

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, May 6, 1986

Present: Commissioner Larry Millison, Vice-President
Commissioner Ford L. Dean
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

(Commissioners Aud and Arnold were not present due to illness.)

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Sayre, to approve the minutes of the Commissioners' meeting of Tuesday, April 29, 1986 as submitted. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) APPOINTMENT
BUILDING CODE TASK FORCE

Commissioner Dean moved, seconded by Commissioner Sayre, to appoint Ammon Ripple to the Building Code Task Force. Motion carried.

2) MEMORANDUM OF UNDERSTANDING
PATUXENT RIVER NAVAL HOSPITAL

The County Administrator presented a Memorandum of Understanding between the Patuxent River Naval Air Hospital and the Rescue Squad Association. The document has been reviewed by the Director of EOC and is recommended for the Board's approval.

The Commissioners agreed to defer action until it has been reviewed by the County Attorney.

3) PATUXENT RIVER NAVAL HOSPITAL

Commissioner Millison requested the County Administrator to prepare a letter to the Secretary of the Navy and our Congressional delegation expressing opposition to the downgrading of the Patuxent River Naval Hospital.

4) SOUTHERN MARYLAND HEALTH SYSTEM AGENCY
HEALTH PLANNING AND RESOURCES ALLOCATION ACT OF 1986

The County Administrator presented correspondence addressed to Governor Hughes from County Commissioners of Calvert, Charles and St. Mary's and Prince George's County Council requesting assistance in defeating a move by some senators to withdraw health planning funds. Authorization is needed for Commissioner President Aud to sign the letter.

The Commissioners gave their concurrence.

5) FY '87 BUDGET
LEGAL SALARIES

The County Administrator presented a memorandum dated May 5 requesting consideration for restoration of the \$16,000 for legal salaries which was removed in the Recommended Budget. Mr. Cox stated that this would reduce the amount of legal services provided to the County Commissioners, Departments, Boards, Committees and Commissions.

6) COOPERATIVE REIMBURSEMENT GRANT
STATE'S ATTORNEY'S OFFICE

The County Administrator presented an Amendment to the Cooperative Reimbursement Grant relative to the Child Enforcement Support Program. The amendment is occasioned by the Gramm-Rudman-Hollings Act. Authorization is requested for Commissioner Vice-President Millison to sign the amended Grant.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner Millison to sign the amended grant. Motion carried.

7) PERSONNEL
SHERIFF'S DEPARTMENT
CORRECTIONAL OFFICERS

The County Administrator presented a memorandum dated May 5, 1986 from the Personnel Officer recommending approval of the following promotions from Correctional Officer I to Correctional Officer II, effective May 19, 1986.

Evaughn Lennon to Grade 11-5;
John Bond to Grade 11-5
Kenneth Kern to Grade 11-5
James Wass to Grade 11-4
Lestremayne Stewart to Grade 11-4

Commissioner Dean moved, seconded by Commissioner Sayre, to grant this request. Motion carried.

MSUB 85-1077
HENRY UNDERWOOD
APPEAL OF PLANNING COMMISSION DECISION

Present: Henry Underwood, applicant
Robin Guyther, Planner, OPZ

Mr. Underwood appeared before the Board to request the Board to overturn the Planning Commission's decision with regard to private roads in the referenced minor subdivision.

Mr. Guyther explained the history of the case stating that Al Watson purchased property from Mr. Underwood served by a 30-foot right-of-way with a house on it. Mr. Watson sought subdivision approval for eight lots. Subdivision regulations require a 50-foot right-of-way to serve up to eight lots. The Planning Commission denied the application because he did not have a 50-foot right-of-way. Mr. Watson appealed the decision to the Board of County Commissioners in 1982, and the Board waived the right-of-way requirement and allowed him to put seven lots on a 30 foot right-of-way. The right-of-way services Mr. Watson's seven lots and Mr. Underwood's property. Mr. Underwood now wants to create an additional lot which would make the private road serve nine lots. The Planning Commission denied the request and Mr. Underwood is requesting an appeal of that decision and asking for a private road on that 30 foot right-of-way.

Commissioner Dean explained that the Planning Commission denied the application for minor subdivisions because it would mean that nine lots would be served by the private road and it is only a 30 foot right-of-way. The basis of that decision was the County's subdivision regulations which do not allow more than eight lots on a private road.

During discussion Mr. Underwood stated that he would like to be able to give four lots to his children.

Discussion ensued as to how to resolve the matter and the following suggestions were made:

- 1) That Mr. Underwood contact Mr. Watson to see if he would relinquish one of his lots and let Mr. Underwood's take its place.
- 2) That Mr. Underwood request Mr. Watson to put in another right-of-way to serve his lot.
- 3) Amend the Subdivision Regulations to allow more than eight lots.

Commissioner Millison suggested that Mr. Underwood attend the Commissioners' discussion of text amendments to the Zoning Ordinance relative to minor subdivisions.

MARYLAND STATE POLICE

Present: Lt. James Plunkert, Commander, Leonardtown Barracks
Lt. Robert Short, Assistant Commander

Lt. Plunkert appeared before the Commissioners to advise that he has been named as the new Commander for the Leonardtown Barracks replacing Lt. Richard Stufft who was promoted to the Forestville Barracks. Lt. Short is the new Assistant Commander. Lt. Plunkert offered the State Police's continued cooperation.

The Commissioners expressed their congratulations and stated they looked forward to the same cooperation that the County has always enjoyed.

WEATHER WATCHING PROPOSAL

Present: Richard Everett
Tom Oliver, Director, EOC

Mr. Everett appeared before the Commissioners to present a proposed weather watching system for the County whereby information for impending bad weather would be gathered by volunteer weather watches and disseminated quickly. He stated it would be done in cooperation with the Control Center and the information would be issued to local media, fire departments, Sheriff's Department, State Police, schools and hospitals. Mr. Everett stated that currently information is gathered in the NOAA office in Baltimore and there is a delay in getting the information to St. Mary's County.

Mr. Oliver stated that his department is receptive to the idea and would work with Mr. Everett in developing guidelines.

The Commissioners concurred that the EOC work with Mr. Everett and return to the Board with the guidelines once they are prepared.

PUBLIC HEARING
ST. MARY'S COUNTY PURCHASING SYSTEM

Present: Paul Raley, Director, Purchasing and Logistics
Col. Henry Sanford
Representatives from County Departments and agencies
Interested citizens

The Commissioners conducted a public hearing to present a proposed Ordinance for the Purchasing System which will govern the policies and procedures of purchases and competitive bidding for all County Government agencies and those non-governmental agencies or not-for-profit corporations receiving appropriations and/or the pledging of the County's full faith and credit for funding.

The secretary read the Notice of Public Hearing.

The County Administrator went on to explain the purpose of the proposed Ordinance and stated that a fair summary has been published. Mr. Cox stated that he has received some recommendations from various departments which will be considered for incorporation into the Ordinance.

At this time Mr. Raley offered several comments with regard to the document.

The Commissioners received comments from the audience relative to the proposed Ordinance.

After discussion, the County Administrator agreed that a staff meeting would be conducted to develop an amended Ordinance and a proposed purchasing manual, which will be presented to the Commissioners at a later date, after which time a public hearing will be scheduled.

(A tape of the hearing is on file in the Commissioners' office.)

GROUNDWATER PROTECTION REPORT

Present: Dr. William Marek, Deputy Health Officer
Walter Raum, Director, Environmental Hygiene
Cliff Stein, State Health Department

The referenced Health Department representatives appeared before the Commissioners to discuss the guidelines for groundwater protection reports addressing the impact of placing on-site sewage disposal systems in the areas of high groundwater.

Dr. Marek presented a report entitled Groundwater Penetration with Sewage Effluent - A Need for Caution in the Decision Making Process - Health Officer's Position Paper.

Mr. Stein by way of charts displayed site and soil evaluation concepts, sewer treatment zones, etc.

Mr. Raum suggested that the County could do a broad groundwater protection study and as subdivisions come in require a specific groundwater study for that subdivision.

If such a report is conducted the cost would have to be borne entirely by the County at an approximate cost of \$150,000 if the County wishes to proceed. A detailed work plan will have to be developed in conjunction with local and state health department officials observing mandated guidelines, a copy of which was presented by Mr. Raum.

The Commissioners indicated they would review this matter and make a decision at a later date.

PROCLAMATION
ELKS NATIONAL YOUTH WEEK

The Commissioners presented a Proclamation designating the week of May 1-7, 1986 as Elks National Youth Week in St. Mary's County.

PROCLAMATION
NATIONAL NURSING HOME WEEK

Present: George Smith, Director, Nursing Home

The Commissioners presented a Proclamation designating the week of May 11-17, 1986 as National Nursing Home Week.

BOARD OF DIRECTORS - ST. MARY'S COUNTY DEVELOPMENTAL CENTER
FY '87 BUDGET

Present: Ted White, President
Helene Hautzenroder, Director
Ella Mae Russell, Treas.
Carole Pinkney, Sec.

The referenced members of the Developmental Center appeared before the Board to discuss the financial delimma of the Center and to request the Board's consideration of an additional \$42,528 because of anticipated shortfall of revenues from the State.

The Commissioners agreed to give consideration to this request during their budgetary deliberations.

EXECUTIVE SESSION

Present: Commissioner Larry Millison
Commissioner Ford L. Dean
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Floyd Williams
Judith Spalding, Recording Secretary

Commissioner Sayre moved, seconded by Commissioner Dean, to meet in Executive Session in order to discuss a matter of Personnel. Motion carried. The Session was held from 1:35 p.m. to 2:25 p.m.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) BUSHWOOD WHARF RECREATIONAL FACILITY

The Director of Public Works presented correspondence addressed to the Department of Natural Resources withdrawing the remaining grant application for the Bushwood Wharf Recreational Facility project in the amount of \$30,540 which is due to an adjoining property dispute. Commissioner Dean moved, seconded by Commissioner Sayre, authorizing the President of the Board to sign the correspondence. Motion carried.

2) AUTHORIZATION FOR FUNDING APPROVAL
FOR MIEDZINSKI BUILDING RENOVATION

Commissioner Dean moved, seconded by Commissioner Sayre, giving authorization for proceeding with renovations to the Miedzinski Building upon the Budget Director identifying the source of funding for the project, in the amount of \$35,000. Motion carried.

3) ROAD RESOLUTIONS

Mr. Norris presented the following Road Resolutions for approval by the Board:

R86-9 - Designating Dellabrook Road, 5th Election District as a 30 m.p.h. speed limit zone.

R86-10 - Designating the following streets in the 6th Election District as stop streets:

Oak Ridge Drive as it intersects with Woodlawn;
Bartlett Street as it intersects with Valley Drive;
Valley Circle as it intersects with Valley Drive;
Valley Drive as it intersects with Valley Circle.

R86-12 - Designating Knight Road, 3rd Election District as a 35 m.p.h. speed limit zone.

R86-13 - Designating Wathen Road, 3rd Election District, as a 35 m.p.h. speed limit zone.

R86-14 - Designating Parlett-Morgan Road, 3rd Election District, as a 35 m.p.h. speed limit zone.

R86-15 - Designating Tippet Road, 1st Election District, as a 30 m.p.h. speed limit zone.

R86-16 - Designating Post Oak Road, 1st Election District as a 25 m.p.h. speed limit zone.

R86-17 - Designating Indian Creek Drive, 1st Election District, as a 25 m.p.h. speed limit zone.

R86-18 - Designating Waterview Drive, 1st Election District, as a 30 m.p.h. speed limit zone.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve the referenced Road Resolutions. Motion carried.

4) ST. MARY'S COUNTY REGIONAL LIBRARY

The Director of Public Works gave an update on the Regional Library project, stating that it is going forward as planned with the bid date expected by November 1, 1986.

5) STUDY RESULTS ON COUNTY BRIDGES

The Director of Public Works discussed the results of a study conducted on the condition of bridges in St. Mary's County. He provided estimates on repair costs and gave limits on weight postings for those bridges.

Millstone Landing - Weight Limit - 14 tons;
Repair costs - \$1,800;

Hermanville Road - Weight Limit - 23 tons;
Repair costs - \$1,000;

Busy Corner Road - No weight posting necessary. Meets all load conditions.
Repair costs - \$3,000;

Drayden Road - Weight limit - 13 tons;
Repair costs - \$6,000;

Cornfield Harbor - Requires \$13,000-\$15,000 in repair work.
No emergency vehicles are able to cross.

Commissioner Sayre moved, seconded by Commissioner Dean, to authorize the Director of Public Works to install the weight limit postings with the exception of Busy Corner Road. Motion carried.

6) LEXINGTON PARK SPECIAL TAXING DISTRICT

Because of a conflict of interest, Commissioner Millison would not vote on the referenced issue and asked to have the item tabled for another time when Commissioner Aud could be present in order to constitute a voting quorum.

7) FY '87 BUDGET DISCUSSION
OPERATING AND CAPITAL BUDGETS

At this time Mr. Norris reviewed with the Commissioners the Operating and Capital Budgets for the Department of Public Works.

8) DUKEHARTS CREEK

In response to an inquiry from Commissioner Sayre, Mr. Norris stated he would prepare correspondence requesting the position of the State with regard to the dredging of Dukehart's Creek.

FY '87 BUDGET DISCUSSIONS

The Commissioners reviewed with the Budget Officer the requested capital projects for restoration in the FY '87 budget. Mr. O'Dell will prepare a list of tentative Capital Projects recommended by Commissioner Dean for restoration and possible source of funding (General Fund Transfer, General Obligation Bonds or Transportation Bonds) for review and action by the Board at next week's meeting.

COMPREHENSIVE DEVELOPMENT PLAN
SELECTION OF FIRM

Mike Gray of the Enterprise and Richard Marks of WKIK inquired of the Commissioners whether the interviews for the selection of a firm to do the Comprehensive Development Plan for the County would be in open session.

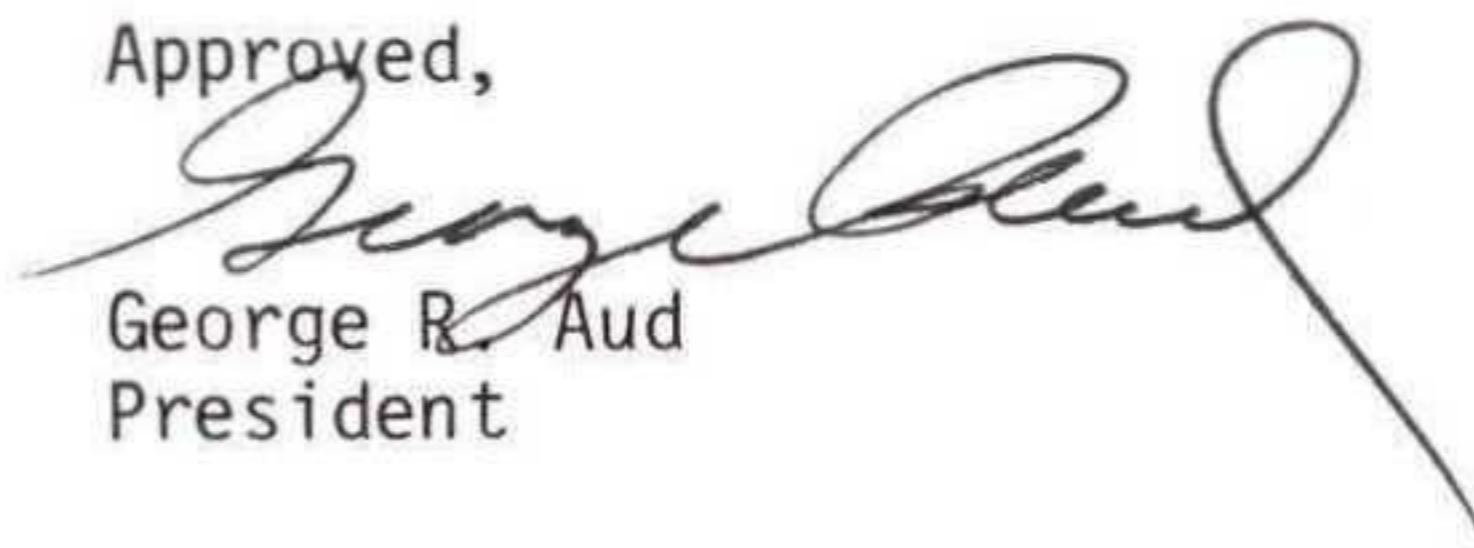
Commissioner Millison was of the opinion that he saw no harm in having the interviews in open session.

Commissioners Dean and Sayre were of the opinion that because interviews are being conducted and there will be discussion of the firms' credentials, it should be held in closed session.

ADJOURNMENT

The meeting adjourned at 5:45 p.m.

Approved,



George R. Aud
President