

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, August 19, 1986

Present: Commissioner Larry Millison
Commissioner Ford L. Dean
Commissioner David F. Sayre
Joseph P. O'Dell, Dir., Budget & Data Services (on behalf of
County Administrator)
Judith A. Spalding, Recording Secretary

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

CALL TO ORDER

The meeting was called to order at 9:20 a.m.

APPROVAL OF MINUTES

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

APPROVAL OF BILLS

Commissioner Dean moved, seconded by Commissioner Sayre, to approve payment of the bills (with the exception of Voucher Nos. 1884 and 2375, which are being held for review by Commissioner Millison). Motion carried.

EXECUTIVE SESSION

Present: Billye McGaharn, Director, Area Agency on Aging
Joseph P. O'Dell, Budget Director

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 9:26 a.m. to 10:25 a.m.

BEECHWOOD ESTATES SUBDIVISION
PLANS REVIEW PROCESS

Present: Israel Swarey, developer
Robert Errington, rep. of developer
Charles Hall, rep. of developer
John Norris, Director, Department of Public Works

Mr. Swarey and his representatives appeared before the Commissioners to inform them of problems he has encountered in getting plans reviewed for Beechwood Subdivision by the Department of Public Works.

Mr. Swarey presented a summary of events leading up to today's meeting stating that the plans were originally submitted in February of 1986 and Public Works has been delaying the reviews and continuously returning them for modifications. On July 23 DPW request that the plans include a pond easement or the project would be stopped. The amended plan was then returned to DPW on August 15, and Mr. Swarey stated that he has not been able to get a meeting with Mr. Norris until September 1.

Mr. Errington explained that this project has received the County's endorsement for CDA funding for a limited income project, and therefore the project should move forward.

Mr. Norris explained the reasons for the delay was because there were various problems with the drawings and because of the large volume of work in his office.

At the suggestion of Commissioner Sayre, Mr. Norris stated that he would be glad to go over the plans with his staff and then meet with Mr. Swarey to discuss what needs to be done. Mr. Norris and Mr. Swarey agreed to meet the first part of next week on this matter.

MARYLAND BOARDS OF EDUCATION LIABILITY INSURANCE POOL

Present: Dennis Younkin, Director, Fiscal & Administrative Services
(St. Mary's Public Schools)

Mr. Younkin appeared before the Board to request the Commissioners approval that St. Mary's County Board of Education participate in the Maryland Association of Boards of Education Liability Self-Insurance Pool. Mr. Young reviewed the aspects of the pool including coverage and financing and stated that the startup date is September 1. He indicated that the local Board of Education and Superintendent of Schools have recommended approval and have recommended that the Director of Fiscal and Administrative Services be appointed as Trustee.

During discussion about which counties would be participating and the actual cost to St. Mary's County, Mr. O'Dell requested that Mr. Younkin submit a status report.

After discussion, Commissioner Sayre moved, seconded by Commissioner Dean, to accept that the St. Mary's County Board of Education become a member of the Maryland Association of Boards of Education Liability Self-Insurance Pool and that the Director of Fiscal and Administrative Services be named as Trustee. Motion carried.

COMMUNITY DEVELOPMENT BLOCK GRANT
(SMALL CITIES FUNDS)

Present: Joseph Mitchell, Director, Dpt. of Economic & Community Dev.
Nancy Hutson, DECD
Steve King, Metropolitan Commission

Mr. Mitchell reported to the Commissioners that the the U. S. Department of Housing and Urban Development has awarded the County a grant in the amount of \$420,000 for the McIntosh Road Sewage Disposal project. The original grant request was \$680,000, which had been denied; however, due to additional funds being made available the County will receive \$420,000. HUD has requested that the County inform them of a source of the additional funding for the project or how the project would be scaled down to be within the cost of the grant. Mr. Mitchell advised that the Metropolitan Commission has identified additional funding from the Environmental Protection Agency that the County may be eligible for.

Ms. Hutson explained the project stating that funds from HUD will be used for low interest loans to approximately 100 families for correction of water and sewer problems and the EPA funds will be used for extending the sewer line down Md. Rt. 245 to Tin Top Hill.

Mr. King advised that the Metropolitan Commission has solicited for RFP's for a Facilities Study, which after a selection is made, will be presented at a public meeting.

After discussion, Commissioner Dean moved, seconded by Commissioner Sayre, to authorize Commissioner Vice-President to sign the HUD Grant Agreement and Loan Guarantee Acceptance Provisions for the \$420,000. Motion carried.

Mr. King will return to the Board next week regarding the engineering firm to be selected for the Facilities Study.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) ROAD RESOLUTIONS

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

a) R87-6

Designating the following streets in Burning Oaks Subdivision as Stop Streets:

Arrow Park Drive at its intersection with Burning Oak Drive;

Holly Bank Drive at its intersection with Burning Oak Drive.

b) R87-7

Posting all streets and roads in the Burning Oaks Subdivision at 25 miles per hour.

c) R87-4

Posting Fairgrounds Road as a No Parking Zone from its intersection with Md. Rt. 5, for the boundaries of the Fairgrounds Property along both sides of the road, to be effective through October 31, 1986.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner Vice-President to sign the Road Resolutions as presented. Motion carried.

2) PUBLIC WORKS AGREEMENT
COUNTRY LAKES, SECTION II

Mr. Norris presented a Public Works Agreement dated August 6, 1986 by and between Benjamin H. Burroughs, Jr. and St. Mary's County, Maryland guaranteeing the completion of the roads in Country Lakes, Section II, by August 1, 1987 and backed by a Letter of Credit in the amount of \$110,000 from the First National Bank of St. Mary's.

Commissioner Sayre moved, seconded by Commissioner Dean to authorize Vice-President Millison to sign the Public Works Agreement pending approval by the County Attorney. Motion carried.

3) PUBLIC WORKS AGREEMENT
ESPERANZA FARMS, SECTION NINE

Mr. Norris presented a Public Works Agreement dated August 13, 1986 by and between Robert G. Dean, Sr. and St. Mary's County guaranteeing the completion of the roads in Esperanza Farms, Section Nine by August 1, 1987 and backed by a Letter of Credit in the amount of \$102,000 from the First National Bank of St. Mary's.

Commissioner Sayre moved, seconded by Commissioner Millison, to approve and authorize Vice-President Millison to sign the Public Works Agreement. Commissioner Dean abstained. Motion carried.

4) AGREEMENT FOR LEASE OF SCALES
MARYLAND ENVIRONMENTAL SERVICE

Mr. Norris presented an Agreement between Maryland Environmental Service and St. Mary's County for the lease of truck scales for use at the St. Mary's County landfills for the sum of \$1.00. The County is obligated to pick up the scales, maintain them in good condition, and return them when finished.

Commissioner Sayre, seconded by Commissioner Dean, to approve and authorize Vice-President Millison to sign the Agreement. Motion carried.

5) BUDGET AMENDMENT NO. 87-05
PUBLIC WORKS

Mr. Norris presented the referenced Budget Amendment in the amount of \$15,000 with the following justification: Necessary for additional paving of roads prior to slurry seal application.

Commissioner Sayre moved, seconded by Commissioner Dean, to approve and authorize Commissioner Millison to sign the Budget Amendment as presented, pending approval of the Budget Officer. Motion carried.

6) EASEMENT AGREEMENT
HENRY T. WARING

Mr. Norris presented an Easement Agreement by and between Board of County Commissioners, Southern Maryland Electric Cooperative, Inc. and Henry T. Waring for access across the railroad right-of-way.

Commissioner Sayre moved, seconded by Commissioner Dean, to approve and authorize Vice-President Millison to sign the Easement as presented, pending approval by the County Attorney. Motion carried.

7) CUSTODIAL SERVICE
ST. MARY'S DEVELOPMENTAL CENTER

Mr. Norris presented a proposal for a pilot program whereby janitorial services would be provided by the Developmental Center at various county sites on a hourly basis where SMCDC workers will be supervised by persons designated by the County. The workers would begin one-half hour after the county workers begin until one-half hour before quitting time. Mr. Norris stated that this program would benefit the County as well as the Developmental Center participants.

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

8) MAINTENANCE OF HEALTH DEPARTMENT VEHICLES

Mr. Norris advised that Dr. Marek, St. Mary's County Health Department, has requested the Department of Public Works to provide preventative maintenance for the Health Department's vehicles on a reimbursable basis. Mr. Norris stated that his department would like to try it on an experimental basis. He stated that a revolving account would be established so that the County is fully reimbursed for salaries, materials and some level of profit.

Commissioner Dean moved, seconded by Commissioner Sayre, to accept Mr. Norris' recommendation to provide this service on an experimental basis. Motion carried.

DEPARTMENT OF RECREATION AND PARKS

Present: John Baggett, Director

1) PROGRAM OPEN SPACE
HENDERSON PARK

Mr. Baggett presented a Program Open Space Grant Application for repaving of existing double tennis court and hard surface court for the Commissioners' approval.

Commissioner Dean moved, seconded by Commissioner Sayre, to authorize Vice-President Millison to sign the Grant Application. Motion carried.

2) WATERWAY IMPROVEMENTS GRANT APPLICATIONS

Mr. Baggett presented the following Waterway Improvements Grant Applications for the Commissioners' approval (funds would not be available until next July):

Swann's Public Boat Launching Ramp

In the amount of \$25,00 to surface treat parking lot at Swann's public boat launching ramp, and to asphalt a strip of the parking lot starting at the bulkhead and proceeding back toward the center.

Breton Bay Park

In the amount of \$25,000 to construct a pier and asphalt the parking lot at the Breton Bay Park.

The Commissioners gave their concurrence to approve and sign the referenced grant applications.

COUNTY ADMINISTRATOR ITEMS

Present: Joseph O'Dell, Director, Budget & Data Services
(on behalf of County Administrator)

1) GREAT MILLS CENTER (REQUEST FOR "FAST TRACK")
STSP 86-1357

(Commissioner Millison did not participate.)

Mr. O'Dell presented a memorandum dated August 14, 1986 from the Office of Planning and Zoning advising that the applicant for the referenced site plan has requested "Fast Track" review process. A lease has been signed by the applicant and a U.S. Government representative calling for occupancy by December 1.

The Office of Planning and Zoning has indicated that there would be no difficulty in designating this project for "Fast Track" review.

Commissioners Dean and Sayre gave their concurrence to designate the project for "Fast Track" review.

2) ZONING AMENDMENT RESOLUTION NO. Z87-11
JOSEPH ABEL CLARKE - ZONE #85-0171

(Application to rezone approximately eleven acres of land off Abell's Wharf Road from R-1, Rural Residential, to CM, Commercial Marine. The property is located in the Third Election District, Tax Map 8, Block 4, Parcel 204 and part of Parcel 123.)

The Commissioners having conducted a public hearing and held subsequent discussion, Commissioner Sayre moved, seconded by Commissioner Dean, to approve and sign Zoning Amendment Resolution NO. Z87- GRANTING the referenced zoning request from R-1 to CM.

3) ZONING AMENDMENT RESOLUTION NO. Z86-12
TEXT AMENDMENT TO ZONING ORDINANCE (SLAUGHTERHOUSE)

The Commissioners having conducted a public hearing and held subsequent discussion, Commissioner Dean moved, seconded by Commissioner to approve and sign Zoning Amendment Resolution No. Z86-12 relative to slaughterhouses. Motion carried.

4) FIRE TAX
ELECTION BALLOT

Mr. O'Dell advised that the State Elections Office has inquired whether local jurisdictions had any items to be put on the local referendum. He stated that the St. Mary's County Fire Board had requested the placement of the question on the election ballot by district for a Fire Tax (1, 2, 3, 4, 5, 6, 7, and 9 Districts).

Commissioner Dean moved, seconded by Commissioner Sayre, to forward letter to the St. Mary's County Election Board authorizing the placement on the ballot the referendum question relative to a Fire Tax in each but the 8th Election District. Motion carried.

5) TRUANCY PREVENTION GRANT
ST. MARY'S PUBLIC SCHOOLS

On behalf of St. Mary's Public Schools, Mr. O'Dell presented the Truancy Prevention Grant Application in the amount of \$26,000. Total amount is \$32,000, with \$6,000 to come from Public Schools.

Commissioner Sayre moved, seconded by Commissioner Dean, to approve and sign said Grant Application. Motion carried.

6) TOURISM GRANT AGREEMENT
DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT

On behalf of the County's Department of Economic & Community Development, Mr. O'Dell presented a Tourism Grant Agreement in the amount of \$7,000 for various promotional activities.

Commissioner Sayre moved, seconded by Commissioner Dean, to approve and authorize Commissioner President Aud to sign the Grant. Commissioner Millison abstained. Motion carried.

7) WALDEN/SIERRA GRANT APPLICATION

Mr. O'Dell presented the following FY '87 Grant Applications for consideration by the Board:

- a) Walden/Sierra In-Service House (Residential Care) in the amount of \$89,088;
- b) Walden/Sierra Inc. (Walden Counseling Center Outpatient Clinic Services) in the amount of \$154,741.

Commissioner Sayre moved, seconded by Commissioner Dean, to approve and sign the referenced grants to be submitted to the Department of Health and Mental Hygiene. Motion carried.

8) STATE-OWNED EXCESS LAND

Mr. O'Dell presented correspondence dated August 11, 1986 advising that excess land containing approximately 0.28 acres located on the northside of Md. Rt. 5 west of Chingville Road will be offered for sale at fair market value and inquiring if St. Mary's County had any interest in the property.

The Commissioners deferred making a decision until a later date.

9) REVISED AGREEMENT
SHERIFF'S DEPARTMENT RETIREMENT SYSTEM

Mr. O'Dell advised that a revised Agreement by and between Employees Retirement System of the State of Maryland and Pension System for Employees of the State of Maryland and the Board of County Commissioners of St. Mary's County in the amount of \$600,738 for withdrawal from the State system and transfer to a local retirement system.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and sign the revised Agreement. Motion carried.

10) RESOLUTION NO. 86-20
TRANSFER OF ST. MARY'S COUNTY NURSING HOME, INC.
PROJECT TO BUILDING AUTHORITY COMMISSION

Mr. O'Dell presented the referenced Resolution relative to changes regarding changes relative to the Nursing Home project, dissolution of St. Mary's Nursing Home, Inc., and assumption of liability by the Board of County Commissioners.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and sign Resolution No. 86-20 as set forth above. Motion carried.

11) ST. MARY'S COUNTY AIRPORT
PASSENGER TICKET SUBSIDY

Mr. O'Dell advised that the Commissioners needed to formalize fiscal procedures regarding their decision relative to subsidizing the passenger tickets for Atlantic Airways at the County Airport. He inquired whether it was to be an appropriated item or paid by revenues and creating a "letter of credit" between the Airport Commission and County Commissioners. Mr. O'Dell recommended that the revenues come to the County and that the subsidy be an appropriated item out of the budget.

After discussion Commissioner Dean moved, seconded by Commissioner Sayre, to accept Mr. O'Dell's recommendation. Motion carried.

12) BUDGET AMENDMENTS

Mr. O'Dell presented the following Budget Amendments for the Commissioners' approval with justifications as indicated:

- a) No. 86-54
Various Departments

Justification: To adjust specific amounts based on Commissioner action or need to expend funds to maintain existing services.

- b) No. 86-55
Various Departments

Justification: To adjust internal accounts during fiscal year ending 1986.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve Budget Amendments No. 86-54 and No. 86-55. Motion carried.

- c) No. 87-03
Public Works
Recreation and Parks
Board of Education

Justification: To establish carry-forward capital project balances from FY '86 to the FY '87 Capital Budget including encumbrances as a part of the reservation against fund balances.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and sign Budget Amendment No. 87-03. Motion carried.

- d) No. 87-04
Various Spending Units

Justification: To provide budget authority to departments based on encumbrances unliquidated at year end in the General Fund for FY '86.

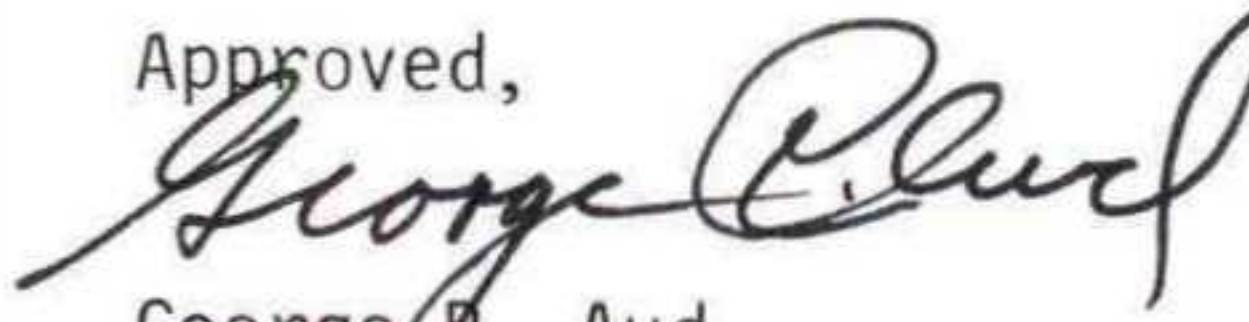
Commissioner Dean moved, seconded by Commissioner Sayre, to approve and sign Budget Amendment No. 87-04 Motion carried.

POTOMAC SANDS MOBILE HOME PARK

Commissioner Sayre stated that there was a proposal for a trailer park in the vicinity of Oakwood Lodge, and some citizens from the area would like to come before the Board of present a petition. The Commissioners agreed that the item be placed tentatively on the agenda for next week.

ADJOURNMENT

The meeting adjourned at 12:40 p.m.

Approved,

George R. Aud
President