

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, October 28, 1986

Present: Commissioner J. Patrick Jarboe, M.D., President
Commissioner Larry Millison, Vice-President
Commissioner W. Edward Bailey
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

(Commissioner Ford L. Dean was not present at beginning of meeting.)

CALL TO ORDER

The meeting was called to order at 9:10 a.m.

APPROVAL OF MINUTES

Commissioner Sayre moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners meeting of Tuesday, October 21, 1986 as submitted. Motion carried

APPROVAL OF BILLS

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

SHERIFF'S DEPARTMENT
PURCHASE OF TWO-WAY RADIOS

Present: Lt. Gene Pellillo, Sheriff's Department
Paul Raley, Director, Purchasing & Logistics

The referenced individuals appeared before the Commissioners to present the bid tally sheet for the purchase of eleven police two-way radios for the Sheriff's Department and recommended awarding the bid to Motorola in the amount of \$46,833.93.

Commissioner Sayre moved, seconded by Commissioner Millison, to accept the recommendation as set forth above. Motion carried.

REFUNDING BOND ISSUE

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

Mr. O'Dell advised that Paul Barber (St. Mary's Hospital), Larry Petty (Metropolitan Commission) and he have reviewed the proposals and recommended selection of the following relative to the Refunding Bond Issue for St. Mary's Hospital and the Metropolitan Commission:

Bond Counsel - Piper & Marbury
Underwriter - Alex Brown & Sons
Financial Advisor - Baker, Watts & Company

Commissioner Millison moved, seconded by Commissioner Sayre, to accept the referenced recommendation. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) CONSTITUTIONAL AMENDMENT
COUNTY GOVERNING BODIES

The County Administrator presented the Questions and Amendment Summaries for the November 4 referendum and noted that Question No. 3 repeals the requirement that county commissioners and council members be elected at large by the voters of the entire county and permits election by districts.

Mr. Cox suggested that the news media address the issue over the next few days so that the public will be aware of this referendum item.

2) PERSONNEL

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

a) Stormwater Management Inspector I
Office of Planning and Zoning

Memorandum dated October 28, 1986 from Personnel Officer recommending the selection of Fred A. Kless to the Stormwater Management Inspector I, Grade 9, effective 11/3/86.

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

b) Sheriff's Department Personnel

Memorandum dated October 27, 1986 from Personnel Officer recommending the promotion of the following candidates effective November 3, 1986:

Phillip Cooper to Sergeant, Grade 14-5
Robert Hall to Corporal, Grade 13-5
George A. Delozier, Jr. to Corporal, Grade 13-5
David D. Zylak to PFC, Grade 12-1

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

3) CORRESPONDENCE TO NURSING HOME BOARD

The County Administrator presented correspondence addressed to the Nursing Home Board in response to September 26 and October 15 correspondence. The letter addresses the following issues:

a) That the Commissioners agree with the Nursing Home Board that the change of name from St. Mary's Nursing Home to St. Mary's Nursing Center more accurately reflects the functions and activities of the facility and on October 8 approved the change.

b) That the Commissioners reserve judgment on the Medical Adult Day Care Program until the current space utilization study is completed.

The Commissioners agreed to sign and forward the referenced letter.

NAMING OF NURSING HOME

Commissioner Millison moved, seconded by Commissioner Sayre, to name the nursing home the Richard D. Arnold Nursing Home. The Commissioners agreed to table the motion until there is more discussion.

MD. RT 5 (CHARLOTTE HALL)

Present: John Norris, Director, Department of Public Works

Commissioner Millison advised that citizens have contacted him concerning the difficulty the Amish buggies have in negotiating the turn from Md. Rt. 5 northbound lane to the southbound lane of Rt. 5.

Mr. Norris indicated that the width of the crossover should be reduced to a typical standard and suggested that authorization be given to the President of the Board to State Highway Administration requesting an analysis of the situation. The Commissioners requested Mr. Norris to prepare correspondence for signature of the President of the Board.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) BIDS ON PURCHASE OF ROCK SALT
WINTER SEASON - 1986 - 1987

Mr. Norris presented a bid tally sheet for the purchase of salt for the 1986 - 1987 winter season and recommended that the be awarded to Cargill Salt Division in the amount of \$37.72 per ton.

Commissioner Millison moved, seconded by Commissioner Bailey, to award the bid as recommended. Motion carried.

2) SNOW REMOVAL RENTAL RATES
PROJECT NO. SM 87-2-1

Mr. Norris presented the rental rates for snow removal for FY '87 and stated that the County employs approximately 16-18 contractors for this project. He stated that the County has consistently followed the rates used by SHA.

Commissioner Bailey moved, seconded by Commissioner Sayre, to accept the rates as presented. Motion carried.

3) DUKEHARTS CREEK DREDGING PROJECT

Mr. Norris reviewed correspondence in which the Department of Natural Resources advised that it has completed a hydrographic study and has determined that approximately 1,200 cubic yards of silted material will have to be dredged. Mr. Norris stated that the County will be responsible for the plans, specifications and permits.

4) ST. ANDREWS LANDFILL EXPANSION

Mr. Norris requested the Commissioners to award the contract in the amount of \$11,590 to J. R. McCrone for the topographical and boundary survey for the St. Andrews Landfill expansion in preparation for the Board of Appeals hearing.

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

5) PUBLIC WORKS AGREEMENT
WILDEWOOD TECHNOLOGY PARK

Mr. Norris presented a Public Works Agreement dated October 17, 1986 by and between Wildewood Builders, Inc. and St. Mary's County guaranteeing the completion of Pecan Court in the Wildewood Technology Park by October 17, 1987. The Agreement is backed by a Letter of Credit in the amount of \$39,900.

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

6) STATE OFFICE BUILDING

Mr. Norris provided a status report of the state office building construction project, which is being performed by the Building Authority Commission using project revenue bonds to design and build the project. He stated that the project is anticipated to go out for bids in August of 1987 with construction award some time in the latter part of September or early October.

(Commissioner Millison left meeting - 9:50 a.m.)

7) PEGGS ROAD EXTENDED

Mr. Norris reviewed with the Commissioners the proposed plans for Peggs Road extended and stated that he plans to review the alignment with adjacent property owners and requested directions from the Board as to whether there would be a need for additional public meetings in the future. The Commissioners deferred a decision until a later date.

(Commissioner Dean entered the meeting - 10:30 a.m.)

(Commissioner Millison returned to the meeting 10:30 a.m.)

GREEN HOLLY SCHOOL

Present: Joseph McDevitt, Spokesman for Green Holly Parents
Representatives of Green Holly Parents Association

Mr. McDevitt, on behalf of the Green Holly Parents, appeared before the Commissioners to request the Commissioners' assistance relative to keeping Green Holly School centralized as a special education school dedicated to serving the needs of the handicapped.

He stated that there are plans underway to integrate many Green Holly students into the regulation educational system and it is felt that these plans would decrease the school's population to a level which would no longer sustain the school as a special education center. He stated that the parents were also concerned that the Green Holly students, if integrated, would not be receiving the same level of services and facilities.

Mr. McDevitt and other parents expressed concern that there are currently indications that the plan is underway because special education improvements and positions are either not included in the budget or they are at a reduced level.

The Commissioners advised that they understood the parents concern and would discuss the matter with the Superintendent of Schools.

PUBLIC HEARING
ARKO AQUACULTURE LIMITED PARTNERSHIP
ECONOMIC DEVELOPMENT REVENUE BONDS

Present: Joseph Mitchell, Director, Economic & Community Dev.
David W. Morgan, Economic Development Coordinator
Joseph Densford, Assistant County Attorney
Ulysses Montgomery, Applicant
David Funk, Bond Counsel for Applicant

The Commissioners conducted a public hearing on an inducement resolution for Arko Development Limited Partnership for the issuance of economic development revenue bonds in an amount not to exceed \$5,000,000. The proceeds of the sale of the bonds will be used for the purpose of financing an aquaculture production, processing and marketing facility on approximately 500 acres of land. Mr. Montgomery gave a brief overview of the project and stated that all or a portion of the following sites may be used:

- 1) Hewins Farm, located off of Bull Road, approximately one mile east of Md. Rt. 243.
- 2) Aquafood International, Inc. site at Piney Point, located off of Md. Rt. 249.
- 3) Medley Neck Farm at Posey's Bluff, located off Breton Beach Road (Md. Rt. 244) approximately five miles south of Leonardtown.

Mr. Montgomery stated that he had a purchase agreement for the Hewins property.

During the question and comment period, Mr. Morgan explained that if the Commissioners approve the Inducement Resolution for this project, the State would have to be petitioned for state-wide contingency funds.

Relative to the State's possible use of the Aquafood site for an oyster hatchery, Mr. Mitchell explained that Mr. Montgomery has been working closely with DNR in that the State is looking for other uses of the property.

After discussion, Commissioner Millison moved, seconded by Commissioner Dean to approve and sign the Inducement Resolution and Agreement to Issue Bonds for Arko Development Company. Motion carried.

During discussion of the motion, Commissioner Dean stated that the approval of these documents in connection with the Economic Development Revenue Bonds was not in any way an endorsement for or against any particular site, and that the site appropriateness would have to be addressed at the site plan stage.

PROCLAMATIONS

- 1) National Epilepsy Month

Present: Ms. Newbrough

The Commissioners presented the referenced Proclamation designating the Month of November as National Epilepsy Month.

- 2) National Hospice Month

Present: Nancy Royalty
Karen Wharton

The Commissioners presented the referenced Proclamation designating the Month of November as National Hospice Month.

3) National Diabetes Month

Present: Helen Brown

The Commissioners presented the referenced Proclamations designating the Month of November as National Diabetes Month.

4) GREAT AMERICAN SMOKEOUT DAY

Present: Delores Rose

The Commissioners presented the referenced Proclamation designating November 20, 1986 as the Great American Smokeout Day.

5) Youth Appreciation Week

Present: Elliott Lawrence
Chip Gateau
John Smith
Rick Raley
Ron Emory
Kenny Demment

The Commissioners presented the referenced Proclamation designating the week of November 9-15, 1986 as Youth Appreciation Week in St. Mary's County.

OFFICE ON AGING - BUS TRANSPORTATION

Present: Billye McGaharn, Director, Area Agency on Aging

Mrs. McGaharn appeared before the Commissioners to present options regarding the purchase of two buses for the Office on Aging. She stated that the Board had previously discussed with her the leasing of a bus for the transportation system for a four-month trial period. She advised that CEC (Columbia Equipment Company) has a lease/purchase arrangement, and the base leasing arrangement is for 24 months.

Mrs. McGaharn reviewed another option - the pricing option for the outright purchase of two vehicles: Unit 1 - a 1985 Ford/Terra Transit (regular bus); Unit 2 - a 1987 Ford/Terra Transit (Handicapped Bus) which would replace the old Champion vehicle. The outright purchase price of the two vehicles are as follows: Unit 1 - \$39,500; Unit 2 - \$43,807. Mrs. McGaharn advised that she may be able to get a grant for the handicapped vehicle under Section 18 (Mass Transit) or an SSTAP Grant.

During discussion the Commissioners questioned the advisability of leasing a bus (Unit #1) for a 24-month period because of the possibility of grant funds not being available and because there is no guarantee of the success of the program.

After discussion the Commissioners agreed to discuss the matter at a future meeting.

COMPREHENSIVE PLAN UPDATE

Present: David Hamme, Wallace, Roberts & Todd
John Sherwood, "
Antoinette Seymour, "
Diana Mendes, "
Frank Gerred, Director, OPZ
Jeff Jackman, OPZ
Interested Citizens

The referenced representatives of Wallace, Roberts, & Todd, consultants, appeared before the Commissioners to present a briefing on the update of the Comprehensive Plan.

Mr. Hamme went on to give a progress report of his firm's activities in the update and that they would be working with the citizen advisory committee. He stated that a questionnaire will be distributed throughout the County and published in the local papers relative to benefits, advantages and quality of life in St. Mary's County.

Ms. Seymour reviewed the displayed maps which depicted the existing environmental conditions of the county (land, soils and waters).

Mr. Sherwood discussed the economy of the County including population and labor statistics and reported that the expansion of Navy base contractors is an important factor in the County.

After the briefing the consultants advised that this presentation will be presented at the first meeting of the Comprehensive Plan Advisory Committee which will be held this evening at Leonardtown High School. There will be a series of meetings after which public hearings will be held in the community.

(Commissioner Millison left meeting 2:15 p.m.)

OFFICE OF PLANNING AND ZONING

Present: Frank Gerred, Director

1) SITE PLAN APPROVAL
STSP 86-0748 - MATTINGLY COMMERCIAL BUILDING

(Requesting site plan approval for a commercial building on Lot 5, Section II, St. Mary's Industrial Park. The property contains 1.9 acres, Sixth Election District; shown on Tax Map 34, Block 2 as part of Parcel 55, zoned I-1, Industrial.)

Mr. Gerred presented the referenced site plan which has been recommended for approval by the Planning Commission and staff.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Jarboe to sign said site plan. Motion carried.

2) INNOVATIVE AND ALTERNATIVE SEWAGE DISPOSAL SYSTEMS

Mr. Gerred advised that because of the delay in getting the contract relative to the I & A systems, the University of Maryland is requesting that the delivery date for the study be moved forward a month.

The Commissioners gave their concurrence.

3) STATE SURPLUS PROPERTY
PROJECT NO. SM 414-013-570

Mr. Gerred advised of excess state property located on Md. Rt. 235, 0.8 miles north of Hollywood to St. Andrews Church Road and inquired whether the Commissioners were interested in the property as a "Park and Ride."

The Commissioners directed Mr. Gerred to advise the State that the County was not interested in the property at this time.

COMPREHENSIVE PLAN ADVISORY COMMITTEE

Commissioner Dean moved, seconded by Commissioner Bailey, and unanimously carried, to appoint the following individuals to the Comprehensive Plan Advisory Committee:

BAILEY, Thomas E. Jr.	ERRINGTON, Jeffrey
BOHANAN, John L. Jr.	GASS, Glenn G.
BROWN, Elmer J	GOLDSBOROUGH, James M.
BURCH, F. Elliott, Jr.	GORSUCH, Albert E. (Buck)
CARROLL, Joseph B. Jr.	GOUGH, Francis B.
HESSER, Paul W.	GUENTHER, Daniel J.
COFER, Elinor	HANKS, Norris Jay
COLLEARY, John (Jack) E.	HARRIS, Michael F.
CONKLIN, Kenneth James	HIGGS, William P.
CORNELLIUS, Douglas H. (Butch)	HERNDON, Catherine R.
DILLOW, Mark G.	HOLLAND, Melvin
DORSEY, Philip H. III	HORTON, John
LANCASTER, Harry S., Jr.	REEVES, George B.
MARSH, James T.	RICHARDSON, Julia H.
MESSICK, Betty	RIDGELL, J. Scott
MULFORD, Claire B.	SULLIVAN, Francis A.
O'Brien, Larry	SULLIVAN, George M.
OWENS, James R.	WATHEN, Kenneth L.
OWENS, Mary R.	WETTENGEL, Edmund W.
PARADIS, John B.	WHALEN, Eleann M.
MC WILLIAMS, Frederick J.	WHETSTINE, Mary L.
MORA, Jimmie A.	WHITE, Patricia S.
MOYER, William C. Ph D	WHITSON, Michael J.
RAFTERY, Margierite (Peg) C.	WAXMAN, Robert E.
RAUM, Walter	MEATYARD, Frederick III
REDMOND, Herbert N., Jr.	FITRELL, Stuart J.
RUSSELL, Francis J.	KEISER, Donald W.
FITZGERALD, William Jr.	
McFADDEN, John	
DAUGHERTY, John (Jack)	
BUTLER, David	

LEXINGTON PARK TRANSPORTATION PLAN

Present: Keith Fairfax, Transportation Task Force
Frank Gerred, Director, OPZ (Task Force)
John Norris, Director DPW (Task Force)

The referenced members of the Lexington Park Transportation Plan Task Force appeared before the Commissioners to present recommendations for funding the plan. One of the recommendations is that a Highway Fund be established to fund new road construction and major reconstruction of existing roads throughout the County with revenue to come from various sources. A copy of the Task Force's recommendations are on file in the Commissioners' Office.

After discussion, the Commissioners advised that a public hearing would have to be scheduled in the near future to discuss the funding issue.

Mr. Gerred indicated that after the public hearing the Commissioners should give consideration to adopting a new Impact Fee Resolution and further to make an official request to the legislators relative to a change in the inventory tax.

CORRESPONDENCE TO DEPARTMENT OF TRANSPORTATION

Relative to discussion with Mr. Norris at the October 14 meeting, the Commissioners agreed to sign and forward correspondence to the Department of Transportation listing additional items to be considered for future construction programs.

ETHICS ORDINANCE AMENDMENTS


Commissioner Jarboe referred to the proposed amendments to the County's Public Ethics Ordinance and suggested that the amendment relative to conflict of interest be changed to require the official to go to the Ethics Commission ahead of time and get its approval prior to voting on a matter.

The Commissioners agreed to address this change to the amendment during the public hearing process.

ADJOURNMENT

The meeting adjourned at 3:05 p.m.

Approved,


J. Patrick Jarboe
President