

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, March 26, 1985

Present: Commissioner George R. Aud, President
Commissioner Larry Millison, Vice President
Commissioner Richard D. Arnold
Commissioner Ford L. Dean
Commissioner David F. Sayre
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 Arnold moved, seconded by Commissioner Dean to approve the minutes of the Commissioners' meeting of Tuesday, March 19, 1985 as submitted. Motion carried.

APPROVAL OF BILLS

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

ST. MARY'S COUNTY EMPLOYEES' ASSOCIATION
INTRODUCTION OF NEW OFFICERS

Present: Judith A. Spalding, Past President
Peggy Childs, Past Recording Secretary
Mary Langley, Past Corresponding Secretary

Cecelia Adams, President
Bill Ball, 1st Vice-President
Sandy Bean, 2nd Vice-President
Evelyn Wood, Recording Secretary
Debbie Glanzer, Corresponding Secretary
Connie Bromley, Treasurer

The past officers of the Employees' Association introduced the new officers to the Board of County Commissioners.

The Commissioners expressed their congratulations to the new officers and wished them well in the coming year.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

- 1) PERSONNEL
OFFICE ON AGING
PERMANENT PART-TIME BUS DRIVER

The County Administrator presented a memorandum dated March 20, 1985 from the Personnel Officer recommending the appointment of Jeanne L. Jordan, the position of Bus Driver, vacated by Frank Abell on October 2, 1984.

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

2) CLEARINGHOUSE PROJECT #MD 850314-0430
RETIRED SENIOR VOLUNTEER PROGRAM

The County Administrator presented the referenced clearinghouse project and recommended that it be forwarded to the State with the comment that it is not inconsistent with this agency's plans, programs, and objectives. The Commissioners gave their concurrence.

3) STATE SURPLUS PROPERTY

(a) CLEARINGHOUSE PROJECT # SM 414-1-541
(0.16 acres on Md. Rt. 235 from St. Andrews
Church Rd. to Patuxent Beach Road)

(b) CLEARING HOUSE PROJECT #SM 581-11-571
(0.68 acres on Md. Rt. 4 from Md. Rt. 235
to Lower Patuxent River Bridge)

The County Administrator advised that the referenced project was referred to the Office of Planning & Zoning to determine whether the County would be interested in the properties.

Commissioner Dean requested that prior to making a decision the Commissioners should review the maps.

Later in the meeting, the County Administrator displayed a map indicating the two parcels in question and advised that the Office of Planning and Zoning has recommended that the lots are unacceptable to the County as ridesharing lots.

The Commissioners agreed not to express an interest in the parcels.

4) CORRESPONDENCE TO CAPT. WELCH
FRANK KNOX ELEMENTARY SCHOOL

The County Administrator presented correspondence for the Board's review and signatures addressed to Capt. Welch, NAS, in response to his letter of February 12 requesting consideration of the Navy's reacquisition of the Frank Knox Elementary School site. The letter to Capt. Welch indicated the County's cooperation in this matter if and when the school should become available.

The Commissioners agreed to sign and forward said letter.

5) EMPLOYEES'S ASSISTANCE PROGRAM
SIGNING OF CONTRACT AGREEMENT

The County Administrator presented a Contract Agreement for the Employees' Assistance Program Service between Changing Point, Inc. and St. Mary's County Government, St. Mary's County Board of Education, St. Mary's Nursing Home, and St. Mary's County Metropolitan Commission.

Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign said Contract Agreement. Motion carried.

RECOMMENDED ESTIMATE OF REVENUES AND APPROPRIATIONS
FISCAL YEAR 1985-1986

Present: Joseph P. O'Dell, Director, Budget & Data Services

As directed by the Commissioners at last week's meeting, Mr. O'Dell presented the referenced Recommended FY '86 Budget document for signature.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve and sign the Recommended Budget as presented. Four Commissioners voted in favor with Commissioner Millison voting against. Motion carried four to one.

Commissioner Millison stated during the discussion of the motion that he would like reconsideration given for the hiring of two additional deputies for the Sheriff's Department using the County's surplus funds.

Commissioner Aud recommended that the Recommended Budget as submitted be presented at the public hearings.

Commissioner Dean stated that the Recommended Budget can be amended any time up to June 1 and that there are a number of items that he would also like to have considered after the public hearings.

In closing four Commissioners signed the FY '86 Recommended Budget--Commissioners Aud, Arnold, Dean and Sayre.

BUDGETARY REVIEW - PUBLIC SAFETY

Present: Joseph O'Dell, Director, Budget & Data Services

Mr. O'Dell reviewed with the Commissioners a brief overview of past funding by the County in the area of Public Safety, which consists of 11 spending units (including: Sheriff's Department, Fire Departments and Rescue Squads, Communications Center, Animal Control, etc.). He cited various statistics and indicated the percentage increases made to each unit since FY 1977.

A copy of Mr. O'Dell's referenced report is on file in the Commissioners' Office.

PUBLIC HEARINGS
ECONOMIC DEVELOPMENT REVENUE BONDS

Present: David W. Morgan, Economic Development Coordinator
Joseph Densford, Assistant County Attorney

1) RESOLUTION NO. 85-07
GOLDSBOROUGH ASSOCIATES

Also Present: James Goldsborough

The secretary read the Notice of Public Hearing on the application of Goldsborough Associates for a Resolution concerning the proposed issuance of Economic Development Revenue Bonds in an aggregate amount not to exceed \$300,000 to finance the construction of a 5,000 square foot commercial building in Hollywood, Maryland.

Mr. Morgan indicated that the Industrial Bond Review Committee has reviewed the application and recommended approval.

Mr. Goldsborough described the proposed project to the Board and mentioned the benefits to the County in the way of tax base and jobs.

After discussion, Commissioner Millison moved, seconded by Commissioner Dean, to approve and sign Resolution No. 85-08 regarding the issuance of Economic Development Revenue Bonds and further to authorize Commissioner President Aud to sign the Agreement to Issue Bonds. Motion carried.

(COMMISSIONER DEAN LEFT MEETING - 10:10 a.m.)

2) RESOLUTION NO. 85-07
EDMUND W. AND CONSTANCE W. WETTENGEL

Also Present: James Kenney, attorney for applicant

The secretary read the Notice of Public Hearing on the application of Edmund W. and Constance W. Wettengel for a Resolution concerning the proposed issuance of Economic Development Revenue Bonds in an amount not to exceed \$750,000 to finance the acquisition and construction of an 11,000 square foot office building in Wildewood, California, Maryland.

Mr. Morgan advised that the Industrial Bond Review Committee has reviewed the application and recommended its approval.

Mr. Kenney explained the project stating that the facility will be a home headquarters for the various corporations that make up the Wildewood group.

Commissioner Millison moved, seconded by Commissioner Arnold, to approve and sign Resolution No. 85-07 regarding the issuance of Economic Development Revenue Bonds and further to authorize Commissioner President Aud to sign the attached Letter of Intent. Motion carried.

COUNTY DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT
STUDENT INTERNSHIP PROGRAM REPORT

Present: David W. Morgan, Economic Development Coordinator
Allison Yustak, Student Intern

Ms. Yustak appeared before the Commissioners to apprise them of the various activities in which she is involved as a student intern with the County's Department of Economic and Community Development. She stated that she dealing with public relations in taking pictures throughout the County, going to Annapolis to sit in on sessions of interest to economic development, and working on the Southern Maryland Days at Baltimore's Inner Harbor.

The Commissioners thanked Ms. Yustak for her report and expressed appreciation to her for her efforts.

(COMMISSIONER DEAN RETURNED TO THE MEETING - 10:25 A.M.)

BURGLAR ALARM ORDINANCE PROPOSAL

Present: Paul Wible, Deputy Director, Civil Defense
Lt. James Plunkert, Md. State Police
Sgt. Michael Muth, Md. State Police
Lt. Gene Pellillo, Sheriff's Department

The referenced individuals appeared before the Commissioners to request support for the adoption of a Burglar Alarm Ordinance which would set a fee for false alarms. This Ordinance is needed because of the increased number of false alarms that create unnecessary responses by the police departments. Each party having an alarm system would be assessed a fee of \$30 for each false alarm in excess of one per month.

Sgt. Muth presented a model alarm policy and ordinance for use by the Board in preparing an Ordinance for St. Mary's County.

After discussion, Commissioner Dean moved, seconded by Commissioner Aud, to instruct the County Administrator to initiate the process for the development and adoption of such an Ordinance and to schedule a public hearing on same. Motion carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Aud moved, seconded by Commissioner Dean, to meet in Executive Session in order to discuss a matter of personnel (consideration of appointments to Boards, Committees and Commissions). Motion carried. The Session was held from 10:50 a.m. to 11:05 a.m.

(COMMISSIONER DEAN LEFT MEETING - 11:05 A.M.)

PRIVATE INDUSTRY COUNCIL
JOB TRAINING PARTNERSHIP ACT

Commissioner Aud moved, seconded by Commissioner Arnold, to appoint William Greene to the Private Industry Council - Job Training Partnership Act to complete an unexpired term ending June 30, 1987. Motion carried.

EMERGENCY OPERATIONS CENTER
ANNUAL REPORT

Present: Tom Oliver, Director, EOC
Paul Wible, Deputy Director

The referenced individuals appeared before the Commissioners to present the Emergency Operations Center 1984 Annual Report covering police, fire, and rescue service activities. A copy of the Report is on file in the Commissioners' Office.

The Commissioners thanked Mr. Oliver and Mr. Wible for the report and expressed their satisfaction with the operation of the Emergency Operations Center.

(COMMISSIONER DEAN RETURNED TO THE MEETING - 11:30 A.M.)

DEPARTMENT OF PUBLIC WORKS ITEMS

Present: John Norris, Director

1) BID TALLY SHEETS

Mr. Norris presented the following bid tally sheets for the Commissioners' review and recommended awarding the contracts to the lowest bidder as indicated:

- a) Project No. SM 86-1-1
Surface Treatment Seal Coat

Lowest Bidder - Montgomery Construction - \$458,500;

- b) Project No. SM 86-1-2
Slurry Seal Coat

Lowest Bidder - Bituminous Products Corp. - \$86,377.20.

Commissioner Arnold moved, seconded by Commissioner Dean, to award the bids as recommended by Mr. Norris. Motion carried.

2) FLOODING PROBLEM
DEEP CREEK - RODO BEACH

Mr. Norris advised the Commissioners of the reoccurring problem with the tidal outfall at Deep Creek in the Rodo Beach area in that it has sanded in again. He stated that the County and State Highway Administration should share in the cost of maintaining that outfall; however, after numerous contacts, SHA has responded negatively in participating in keeping the mouth open.

Mr. Norris advised that he was going to send equipment down to open the outfall and requested authorization for correspondence to be forwarded to SHA advising of the State's responsibility in this matter.

3) ASPHALT PATCHING
DAY LABOR

Mr. Norris requested authorization to use \$5,000 from the Highway Account to secure day labor for some asphalt patching work.

The Commissioners gave their concurrence.

4) TALL TIMBERS

Mr. Norris displayed photographs of the area included in the Tall Timbers Taxing District as well as the area that is not in the District and advised that the Army Corps of Engineers has not yet issued a report on its level of responsibility for repair work. He recommended that the County expend an amount not to exceed \$5,000 to do temporary patch work to the seawall and requested authorization to use Lester Mattingly & Son as contractor and further that the funds be transferred to the Tall Timbers Special Taxing District. Mr. Norris advised that the property owners are in agreement with this recommendation.

The Commissioners gave their concurrence.

5) STATE HIGHWAY ADMINISTRATION
AGREEMENT TO TRANSFER CHANCELLORS RUN ROAD

Mr. Norris presented correspondence dated March 13, 1985 from the State Highway Administration transmitting Agreements to effect the transfer of roads to the County in exchange for Chancellors Run Road to the State. The roads being transferred to the County are: 234A, 242A, 244 (from 249) and 868H.

Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign the Agreement between State Highway Administration of the Department of Transportation and St. Mary's County relative to the transfer of the referenced roads as outlined in said Agreement and as previously approved by the Board. Motion carried.

6) AIRPORT ROAD ENTRANCE

Mr. Norris presented correspondence dated March 4 in which the State Highway Administration indicated their agreement to make improvements to the intersection at Airport during the Md. Rt. 235 dualization as requested by the Commissioners on February 26. However, SHA has requested that someone pay for the cost of relocating the utility poles on the northwest corner. By correspondence dated March 20, Wildewood Development Corporation indicated that they would bear the cost of relocating the poles and would also deed a strip of land on Rt. 235 to Airport Road for additional right-of-way.

The Commissioners gave their concurrence.

7) SOLID WASTE ORDINANCE

Mr. Norris advised that in developing particulars for the updating of the solid waste ordinance, he would like direction from the Board with regard to inclusion of rubble disposal. He stated that because of cost and state requirements there did not seem to be any interest by private business to establish a rubble landfill.

Mr. Norris inquired whether a county rubble landfill should be created at an existing landfill location or at another location and whether to include a provision to allow commercial haulers to bring rubble to the landfill and charge a fee.

The Commissioners authorized Mr. Norris to proceed to make determinations with reference to above matter and report back to the Commissioners with recommendations.

(COMMISSIONER MILLISON LEFT MEETING)

DEPARTMENT OF RECREATION AND PARKS

Present: John V. Baggett, Director

1) SWIMMING POOL PROPOSAL

Mr. Baggett advised that he had been approached by the people who bought the St. Mary's Raquet Club in Lexington Park with the idea of the County leasing the existing pool for a public operation and requested direction from the Board. He stated that he has been negotiating with the owner with regard to the repairs that are needed which could range from \$5,000 to \$15,000. The owner proposes a three-year lease, with no rent to the County until after the County has recovered all the money that was initially invested in the repairs, after which it would be a 50-50 split between the owner and the County.

The Commissioner gave their concurrence for Mr. Baggett to continue to look into this proposal and to return to the Board with a recommendation.

2) FISHING PIERS

Mr. Baggett advised that there is a new law in effect requiring fishing licenses for fishing on piers in the Chesapeake Bay and its tributaries. The license is required unless an individual is fishing on a privately-owned pier as a guest of the owner or from a pier that has been designated by the Department of Natural Resources as a fishing pier. Mr. Baggett requested authorization to forward correspondence to DNR inquiring whether any piers in St. Mary's County were going to be designated as a fishing pier.

The Commissioners gave their concurrence for Mr. Baggett to send such a letter.

TRANSPORTATION COMMITTEE
INTRA-COUNTY TRANSPORTATION

Present: Michele Hansen, Transportation Coordinator, TCC
Joseph O'Dell, Director, Budget & Data Services
Les Shaw, Transportation Committee

The referenced individuals appeared before the Commissioners to present a Letter of Intent to the Mass Transit Administration for federal and state assistance for a St. Mary's County Bus Service. Ms. Hansen explained the proposed bus service and distributed an outline of the proposed project setting forth schedules, funding sources and justifications.

After discussion, Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign the Letter of Intent. Motion carried.

(COMMISSIONER MILLISON RETURNED TO THE MEETING - 1:40 P.M.)!

CHARLES COUNTY COMMUNITY COLLEGE
AGREEMENT WITH ST. MARY'S COUNTY

Commissioner Dean reminded the Commissioners of the task assigned to the Community College Advisory Board to review the current status of the Community College and to assess the County's long-term goals and needs. Although the County has not yet received the report, it has been requested by the Advisory Board that the Commissioners send a letter to Board of Trustees of the Community College indicating a desire to negotiate the termination of certain provisions of the contract between the College and St. Mary's County as it is now written.

Commissioner Dean moved, seconded by Commissioner Aud, to sign and forward said letter.

"FLOATING HOMES"

In response to an inquiry from Commissioner Sayre, the County Administrator outlined the procedure for the pending matter relative to "Floating Homes." He stated that the joint public hearing with the County Commissioners and Planning Commission was held Monday, March 18, and the Planning Commission must now make a formal recommendation to the County Commissioners. The Commissioners will then make a decision by way of a formal Resolution to amend the Zoning Ordinance. The Planning Commission is scheduled to review the matter in April.

ST. MARY'S PUBLIC SCHOOL
LEXINGTON PARK ELEMENTARY SCHOOL ADDITION/ALTERATIONS

Present: Dr. Larry Lorton, Superintendent of Schools
Jerry Himmlehaber
Helene Hogan, Principal, Lexington Park Elementary

Dr. Lorton presented correspondence dated March 19, 1985 to the Board indicating that the low base bidder for the referenced project was R. Gregory Corporation in the amount of \$1,025,000, which is \$290,000 in excess of the State's allocation. Dr. Lorton advised that there is a possibility of additional funding assistance from the State in the amount of \$75,000 and inquired if the County would assist with the difference.

Dr. Lorton pointed out that if Public Schools does not get the funding needed, the project will have to be redesigned and rebid.

After discussion, the Commissioners advised that they would try to make a decision at next week's meeting on this matter.

BID TALLY SHEET
SALE OF OFFICE ON AGING VANS (4)

Present: Paul Raley, Director, Purchasing and Logistic Services

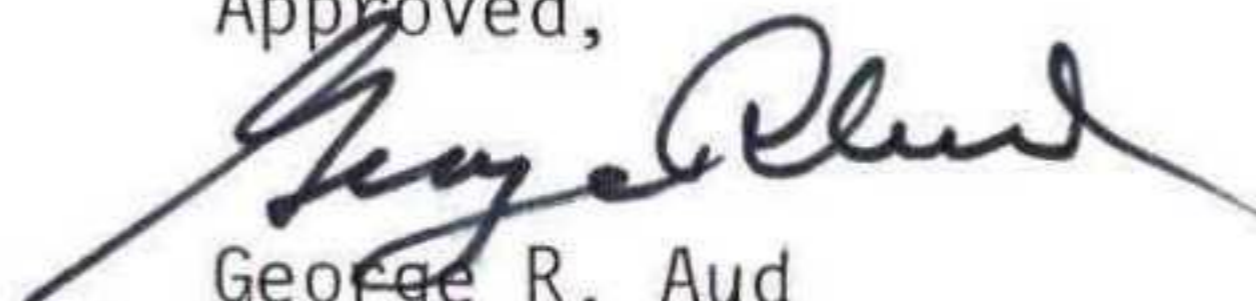
Mr. Raley presented the bid tally sheet for the sale of four vans from the Office on Aging and recommended awarding the bid to the highest bidder, Joseph E. Goddard.

Commissioner Dean moved, seconded by Commissioner Sayre, to accept Mr. Raley's recommendation. Motion carried.

ADJOURNMENT

The meeting adjourned at 2:30 p.m.

Approved,


George R. Aud
President