

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS**

January 19, 1993

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

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

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve the minutes of the Commissioners' meeting of Tuesday, January 12, 1993. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) Christmas in April

The County Administrator presented a memorandum dated January 12 from the Department of Planning and Zoning requesting the waiver of fees associated with the Christmas of April program for 1993.

Commissioner Jarboe moved, seconded by Commissioner Lancaster to approve the waiver of fees as requested. Motion carried.

2) Governor's 1993 Volunteer Awards

The County Administrator advised that Governor Schaefer has initiated a Governor's 1993 Volunteers Awards Program and is inviting nominees. Mr. Cox presented correspondence to be forwarded to various community organizations with nomination forms and encouraging participation in the program by nominating an individual for this recognition. The Governor will present the 1993 Governor's Awards during National Volunteer Week April 18-24.

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

**3) St. Mary's County Circuit Court
Cooperative Reimbursement Application**

The County Administrator presented two Cooperative Reimbursement Grant Applications to be submitted to the Department of Human Resources, Child Support Administration, one for the remainder of Fiscal Year 1993 and the other for Fiscal Year 1994. He explained that the funding would be used to change the concept of the Juvenile Master to Master for Child Support matters. The Master's time would be extended from two days a week to three days; however, the Cooperative Reimbursement program will result in an increased program at less cost.

For Fiscal Year 1993 the total program cost is \$21,581 with \$14,243 being provided from the grant. For Fiscal Year 1994 the total cost will be \$57,922 with \$38,229 provided from the Grant.

After discussion Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the grant applications for the remainder of Fiscal Year 1993 and for Fiscal Year 1994. Motion carried.

County Administrator Cox advised that St. Mary's County has now qualified for a third circuit court judge. Judge Briscoe will be testifying in Annapolis to that effect; however, St. Mary's is not on the critical list, but on the eligible list. Mr. Cox stated that the County will be looking at getting a new judge in three to five years. He pointed out that the Reimbursement Program will delay the implementation and costs for a third judge.

4) Impact Fee Review

The County Administrator presented a proposal from Edward Donahue of Reznick Fedder & Silverman for the review and update of the impact fee study, which he had done for the County three years ago. Mr. Cox reviewed portions of the proposal including the seven-task technical approach (reviews of budgets, plans, service levels, definitions of unit of capacity, growth projections, calculation of unit costs of capacity, identification and evaluation of alternative payment approaches, and presentation of results). The proposal also included an optional scope of work for review and adjustments to the county's impact fee related to sewer service.

The Commissioners will discuss the proposed study in greater detail and make a decision next week.

5) Plumbing Board Amendment to By-Laws

The County Administrator presented the By-Laws for the Plumbing Board which have been amended to include a change in the number of membership from six to seven. In that the by-laws comply with County's Resolution No. 88-03, County Administrator Cox presented correspondence addressed to the Plumbing Board approving the by-laws as amended.

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

OFFICE ON AGING

Present: Gene Carter, Director
Jennie Page

1) Capital Grant Agreement - Lift Equipped Bus

Mr. Carter presented the Capital Grant Agreement between St. Mary's County and the Mass Transit Administration for the purchase of one small lift-equipped bus at an estimated project cost of \$50,000 (federal share \$40,000; state share \$5,000). Mr. Carter indicated that the Commissioners had approved the purchase of two buses; however, one was deferred until next fiscal year.

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

2) Annual Transportation Plans for Fiscal Year 1994

Mr. Carter presented the following Annual Transportation Plans for Fiscal Year 1994:

Rural Public Transportation Programs (Section 18)

Statewide Special Transportation Assistance Program (SSTAP)

During discussion Mr. Carter presented transportation budget information for fiscal years 1992 through 1994 as well as services provided under these programs. He pointed out the increased ridership stating that it continues to grow and continues to be a needed commodity in St. Mary's County. He spoke to the possibility of expansion of services in the future.

(Commissioner Bailey entered the meeting at 9:50 a.m.)

After discussion Commissioner Lancaster moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the Annual Transportation Plans for Fiscal Year 1994 as presented. Motion carried.

3) Americans With Disabilities Act Plan Update

Mr. Carter presented the referenced Americans with Disabilities Act Plan Update and advised the Commissioners that it will be updated annually. He pointed out that there are no new requests in the document.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the ADA Plan Update as presented. Motion carried.

**4) Notification of Grant Award
1993 Project Care**

Mr. Carter presented the 1993 Project Care Notification of Grant Award for the period August 1, 1992 through July 31, 1993 in the amount of \$5,000 which will be used to provide support services through community organizations to "at risk" elderly.

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

**TRI-COUNTY RESIDENTIAL ALTERNATIVES FOR YOUTH
FISCAL YEAR 1993 BUDGET**

Present: Michael Whitson, President
Paul Enoch, Executive Director
Sarah Sanner, Board Member

The referenced individuals appeared before the Commissioners to renew the request for the Commissioners' consideration to fund the Fiscal Year 1993 budget for Tri-County Residential Alternatives for Youth.

During discussion Mr. Whitson pointed out that although TRAY has suffered a number of disasters, the programs are continuing.

Mr. Enoch described the services and programs of TRAY as contained in a handout distributed to the Commissioners. He emphasized the importance of local government funding and stated that the \$30,000 from the County would bring it to the "break-even point."

Discussion ensued regarding the State's per diem contribution per child, which is \$71 and the fact that the state average is \$85. Mr. Enoch indicated that TRAY has aggressively negotiated with the state for a higher rate, but has been unsuccessful.

As a final point, Mr. Whitson advised the Commissioners that Tri-County Residential Alternatives for Youth will be requesting the same level of support for Fiscal Year 1994.

In conclusion the Commissioners advised the TRAY representatives that they would take the request under advisement.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) Maryland Route 235/Pegg Road

(Commissioners Loffler and Lancaster did not participate in the discussion or decision of this item. Commissioner Thompson presided over the meeting.)

Mr. Ichniowski presented the following documents relative to the reconstruction of Pegg Road:

Memorandum of Understanding

Between the State Highway Administration and St. Mary's County relative to the following improvements: Maryland 235 Turn Lane into Pegg Road Relocated; Pegg Road Relocation; and Storm Water Management Ponds.

During discussion Mr. Ichniowski displayed the plans for the project and described the duties and responsibilities of the two parties for the three segments of the project.

After discussion Commissioner Bailey moved, seconded by Commissioner Thompson, to approve and sign the Memorandum of Understanding as presented. Motion carried.

Deed

Dated December 29, 1992 between Ronald D. Simpson and Marlene L. Simpson and J. C. Tubbs and Shirley L. Tubbs, and the Board of County Commissioners of St. Mary's County in consideration of \$27,000 conveying to the county certain property for right-of-way for the construction project.

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

Agreement

Dated December 29, 1992 between Ronald D. Simpson, Marlene L. Simpson, J. C. Tubbs and Shirley L. Tubbs and the Board of County Commissioners for St. Mary's County conveying to the County Parcel 160, Tax map 43 located in Lexington Park consisting of 23.936 acres.

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

2) Resolution No. 93-02 Old Route 5 to Gaslewbrook Drive

As a follow up to the January 5 public hearing, Mr. Ichniowski presented the referenced Resolution renaming Old Route 5(State Route 5F) located in Scotland, Maryland, to Gaslewbrook Drive.

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

**3) Addendum to Public Works Agreement
Bay Ridge Estates, Section 1**

Mr. Ichniowski presented an Addendum to a Public Works Agreement between Bay Country Enterprises, Inc. and Board of County Commissioners of St. Mary's County extending the deadline for completion of improvements to January 1, 1994. The Addendum is backed by a Letter of Credit with First National Bank in the amount of \$60,000.

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

**BOARD OF ELECTRICAL EXAMINERS
ORDINANCE/RESOLUTIONS**

Present: Paula Martino, Chief, Inspections and Enforcement
George Kalnasy, Electrical Examiners Board

As a follow up to the January 5 public hearing, Mrs. Martino presented the following documents for the Commissioners' review and consideration:

Resolution No. 93-05

Board of Electrical Examiners - Rules and Regulations

Amending the Rules and Regulations regarding the issuance of a restricted license relative to low voltage and low energy wiring and circuits for fire and burglar alarm systems.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and sign Resolution No. 93-05 regarding Restricted Licenses, effective February 1. Motion carried.

Ordinance No. 93-04

Adoption of 1993 National Electric Code

Establishing minimum regulations governing the installation, alteration or repairs of electrical wiring and apparatus in new and existing structures, buildings, outside displays, and signs.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and sign Ordinance No. 93-04, effective April 1, 1993. Motion carried.

Resolution No. 93-03

Electrical Permits and Inspections

Amending Section 247-1 of the St. Mary's County Code and establishing policies and procedures applicable to electrical inspections.

Mrs. Martino explained that the code currently indicates the requirement for an electrical permit; however, records indicate that there has never been an electrical permit in the county. She advised that the purpose of the amendment to the Code would be to tie electrical inspections into the building and zoning permits process.

Commissioners Bailey and Jarboe indicated that they would not support the amendment stating they did not see a need for it.

After discussion Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve and sign Resolution No. 93-03, effective February 1, 1993. Motion carried.

COMPREHENSIVE WATER AND SEWER PLAN AMENDMENTS

Present: Jon Grimm, Director, Planning and Zoning
Jeff Jackman, Planner, DPZ

As a follow up to the December 15, 1992 public hearing and the January 12 discussion, Mr. Grimm presented replacement pages for the amendments to the Comprehensive Water and Sewer Plan. He pointed out that instead of deleting the reference in Section 4.3 to user financing of public facilities the word "ultimately" was added. Other changes were made to make Chapter 4 (Sewerage) parallel with the Water chapter.

The Commissioners requested Mr. Grimm to prepare an adopting Resolution for their review and consideration at next week's meeting.

EXECUTIVE SESSIONS

Commissioner Thompson moved, seconded by Commissioner Lancaster, to meet in Executive Sessions to discuss matters of Property Acquisition (Community College site) as provided in Article 24, Section 4-210(a)11, and Personnel (Consideration of Appointments to Boards, Committees, and Commissions) as provided in Article 24, Section 4-210(a)1. Motion carried.

Property Acquisition

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

(Commissioner Loffler did not participate in this Executive Session.)

Authority: Article 24, Section 4-210(a)11

Topic: Property Acquisition - Community College Site

Time Held: 11:45 a.m. - 11:55 a.m.

Action Taken: Commissioners discussed the possibility of meeting with Commissioners of Leonardtown.

Personnel

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

Authority: Article 24, Section 4-210(a)1

Topic: Personnel - Consideration of Appointments to Boards, Committees, and Commissions.

Time Held: 11:55 a.m. - 12:15 p.m.

Action Taken: Commissioners reviewed status list, made nominations, and directed staff to contact the nominees and prepare appointment letters.

**OFFICE ON AGING
VIOLET BISCOE - 100TH BIRTHDAY CELEBRATION**

The Commissioners attended the 100th Birthday Celebration for Violet Biscoe held at the Senior Garvey Center.

ADJOURNMENT

The meeting adjourned at 2:30 p.m.

Minutes Approved by Board of
County Commissioners on January 26, 1993

Judith A. Spalding
Recording Secretary