

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, February 28, 1984

Present: Commissioner George R. Aud, President
Commissioner Richard D. Arnold
Commissioner Ford L. Dean
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

(Commissioner Millison was not present.)

CALL TO ORDER

The meeting was called to order at 12:00 Noon.

APPROVAL OF MINUTES

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve the minutes of the Commissioners' meeting of Tuesday, February 21, 1984. Motion unanimously carried.

APPROVAL OF BILLS

Commissioner Aud moved, seconded by Commissioner Sayre, to approve payment of the bills as submitted by the Director of Finance. Motion unanimously carried.

PROCLAMATION NO. 84-06
WOMEN'S HISTORY WEEK

Present: Ann Marum
Chris Clarke
Elvare Gaskin

The Commissioners presented the referenced Proclamation designating the week of March 5-11, 1984 as Women's History.

PROCLAMATION NO. 84-04
GIRL SCOUT WEEK

Present: Representatives of Girl Scouts

The Commissioners presented the referenced Proclamation designating the week of March 11-17, 1984 as Girl Scout Week in St. Mary's County.

COUNTY ADMINISTRATOR ITEMS

1) BUDGET AMENDMENTS

The County Administrator presented the following Budget Amendments recommended for approval by the Director of Budget and Data Services with justifications as noted:

COUNTY ADMINISTRATOR ITEMS (continued)

No. 84-33
County Attorney

Justification - To transfer funding authority in line with County Commissioners' decision on payrolling of County Attorneys.

No. 84-34
County Administrator

Justification - To increase appropriation concerning Maryland Day costs plus provide additional authority to meet expenses of nursing scholarships at Charles County Community College.

2) PERSONNEL

3a)

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a) FISCAL CLERK II
COUNTY ENGINEER'S OFFICE

The County Administrator presented a memorandum dated February 28, 1984 from the Personnel Officer advising that the County Engineer is requesting the immediate filling of the Fiscal Clerk II position in his office and has selected Adrien T. Gilbert from a previously established eligible listing. The Personnel Officer recommends that the Commissioners appoint Mrs. Gilbert to the Fiscal Clerk II position, Grade 7, effective March 12, 1984.

Commissioner Arnold moved, seconded by Commissioner Dean, to accept this recommendation. Motion unanimously carried.

b) PERMITS CLERK
OFFICE OF PLANNING & ZONING

The County Administrator presented a memorandum dated February 28, 1984 from the Personnel Office requesting authority to fill the Permits Clerk position, Grade 6, Office of Planning & Zoning, vacated by Adrien Gilbert who was promoted to the Fiscal Clerk II in the County Engineer's Office.

Commissioner Aud moved, seconded by Commissioner Sayre, to authorize the advertising of the position as recommended. Motion unanimously carried.

c) AUTHORITY TO HIRE PERMITS CLERK
OFFICE OF PLANNING & ZONING

The County Administrator presented a memorandum dated February 24, 1984 requesting authority to fill the Grade 5 position in the Office of Planning and Zoning, which had been vacated by Mary Fender on May 5, 1983. This position at that time was a Clerk Typist; however, the Director of Planning and Zoning has re-aligned the duties of the position and is requesting establishment and hiring of a Permits Clerk, Grade 5.

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize the filling of the Permits Clerk position as recommended. Motion unanimously carried.

d) APPOINTMENT OF PERMITS CLERK
OFFICE OF PLANNING AND ZONING

The County Administrator presented a memorandum dated February 28, 1984 recommending that the Commissioners approve a lateral transfer of Janis Harrington, who is currently employed with the Navy Relocation Office, to the Grade 5, Permits Clerk position in the Office of Planning and Zoning.

Commissioner Dean moved, seconded by Commissioner Arnold, to accept this recommendation as requested, effective March 5, 1984. Motion unanimously carried.

e) HIGHWAY COMMUNICATIONS CLERK
COUNTY ENGINEER'S OFFICE
(AUTHORITY TO REVISE AND FILL)

The County Administrator presented a memorandum dated February 28, 1984 advising that the County Engineer has requested a change in the duties of the Communications Clerk position and an earlier hiring date. (On February 14, 1984 the Commissioners authorized a May 1 hiring date.) The position will be required to assist with fiscal and accounting work in addition to the dispatching of calls and messages, and general office work. The County Engineer anticipates the need to have this position staffed by April 1, 1984; therefore, it is recommended that the position title be changed to Office Clerk III (Communications) with an approximate hiring date of April 1, 1984.

All Commissioners gave their concurrence in the above recommendations.

f) APPOINTMENT OF OFFICE SECRETARY I
COUNTY ENGINEER'S OFFICE

The County Administrator presented a memorandum dated February 28, 1984 from the Personnel Officer recommending the selection of Nancy J. Lowey to fill the Office Secretary I position, Grade 7, which will be vacated by Kathryn Ogg. The County Engineer has selected Ms. Lowey from a previously established eligible listing.

Commissioner Dean moved, seconded by Commissioner Arnold, to accept this recommendation and promote Nancy Lowey to the Office Secretary I position, Grade 7, effective March 12, 1984. Motion unanimously carried.

g) AUTHORITY TO FILL CLERK TYPIST POSITION
COUNTY ENGINEER'S OFFICE

The County Administrator presented a memorandum dated February 28, 1984 from the Personnel Officer requesting authority to fill the Clerk Typist position, Grade 5, in the County Engineer's Office, which will be vacated by Nancy Lowey because of her promotion.

Commissioner Dean moved, seconded by Commissioner Aud, to accept this recommendation. Motion unanimously carried.

3) VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS
RETIREMENT PAY

The County Administrator presented a memorandum dated February 23, 1984 from the Personnel Officer attaching the annual list of volunteers who qualified for service in 1983, which had been submitted by the Executive Committee of the County Fire Board and Rescue Squad Association. The Commissioners' approval and signatures are requested on the listing.

Commissioner Sayre moved, seconded by Commissioner Arnold, to approve and sign the Retirement List for Fire Department and Rescue Squad Volunteers. Motion unanimously carried.

4) UNIVERSITY OF MARYLAND
(STUDY OF ELDERLY NEEDS - THIRD PHASE)

The County Administrator advised the Commissioners that the University of Maryland Department of Epidemiology and Preventive Medicine has requested the County's continued cooperation and support in the study of needs of the elderly. He stated that the County had made office space and other services available for the University's two previous studies. The third phase is to study the impact of family care to the elderly, using data from the previous studies and re-interviewing elderly subjects and their caregivers.

Mr. Cox advised that if the Commissioners concur, office space and other services will be provided to the University of Maryland for this study on a limited basis and at a cost of approximately \$10,500. A final agreement will be prepared and submitted to the Board.

After discussion, the Commissioners gave their concurrence and authorized the County Administrator to make the necessary arrangements.

5) JOB TRAINING PARTNERSHIP ACT
UPDATE

The County Administrator presented to the Commissioners for their information an update on the status of the Job Training Partnership Act Program. He stated that the Program began October 1983 and has served over 200 disadvantaged trainees. Southern Maryland has the highest job placement rate in the State and is leading the State with 90% of those completing training being placed in jobs. The Private Industry Council has six members from St. Mary's County and they meet monthly. Those citizens wishing to participate should contact the local Employment Security Office.

6) CLEARINGHOUSE PROJECT NO. MD 84-2-347
DECLARATION OF STATE EXCESS PROPERTY - PROPOSED
DEMOLITION OF SEVEN BUILDINGS AT THE
CHARLOTTE HALL VETERANS HOME

The County Administrator presented the referenced clearinghouse project (which had been submitted to the Board at last week's meeting for review) and recommended that it be forwarded to the State with Comment No. 1 - "This agency has no interest in or objection to the referenced proposal."

The Commissioners gave their concurrence.

7) CORRESPONDENCE

The County Administrator presented the following items of correspondence for the Commissioners' review, approval and signatures:

a) To the County's Legislative Delegation requesting consideration for the delay of at least one year of the passage of either HB 978 or SB 662 in order to provide needed time for further evaluation and greater opportunity for review and comment by the many interested parties. Commissioners Aud, Arnold and Sayre agreed to sign said letter; however, Commissioner Dean did not sign in that he wanted to have more information on the bill before taking a position.

b) To President of the Nursing Home Board responding to its request for certain approvals regarding the new Nursing Home, the Certificate of Need, and the conversion of the current Nursing Home into a Domiciliary Care Facility.

c) To Commissioners of Leonardtown suggesting the formation of a committee of County and Town representatives to study the issue of Tax Differential.

d) To Don Schumaker of the Enterprise setting forth the Board's opinion concerning the value of the new St. Mary's Hospital to the community in response to his request as part of his upcoming feature article.

(The Commissioners unanimously agreed to sign and forward letters b) through d) as set forth above.

8) AGREEMENT - PROJECT NO. SM84-6-5
PAINTING OF COUNTY BUILDINGS

The County Administrator presented an Agreement by and between the Board of County Commissioners and Buckler Decorators for the provision of contract rental services for building improvements or maintenance to county facilities--painting, wallpapering, etc. Commissioner Dean moved, seconded by Commissioner Arnold. Motion unanimously carried.

9) ST. MARY'S HOSPITAL
REQUISITION NO. 28

The County Administrator presented Requisition No. 28 in the amount of \$142,501.01 for costs incurred for the St. Mary's Hospital project. Commissioner Sayre moved, seconded by Commissioner Aud, to approve and sign said Requisition as presented. Motion unanimously carried.

PARAGON BUILDERS, INC.
"T" TURNAROUND

Present: John Norris, County Engineer
Frank Gerred, Director, Planning & Zoning

The Commissioners discussed correspondence dated February 17, 1984 from the President of Paragon Builders, Inc. (Wildewood), which indicated that there is a difference of opinion between the County Engineer and himself regarding the difference between a "T" turnaround and a cul-de-sac. Mr.

Wettengel, President of Paragon Builders, Inc., advises in his letter that there are currently two "T" turnarounds in Wildewood, which he feels are adequate, and requests an on-site visit by the Commissioners to resolve the discrepancy.

After discussion, the Commissioners agreed to visit the site this afternoon along with the Director of Planning and Zoning and a representative from the County Engineer's Office.

PUBLIC HEARING
TEXT AMENDMENT TO ZONING ORDINANCE
ZONE #81-1084 - UNSAFE STRUCTURES

Present: Frank Gerred, Director, Office of Planning & Zoning
Anita Meridith, Recording Secretary

To establish procedure for the removal of unsafe structures and to provide for appeals by deleting existing Section 63.00 and adopting new Sections 63.00 and 64.00.

Commissioners Present: George Aud, Ford Dean, David Sayre and Richard Arnold. Commissioner Larry Millison was absent.

Mr. Gerred read the public hearing notice aloud, as advertised in the Wednesday, February 8, 1984 issue of the Enterprise Newspaper, a publication of County-wide circulation, which provided due legal notification of this hearing.

Mr. Gerred recalled that the Commissioners had considered a former proposed text change in 1981 regarding unsafe structures. At that time, Commissioner Dean had requested additional opportunity to review that section. Mr. Gerred advised that in the interim, he had found a different procedure outlined in another code which provided safeguards.

The proposed text was explained as follows: "Essentially, what this does is keep the unsafe structures. It sets up a Board of Survey to be appointed when there is a problem with or a dispute between a land owner and the Office of Planning and Zoning about what is unsafe and sets out a method for coming to some conclusion in that dispute."

Mr. Gerred further noted that one of the factors which must be found in determining whether a building was unsafe was whether or not the structure was open to the public, i.e., not lockable. If this condition was found to exist, then a determination would have to be made concerning the structural security. If the latter were found to be structurally unsafe, then the owner could be made to either board up the building or tear it down.

The Chair inquired whether anyone present wished to speak either in favor or opposed. There was no response.

Mr. Gerred advised that the Planning Commission had held hearing on the matter the previous evening and was in the process of offering some editorial comments which would be expeditiously forwarded to the Commissioners, when received.

COUNTY ENGINEER ITEMS

Present: John B. Norris, Jr., County Engineer

1) HIGHWAY MAINTENANCE FACILITY

Mr. Norris requested authorization from the Board to go to settlement on the 4.55 acres of land for the Highway Maintenance Facility to be located at the St. Andrews Landfill area prior to receipt of permits. The Commissioners gave their concurrence.

2) ROAD RESOLUTION NO. R84-6
INSTALLATION OF LITTER CONTROL SIGNS

Mr. Norris presented the referenced Road Resolution for the placement of signs along county streets, roads and highways advising all persons of the penalties which may be imposed for depositing of litter within such rights-of-way.

Commissioner Dean moved, seconded by Commissioner Aud, to approve and authorize Commissioner President Aud to sign said Road Resolution. Motion unanimously carried.

3) GRADING AGREEMENT
LEXINGTON PARK MINI STORAGE

Mr. Norris presented a Grading Agreement dated February 1, 1984 by and between Harkins Associates, Inc. and St. Mary's County for property located in the Eighth Election District entitled Lexington Park Mini Storage.

Commissioner Sayre moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign said Grading Agreement. Motion unanimously carried.

4) RENTAL CONTRACT SERVICES EQUIPMENT
PROJECT NO. SM 85-1-1

The County Engineer presented the bid tally sheet for the referenced project and recommended awarding the contract to Raymond Woodburn, the lowest bidder.

Commissioner Dean moved, seconded by Commissioner Arnold, to accept the County Engineer's recommendation. Motion unanimously carried.

5) HIGHWAY MAINTENANCE DIVISION
EQUIPMENT LIST
(AWARDING OF CONTRACTS)

Mr. Norris presented the bid tally sheets for the purchase of various equipment items for the new Highway Maintenance Division and recommended the bids be awarded as follows:

<u>Equipment Desc.</u>	<u>No.</u>	<u>Purchase Price</u>	<u>Purchased From</u>
2½ Ton Dumps	3(N)	\$12,000.00	State Highway
4-5 Ton Dumps	2(N)	81,770.78	McKay Imple.
Front End Loader	1(U)	10,500.00	State Highway
Athey Loader	1(U)	7,000.00	State Highway,
Steel Wheel Roller	2(N)	25,196.00	John C. Louis Co.
Rubber Tired Roller	1(U)	5,500.00	Chesapeake Supply
Backhoe-Loader	1(U)	35,570.00	Gateway Ford
Snow Plows	5(N)	4,820.00	Fallsway Equip.
Salt Spreaders	5(N)		
Mowers	2(N)	28,570.00	Security Ford
Sweeper Attachment	1(N)	2,075.25	McKay Implements
J. Tamps	2(N)	2,495.00	Chesapeake Supply
Air Compressor	1(N)	4,200.00	Ingersoll Rand
Hammer and Tools	(N)	945.60	Ingersoll Rand,
Step Van	1(U)	6,950.00	Penn Motor Co.
Radios	12(N)	24,000.00	
<u>FY '84 Equipment,</u>			
<u>List</u>			
Swenson Salt Spreaders	2(N)	3,040.00	Fallsway Equipment
1971 Chev. Flat Truck	1(N)	35,236.87	McKay Implements
1973 Flat Allis Grader	1(N)	42,860.00	Elliott & Frantz
1970 Int. 10-W-Truck			
Tractor	1(N)	23,000.00	Brandywine Auto
Hydro Seeder	1(N)	17,369.00	Wolbert & Master
1 Terrain-King			
Boom Axe		24,500.00	Security Ford

Commissioner Dean moved, seconded by Commissioner Aud, to award the contract for the purchase of Highway Maintenance Equipment as recommended by the County Engineer. Motion unanimously carried.

6) EXTRA WORK AUTHORIZATIONS- PROJECT NO. SM 84-4-1
ST. CLEMENTS ISLAND INTERPRETIVE CENTER

The County Engineer presented the following Extra Work Authorizations for the referenced project:

EWA No. 1 - In the amount of \$632.81 payable to John L. Mattingly Construction Company, Inc. for additional preparatory work to the building foundation.

EWA No. 2 - In the amount of \$468.18 payable to John L. Mattingly Construction Company, Inc. for additional work to modify and install the floor structural steel.

EWA No. 3 - In the amount of \$1,146.23 payable to John L. Mattingly Construction Company, Inc. to comply with requirements of the Fire Marshall's Office for installation of fire walls, etc.

SITE PLAN APPROVAL
SPSP- 84-0103
BURCH OIL COMPANY

Present: Frank Gerred, Director, Planning & Zoning

Requesting site plan approval for a warehouse on Clark's Landing Road, Hollywood. The property is located in the Sixth Election District and is Tax Map 27, Block 18, part of Parcel 159, zoned I-M, Industrial Marine.

Mr. Gerred presented the referenced site plan, stating that the Planning Commission has recommended approval.

The Commissioners gave their concurrence in approval of SPSP 84-0103 as recommended.

BUILDING CODE

Commissioner Dean stated that correspondence had been received from the County Fire Board inquiring as to whether the County should consider adopting a Building Code. He suggested that it may be in order to establish a committee to look into this matter and/or conduct a public informational meeting to obtain the public's sentiment.

The Commissioners agreed to make a decision on this suggestion next week.

EXECUTIVE SESSION

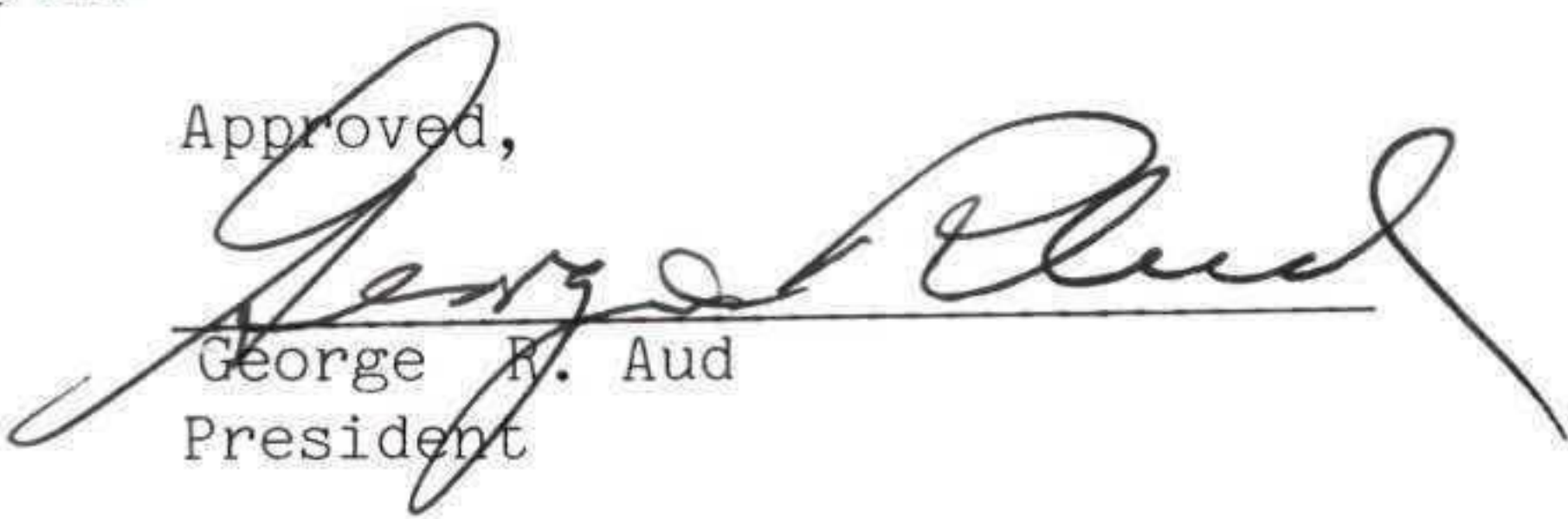
Present: Edward V. Cox, County Administrator
John Norris, County Engineer

The Commissioners agreed to meet in Executive Session in order to discuss matters of personnel. The Session was held from 2:15 p.m. to 3:15 p.m. (Mr. Norris left the Session at 2:30 and the Commissioners continued to meet on personnel until 3:15 p.m.)

ADJOURNMENT

The meeting adjourned at 3:15 p.m.

Approved,


George R. Aud
President