

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
NOVEMBER 19, 1996**

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
John J. Kachmar Jr., County Administrator
Judith A. Spalding, Recorder

CALL TO ORDER

The meeting was called to order at 1:05 p.m.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Brugman, to approve the minutes of Tuesday, November 12, 1996. Motion carried.

APPROVAL OF BILLS

Commissioner Chesser moved, seconded by Commissioner Eagan, to authorize Commissioner President Thompson to sign the Check Register. Motion carried.

ADDITIONS/DELETIONS TO AGENDA

Commissioner Jarboe moved, seconded by Commissioner Eagan, to approve the Agenda as presented. Motion carried.

CONSENT AGENDA

The Consent Agenda included the following documents:

1. **Correspondence**
 - a. To Board of Education supporting R&P's request to construct ballfields adjacent to the Hollywood Elementary School site.
 - b. To Legislative Delegation forwarding positions on 1997 Legislative Package.
2. Addendum to Public Works Agreement for Chestnut Hills, Section 3, backed by Letter of Credit in the amount of \$60,000 with Crestar Bank.
3. Information Release announcing closing of governmental offices for Thanksgiving Holiday.

Commissioner Brugman moved, seconded by Commissioner Chesser, to approve the Consent Agenda as presented. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: John J. Kachmar, County Administrator

1. **Budget Amendments**

- a. **No. 97-20 - Alcohol Beverages Board**
(To provide funding for clerical support - \$500)

Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign Budget Amendment No. 97-20 as presented. Motion carried.

- b. **No. 97-21 - Elected School Board**
(To provide funding for annual compensation plus fringe - \$12,000)

Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign Budget Amendment No. 97-21 as presented. Motion carried.

The Commissioners concurred to distribute an Information Release explaining Budget Amendment No. 97-21.

2. **ZPUD #95A-0584 Shannon Farms PUD Amendment**

(The Board of County Commissioners had deferred action on the referenced Resolution pending review and signature of the County Attorney)

The County Administrator re-presented the referenced Resolution approving the PUD Amendment subject to conditions as contained in the Resolution.

Commissioner Eagan moved, seconded by Commissioner Chesser, to approve and sign the Resolution approving the PUD Amendment with conditions as contained in the Resolution, as presented. Motion carried.

3. **Personnel - Office on Aging**

As a follow up to last week's Executive Session, the County Administrator presented a memorandum dated November 1, 1996 from the Personnel Officer advising that the Director of the Office on Aging is requesting the appointment of Brenda D. Chaila to the position of Social Worker - Medical Position, Grade 8, Step 4. The position had been advertised at Grade 8, Step 1 and approval above step 1 requires approval by the Board of County Commissioners.

The Commissioners gave their concurrence to approve the appointment as requested.

4. **Letter of Agreement
Sheriff's Department Shooting Range**

The County Administrator presented a Letter of Agreement between the Maryland Department of Natural Resources and the Board of County Commissioners regarding the Sheriff's Office Shooting Range.

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

5. **Grant Documents**

a. **Grant Award
Church Arson Prevention Program**

From the U. S. Department of Justice in the amount of \$4,600

Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Chesser to sign the Grant Award as presented. Motion carried.

b. **St. Mary's Public Schools - Grant Award for FY '97**
(Letter to Board of Education approving following revised grant award)

	<u>Original</u>	<u>Revised</u>
* Teen Parenting Program	\$44,000	\$61,271

Commissioner Eagan moved, seconded by Commissioner Chesser, to approve and sign correspondence to the Board of Education approving inclusion of the referenced revised grant award as requested. Motion carried.

c. **Office of Community Services
Comprehensive Traffic Safety Plan**
(first task of the Highway Safety Grant Agreement approved by the Commissioners in September focusing on impaired driving education, prevention and enforcement.)

Commissioner Chesser moved, seconded by Commissioner Eagan, to approve and authorize Commissioner Thompson to sign the Traffic Safety Plan as presented. Motion carried.

d. **Piney Point Lighthouse - Historic Preservation Grant
Notice of Grant Award**

Letter of Acceptance of \$20,000 Grant Award from Maryland Department of Housing and Community Development, Maryland Historical Trust.

Commissioner Chesser moved, seconded by Commissioner Eagan, to approve and authorize Commissioner Thompson to sign the Letter of Acceptance with the Maryland Department of Housing and Community Development. Motion carried.

6. **Department of Economic Development
Southern Maryland Tourism**

Also Present: Cindy Woodburn, Tourism Coordinator

Ms. Woodburn appeared before the Commissioners to advise that the Destination Marketing Organizers of Southern Maryland have received the Best New Product Award for the Southern Maryland Bicycle Map.

During the presentation Ms. Woodburn advised that St. Mary's County was in need for an identity for tourism and displayed samples of an ad campaign promoting the County.

COUNTY COMMISSIONERS' TIME

Commissioners' Radio Forum Changes

Commissioner Jarboe referred to the Public Information Officer's memorandum of November 13 regarding changes at WPTX/WMDM and the availability of a time slot for the Commissioners' Forum on Sunday mornings in addition to the Wednesday morning slot. The Commissioners discussed the scheduling and will work with Ms. Pedersen to make arrangements.

STATE'S ATTORNEY'S OFFICE DEPARTMENTAL BRIEFING

Present: Walter Dorsey, State's Attorney
Christy Chesser, Deputy State's Attorney

The referenced representatives of the State's Attorneys' Office appeared before the Commissioners to present a briefing on the activities of the State's Attorney's Office. Ms. Chesser's review included the following: caseloads for District Court and Circuit Court, the use of expert testimony, victim/witness case status notices, the potential need for a full time State's Attorney investigator, need for additional clerical support, counseling and domestic violence issues, and space needs.

During the presentation Mr. Dorsey presented to the Commissioners a proposal for the Commissioners to appoint a Drug Enforcement Oversight Committee. The Committee would monitor the performances of all involved agencies charged with the responsibility of enforcing the laws in combating the controlled dangerous substance problems in the County.

In addition Mr. Dorsey referred to a pilot program using volunteers in roving marked vehicles during high crime hours in one area of the County, and if successful, it would be tried in other areas.

MARYLAND AFTER SCHOOL COMMUNITY GRANT APPLICATION

Present: Phil Rollins, Director, Recreation and Parks
Arthur Shepherd, R&P Division Chief
Tyrone Harris, Program Coordinator for Regional Park

The referenced representatives of the Department of Recreation and Parks appeared before the Commissioners to present the *Maryland After School Community Grant Application* for the Commissioners' consideration. The one-year grant, in the amount of \$25,000, requires a match, which is accounted for in the FY '97 budget, and program fee income will increase the total grant budget to \$34,200. The program would serve 35 to 50 primarily middle school youths and will provide the students with life skills and promote a healthy alcohol and drug free lifestyle by focusing on academic skills, community service, structured mentoring and role modeling, etc.

Commissioner Eagan moved, seconded by Commissioner Chesser, to authorize Commissioner President Thompson to sign the Maryland After School Community Grant Application. Motion carried.

EXECUTIVE SESSIONS

Commissioner Brugman moved, seconded by Commissioner Eagan, to meet in Executive Session to discuss matters of Personnel (Personnel and Reclassifications) as provided for in Article 24, Section 4-210(a)1. Motion carried.

Commissioner Chesser moved, seconded by Commissioner Eagan, to meet in Executive Session to discuss a matter of Personnel (Boards, Committees, Commissions), as provided for in Article 24, Section 4-210(a)1. Motion carried three-one-one with Commissioner Jarboe voting against and Commissioner Brugman abstaining.

Personnel (Boards, Committees, Commissions)

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
John J. Kachmar, Jr., County Administrator
Douglas Durkin County Attorney
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 2:56 p.m. - 3:05 p.m.
5:10 p.m. - 5:40 p.m.

Action Taken: The Commissioners discussed several issues relative to boards and committees, agreed to contact certain individuals regarding attendance, and gave direction to staff.

Personnel

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
John J. Kachmar, Jr., County Administrator
Douglas Durkin, County Attorney
George Foster, Personnel Officer
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 3:05 p.m. - 4:50 p.m.

Action Taken: The County Attorney and County Administrator reviewed with the Commissioners several personnel issues.

Personnel (Reclassification Appeals)

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
John J. Kachmar, Jr., County Administrator
George Foster, Personnel Officer
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)1
Time Held: 4:50 p.m. - 5:00 p.m.

Action Taken: The Commissioners reviewed a memorandum from the Personnel Officer and gave direction to staff.

Personnel

Present: Commissioner Barbara R. Thompson, President
Commissioner D. Christian Brugman
Commissioner Paul W. Chesser
Commissioner Frances P. Eagan
Commissioner Lawrence D. Jarboe
John J. Kachmar, Jr., County Administrator
Douglas Durkin, County Attorney
Judith A. Spalding, Recorder

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

Time Held: 5:05 p.m. - 5:10 p.m.

Action Taken: The County Attorney discussed a personnel issue and received direction from the Board.

WORK SESSION

LEXINGTON PARK-TULAGI PLACE MASTER PLAN

LEXINGTON PARK LIBRARY

All Commissioners were present as was County Administrator John Kachmar. DPZ staff present were Jon Grimm, Director; Jeffrey Jackman, Principal Planner; and Peggy Childs, Recording Secretary.

Also present were Director Martin Fairclough and Nancy Hutson, of the Department of Economic Development, and Mrs. Fairclough. Members of the Lexington Park Task Force present were Robert F. Gabrelcik, Sr.; Dan Simpson and Tom Watts. Mrs. Gabrelcik was also in attendance.

The work session began at 6:35 p.m. with preface comments by Jon Grimm that the Commissioners will be considering the last few policies of the draft plan. It is a *given* that, if a policy proposes a regulation, the Commissioners have directed that incentives be used, rather than imposing additional regulations.

C. THE COMMERCIAL CORRIDOR

Streetscape Recommendations

- C. Consolidate public signage and lighting in planting strip areas to help reduce roadside clutter. **Commissioners' consensus: Yes.**
- D. Provide crosswalks at all signalized intersections and other designated areas. **Yes.**

Utilities

Reduce the visibility of overhead utilities as we can. **Yes, but realizing that this is a high-dollar issue and a long-term goal and will not be achieved overnight.**

Buildings and Parking

- E. Make building entries more inviting. **Yes, but encourage, not require.**
- F. Use access lanes where possible to alleviate traffic congestion on Great Mills Road and Three Notch Road. **Yes. Good example: Great Mills Lane, the access road between Midway and Essex on Great Mills Road (Patuxent Park).**

Gateways

- G. Identify the Chancellors Run Road/Great Mills Road intersection as the western gateway into the Town Center (changed from FDR/Great Mills Road). Yes.
- H. Identify the Pegg Road/Three Notch Road intersection as the northern gateway into the Town Center. Yes.

COMMISSIONERS ACTION ITEMS:

1. **Endorse the Plan.**

The plan being considered by the Commissioners is the draft plan recommended by the Planning Commission. The County Attorney has opined that, since the plan has been altered by the Commissioners, it should be remanded to the Planning Commission for another public hearing by that body on the proposed changes. Mr. Grimm suggested that the proposed changes be incorporated into the draft document by DPZ staff and provided to the County Commissioners for their review at a subsequent meeting, following which the document will be remanded to the Planning Commission.

Commissioner Eagan was still concerned as to how the Plan will be implemented. Mr. Grimm responded that, as directed by the Commissioners, the Plan will be revised to encourage compliance through incentives, rather than requirements.

The consensus of the Commissioners was to endorse the Plan, with the recommended changes to be reviewed in final form as suggested, and to follow the process recommended by Mr. Grimm and the County Attorney.

2. **Establish Task Force Role.**

Following discussion, the Commissioners agreed with Messrs. Kachmar and Fairclough that the Redevelopment Authority should be the province of the County's Community Development Corporation, a previously established entity which has been inactive for several years but still exists legally.

The Commissioners requested staff input on organizational structure, membership, by-laws, etc.

3. **Amend Zoning Ordinance**

The objectives of the proposed Plan cannot be accomplished under the current Zoning Ordinance. The Lexington Park-Tulagi Place Master Plan, as endorsed by the County Commissioners, will be adopted accompanying the update of the County's Comprehensive Plan, but the Zoning Ordinance must also be changed. Specifically, the Town Center and AICUZ overlay zones must be defined in the Zoning Ordinance to allow implementation of the Plan. **The Commissioners concurred.**

4. Capital Facilities Program

Mr. Grimm examined alternative mechanisms as means of funding the Plan, including:

Revolving Loans; Grants; TIFs; Tax Credits
Tax Abatements, and Industrial Bonds.

He stated his objective is to provide a range of alternative to allow choices to be made by landowners.

Mr. Kachmar expounded on TIFs, in which taxes from new development/redevelopment are set aside by the County to fund bonds for infrastructure. This mechanism also serves as a catalyst for developers to provide improvements, because the new infrastructure increases the value of the property. It is also advantageous from the point of view that banks and other institutions are more apt to lend money under this program. TIFs are not a stand-alone mechanism, but can be an important part of funding alternatives.

Industrial Bonds, which give the right-to-borrow at a tax-free rate, could also be considered. Federal grant monies are not available except for Community Development Block Grants, which could be used to provide low-interest loans or to provide infrastructure. The CDC (Community Development Corporation) could be used as a mechanism to leverage money from the state and funding could also be earmarked from EIFs (Economic Impact Fees).

Mr. Kachmar emphasized that a whole financing strategy must be looked at and it will take some time, if the Commissioners wish to engage in this.

The revisions to the Plan will be prepared by DPZ staff and provided in advance for the Commissioners' action, including replacing the Task Force as the redevelopment authority with the Community Development Corporation. The revisions will be provided to the Commissioners within the next several weeks, following which the revised Plan will be remanded to the Planning Commission for public hearing.

ADJOURNMENT

The meeting adjourned at 7:50 p.m.

**Minutes Approved by Board of
County Commissioners on 11/26/96**

Judith A. Spalding
Recording Secretary