNS

Present: Lionell Somerville, L & L Goodtimes
Joseph Miles, Gateway Lounge
Maggie Thompson, Mr. C's
Donald Moore, Jolly Gents
Robert Hill, "
Mary Spence, Butler's Place
Sheriff Pettit
Lt. Voorhaar, Sheriff's Dept.
Joseph Densford, County Attorney
Paul Ludwig, Alcoholic Beverage Board

Mr. Somerville advised that minority tavern owners have been having difficulty with people loitering and using and selling drugs in the tavern's vicinity. Mr. Somerville presented recommendations:

That taverns and other large gathering facilities have a "Drug Free Zone" as is done with the schools.

That a monitoring system be established to report any violations.

That the same fine for littering on highways be established for parking lots.

Each of the tavern representatives spoke of problems at their establishments and pointed out that the loitering, use and sale of drugs, and drinking in the parking lots have hurt their businesses.

Sheriff Pettit indicated that his department does do surveillance of the establishments, but pointed out the problem with enforcing trespassing laws.

During discussion the following suggestions were offered:

- * The need for a stronger trespassing law for "after hours"
- * Hiring of off-duty deputies or security patrol
- * Civil citations issued by District Court
- * Issuance of "No Trespassing" notices in person or by Certified Mail.
- * Posting of "No Trespassing" signs
- * Establishment of an ad hoc committee to develop recommendations for legislation.
- * Issuance of citations for alcohol consumption in public. (Sheriff's Office has citations)
- * The Sheriff's Department will exercise trespassing laws.
- * Determination as to whether "No Parking" signs need to be placed at certain public rights-of-way.

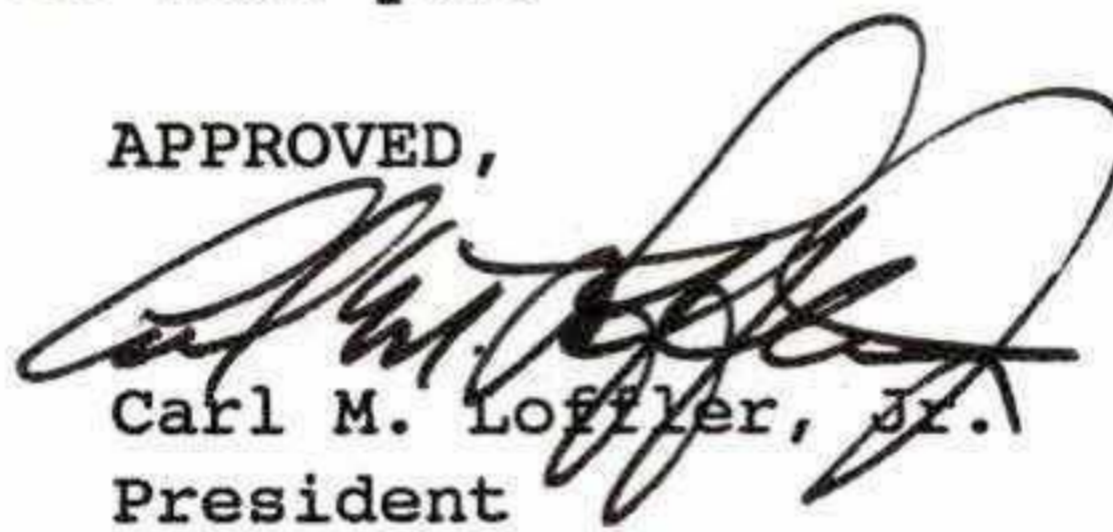
During discussion Sheriff Pettit indicated that he has requested an interpretation from the Attorney General's Office to determine the leverage that law enforcement officers have regarding trespassing without the fear of false arrest.

In conclusion the Commissioners expressed appreciation to the tavern owners for bringing their concerns to their attention.

ADJOURNMENT

The meeting adjourned at 4:55 p.m.

APPROVED,



Carl M. Loffler, Jr.
President

