

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, February 11, 1986

Present: Commissioner George R. Aud, President
Commissioner Larry Millison, Vice President
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 10:00 a.m.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Aud, to approve the minutes of the Commissioners' meeting of Tuesday, February 4, 1986. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) PERSONNEL

The County Administrator presented the following items of Personnel for the Board's consideration:

a) Construction Inspector III
Department of Public Works

Memorandum dated February 11, 1986 from Personnel Officer recommending the promotion of John R. Dwyer from Construction Inspector II to Construction Inspector III, Grade 11-2, in the Department of Public Works, effective February 24, 1986.

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

b) Merit Increase for Robert E. Morgan
Department of Recreation and Parks

Memorandum dated February 6, 1986 recommending that Robert E. Morgan, Grounds Foreman, Department of Recreation and Parks who was appointed to a permanent position in 1984, be given a step increase in order to eliminate any inequities.

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

c) Volunteer Assistant (RSVP)
Office on Aging

Memorandum dated February 11, 1986 from Personnel Officer requesting authority to fill the Volunteer Assistant (RSVP) position, Grade 5, in the Office on Aging which was vacated by Susan Justice, who was reassigned to a Fiscal Clerk position on November 4, 1985.

d) Rescue Squads/Fire Departments
Retirement System

Memorandum dated February 10, 1986 from Personnel Officer submitting the list of rescue squad/fire department volunteers eligible for retirement pay and requesting Commissioners' signatures.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and sign the eligible list. Motion carried.

e) Appointment of Animal Warden
Emergency Operations Center

Memorandum dated February 11, 1986 from Personnel Officer recommending the appointment of Tamora S. Carty to the position of Animal Warden I, effective February 17, 1986.

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

(This item was brought up later in the meeting after Commissioner Millison had left the meeting.)

2) LEGISLATIVE ITEMS

Mr. Cox distributed a listing of the various items in the Commissioners' legislative package and noted the status of each of the items (whether introduced by our Legislators, Bill No., etc.). He stated that he would keep the Commissioners informed of the progress of the items that have been introduced.

3) APPOINTMENT
HUMAN RELATIONS COMMISSION

Commissioner Sayre moved, seconded by Commissioner Aud, to appoint Dr. Norman Breslauer to the Human Relations Commission to fill an expired term ending June 30, 1986 and to complete a full term expiring June 30, 1989. Motion carried.

4) BUDGET AMENDMENTS

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

No. 86-31
Various Departments

Justification: In compliance with GAAP the costs as set forth were encumbered as of June 30, 1985 in the General Fund. This transaction provides the various departments with budget authority to liquidate encumbrances during FY '86.

No. 86-32
Public Schools

Justification: Savings on project paving estimates as detailed in order to cover cost increases on HVAC, Loveville Office. Project covered by GOB proceeds. Savings created by combining projects with public works Asphalt Overlay.

PUBLIC WORKS

No. 86-33
Public Works

Justification: Original proposal was to create a special taxing district which did not materialize. Transfer moves authority from special assessment fund to capital fund and voids balance of budget and revenue authority.

Commissioner Dean moved, seconded by Commissioner Aud, to approve and sign said Budget Amendments. Motion carried.

5) LEONARD HALL SCHOOL
REQUEST FOR LEASE RENEWAL

The County Administrator presented correspondence dated January 6, 1986 from the Leonard Hall Junior Naval Academy requesting renewal of the lease for the school and drill hall. He stated that it is the staff's recommendation to renew the lease on the same terms and conditions beginning on July 1, 1980 to 1990.

Commissioner Dean moved, seconded by Commissioner Sayre, to authorize the preparation of the new lease with Leonard Hall. Motion carried.

6) FEASIBILITY STUDY FOR INSURANCE POOL

The County Administrator advised that Maryland Association of Counties, State of Maryland, Maryland Municipal League are recommending a feasibility study of a pool for insurance and excess coverage at a total cost of approximately \$100,000; \$25,000 to come from the counties (\$1,050 each county's share). Mr. Cox stated that if the Board concurred, authorization is needed for Commissioner President Aud to sign the Letter of Intent on Participation to develop a municipal liability insurance program for local governments.

Commissioner Dean moved, seconded by Commissioner Sayre, that St. Mary's County participate in the program in an amount not to exceed \$1,050 and further to authorize Commissioner President Aud to sign the Letter of Intent. Motion carried.

7) CLEARINGHOUSE PROJECT NO. MD 860116-0030
TRI-COUNTY COMMUNITY DEVELOPMENT CORP., INC.
FmHA LOW TO MODERATE INCOME HOUSING
CHANCELLORS RUN ESTATES

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

The Commissioners gave their concurrence.

8) METROPOLITAN COMMISSION
PROPOSED AMENDMENTS TO SEWER USE ORDINANCE

The County Administrator advised that correspondence dated January 29, 1986 was received from the Metropolitan Commission recommending two changes to the St. Mary's County Sewer Use Ordinance. Mr. Cox stated that the proposed amendments have been forwarded to the Plumbing Board who will have recommendations in approximately three weeks, after which a public hearing will be scheduled.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) WATERWAY IMPROVEMENT APPLICATION
TANNERS CREEK DREDGING

Mr. Norris presented the Waterway Improvement Fund Grant Application for the dredging at Tanners Creek in Scotland.

After discussion, Commissioner Aud moved, seconded by Commissioner Sayre, to approve and sign said Application. Motion carried.

2) RENTAL SERVICES CONTRACT
BUILDING IMPROVEMENTS/MAINTENANCE

Mr. Norris presented the following rental services contract for building improvements for the Commissioners' approval as follows:

a) Project No. SM86-6-2
Carpentry and Millwork

Contract by and between Board of County Commissioners and A.C.E., Inc.;

b) Project No. SM86-6-3
Electrical Services

Contract by and between Board of County Commissioners and William C. Mattingly Electrical Service;

c) Project No. SM86-6-4
Plumbing Modifications

Contract by and between Board of County Commissioners and Lacey Plumbing and Heating;

d) Project No. SM86-6-5
Painting and Wallpapering

Contract by and between Board of County Commissioners and Weiland Painting Plus.

Commissioner Dean moved, seconded by Commissioner Millison, to approve and authorize Commissioner President Aud to sign the referenced contracts. Motion carried.

3) ROAD RESOLUTION NO. R86-2
SANDGATES ROAD

Mr. Norris presented the referenced Road Resolution posting Sandgates Road, Sixth Election District, at 35 miles per hour, from its intersection with Md. St. Rt. 235.

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

4) ADDENDUM TO PUBLIC WORKS AGREEMENT
BIG OAKS SUBDIVISION

Mr. Norris presented an Addendum to the Public Works Agreement by and between William S. Lawrence and the Board of County Commissioners of St. Mary's County extending the completion of roads in Big Oaks Subdivision, Fifth Election District, to July 1, 1986. The Agreement is backed by an Irrevocable Letter of Credit with Mercantile Savings Deposit and Trust Company in the amount of \$24,200.

Commissioner Millison moved, seconded by Commissioner Sayre, to approve and sign the Addendum as presented.

5) PUBLIC WORKS AGREEMENT
AMBER MEADOWS

Mr. Norris presented the Public Works Agreement dated January 7, 1986 by and between Mayjack, Inc. and St. Mary's County guaranteeing the completion of Barefoot Drive in Amber Meadows Mobile Home Park by January 1, 1988. The Agreement is backed by an Irrevocable Letter of Credit with Maryland Bank and Trust in the amount of \$40,000.

Mr. Norris stated that correspondence has been forwarded to Mayjack on January 31 setting forth certain conditions that prior to issuance of building permits the balance of Barefoot Drive must be bonded in the amount of \$137,600 by a Public Works Agreement.

Commissioner Millison moved, seconded by Commissioner Sayre, to approve and sign the Public Works Agreement as presented. Motion carried.

6) LEXWOODS SUBDIVISION

Mr. Norris presented a Deed dated January 7, 1986 by and between Great Mills Elderly Associates Limited Partnership and the Board of County Commissioners for the acceptance of Lexwood Drive in Lexwood Subdivision into the County Highway Maintenance System.

In addition, Mr. Norris presented Road Resolution No. R85-55 posting Lexwood Drive in Lexwood Subdivision at 25 miles per hour.

Commissioner Millison moved, seconded by Commissioner Sayre, to accept the Deed and approve and sign the Road Resolution. Motion carried.

7) SNOW REMOVAL PROGRAM STATUS

Mr. Norris reported to the Commissioners on the status of the snow removal budget. He stated that 350 tons of salt remain of the original 1200 tons, and there is a balance of \$19,000 of the \$80,000 budget for snow removal.

8) LEXINGTON PARK STORM DRAINAGE DISTRICT

Mr. Norris stated that a draft public works agreement for the Lexington Park Storm Drainage District has been prepared. He recommended that prior to signing the public works agreement that the property owners be given the option of funding the completed design.

The Commissioners gave their concurrence.

9) SIGN IMPROVEMENTS
MD. RT. 5 AND 245

Mr. Norris advised that the Town of Leonardtown has requested St. Mary's County to assist in the improvement to the proliferation of signs at Md. Rt. 5 and 245 at the traffic signal. The various signs give directions to the Courthouse, Governmental Center, Maryland State Police, St. Mary's City, etc., and the Town has requested that the signs be replaced with one sign giving this information.

The Commissioners concurred and suggested that the sign also include directions to NESEA in St. Mary's City.

10) LEXINGTON PARK TRANSPORTATION PLAN

Mr. Norris displayed an aerial photograph and discussed with the Board the proposed Lexington Park Transportation Plan. Mr. Norris mentioned the need for a connector road to Willows Road and suggested that the road go through Essex South Subdivision. Commissioner Millison requested that the road not go through a current subdivision because of creating hazard road situations, and suggested that an alternative be developed.

After discussion, the Commissioners concurred that additional planning needs to be done and requested Mr. Norris to go and expand the planning to include the area east of Rt. 246.

11) LONGVIEW BEACH SPECIAL TAXING DISTRICT

For the Commissioners' information, Mr. Norris advised that six or seven different methods of assessment have been developed to make the private roads in Longview Beach public.

INNOVATIVE AND ALTERNATIVE SEWAGE DISPOSAL SYSTEMS

Present: Edward V. Cox, County Administrator

The County Administrator reported to the Commissioners a proposal from State Health Department which is the out come of a meeting with state officials and Mr. Walter Raum, local Environmental Health, Frank Gerred, Director of Planning and Zoning, and Mr. Cox. The proposal is in response to the Commissioners' request of last summer to use some of the \$37,500 allocated to St. Mary's from the State I & A Program for the purpose of contracting with the University of Maryland Engineering department to design a solar system treatment facility. The University of Maryland design study will cost \$22,500. State Health Department proposes that St. Mary's County use \$11,250 of its FY '85 allocation, and the State Health Department will fund \$11,250 from its FY '86 allocation. It is understood that St. Mary's County may return at a later date to request additional funds, if needed, to fund other I & A systems in St. Mary's County for the twelve (12) applicants already on record. The Commissioners unanimously concurred in the concept.

COMPREHENSIVE LAND USE PLAN UPDATE

Present: Frank Gerred, Director, Office of Planning & Zoning

Mr. Gerred appeared before the Commissioners to advise that the RFP for the update of the Comprehensive Land Use Plan has been reviewed and it is now in order to be advertised. He suggested that a meeting be held at the end of February with those who have responded to the advertisement to answer any questions, and that a consultant be selected by mid or late March. In addition Mr. Gerred suggested that preparation of a pamphlet outlining the permit/zoning process, etc. be included in the bid specifications.

After discussion, Commissioner Dean moved, seconded by Commissioner Aud, to approve the RFP as presented and that it be advertised. Motion carried.

PROCLAMATION NO. 86-08
BIG BROTHERS/BIG SISTERS WEEK

Present: Pat Miller, Big Brother
Raul Lopez, Little Brother

The Commissioners presented the referenced Proclamation designating the week of February 16-22, 1986 as Big Brothers/Big Sisters Week in St. Mary's County.

LENGTH OF SERVICE AWARDS

Present: Linda DeLozier, Recreation and Parks
Mary Jane Alvey, Finance Office
Tom Oliver, Emergency Operations Center
Don Purdy, Sheriff's Department
(Chuck Kerr, Sheriff's Department, was unable to attend)

The Commissioners presented 15-year Length of of Service Award pins to the referenced individuals.

EXECUTIVE SESSION

Present: John Norris, Director, DPW
Edward V. Cox, County Administrator

Commissioner Dean moved, seconded by Commissioner Sayre, to meet in Executive Session in order to discuss a matter of property acquisition. Motion carried. The Session was held from 11:55 a.m. to 12:35 p.m.

PUBLIC HEARING
ZONE #84-1312: DAY CARE/CHILD CARE CENTERS

Commissioners present: George Aud, Ford Dean, and David Sayre.
Commissioners not present: Richard Arnold and Larry Millison.
Staff present included: Robin Guyther, Planner, and Anita M. Meridith, Recording Secretary.

NOTE: The conference room was void of any audience.

ZONE # 84-1312: DAY CARE/CHILD CARE CENTERS

Amend Section 8, Definition (Page 8-5), Child Care Center - change line two from "eight or more" to "seven or more." Article 5, Section 53.03.5.1 - change "Small Group (8 - 12 children) to "Small Group (7 - 12 children)." Change Section 53.03.5.a to read: "Centers serving more than 12 children must have access to a major public road and must obtain site plan approval."

Mr. Robin Guyther, Planner, OPZ, read the public hearing notice aloud into the record, as published in "The Enterprise" Newspaper, a publication of general county-wide circulation, in the Wednesday, January 22, 1986 issue, providing legal notification of the aforementioned hearing.

Staff advised that there were two issues involved via the proposed text amendment. The first pertaining to the small group day care centers, as defined by the Health Department, i.e. seven (7) to twelve (12); text currently reads eight (8) to twelve (12). Thus, this proposal

would bring the text into conformity with the Health Department regulations.

Mr. Guyther furthered that the second issue or proposed text, would assure that any center serving more than twelve (12) children, would be viewed as a school and would require site plan and access to a major public road.

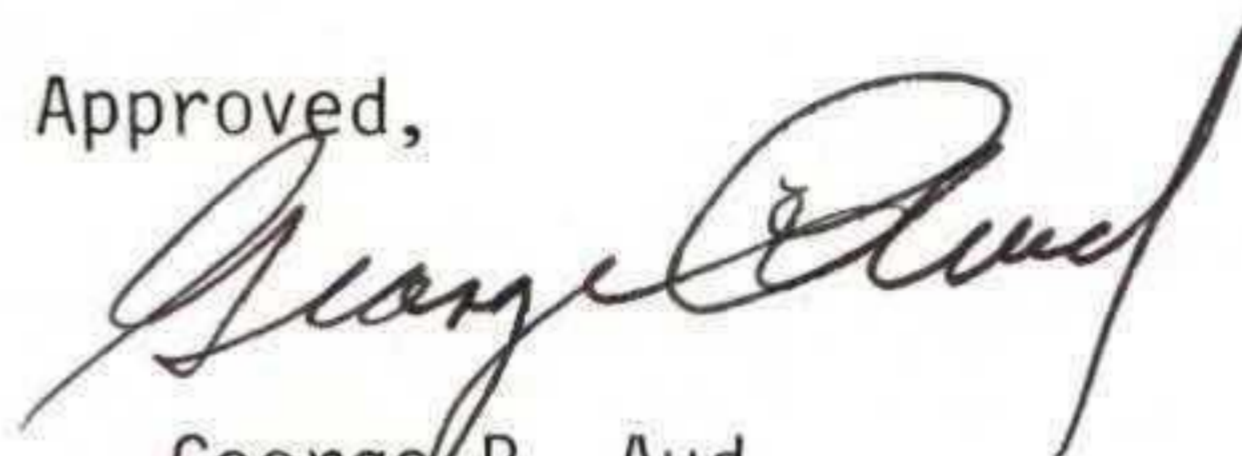
As noted previously, there were no individuals present in the audience.

Hearing closed.

ADJOURNMENT

The meeting adjourned at 12:35 p.m.

Approved,



George R. Aud
President