

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, December 9, 1986

Present: Commissioner J. Patrick Jarboe
 Commissioner W. Edward Bailey
 Commissioner Ford L. Dean
 Commissioner David F. Sayre
 Edward V. Cox, County Administrator
 Judith A. Spalding, Recording Secretary

(Commissioner Millison was not present).

CALL TO ORDER

The meeting was called to order at 10:05 a.m.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Sayre, to approve the minutes of the Commissioners' meeting of Tuesday, December 2, 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) OFFICE ON AGING GRANTS

The County Administrator presented the following grants for review and consideration and approval by the Board:

- a) MASS TRANSIT ADMINISTRATION
PUBLIC TRANSPORTATION
OPERATING ASSISTANCE GRANT AGREEMENT

Project No. MD 18-X002, for the period July 1, 1986 through June 30, 1987, at an estimated net project cost of \$45,076.

- b) REVISED AREA AGENCY ON AGING PLAN

Area Plan for Programs on Aging for the period October 1, 1986 through September 30, 1987; budget revised to incorporate additional Older Americans Act and associated local match, state match, contributions and USDA funds. Federal funding is increased by \$32,193 to \$146,974.

- c) GATEWAY II

Interagency Committee on Aging Services; Gateway II Contract with St. Mary's County for period December 25, 1986 to June 30, 1987 for the provision of long term care services for the elderly and for the provision of gapfilling and case management services.

Commissioner Dean moved, seconded by Commissioner Bailey, to approve and authorize the President of the Board to sign the referenced Grants as presented. Motion carried.

2) APPOINTMENTS

Commissioner Bailey moved, seconded Commissioner Sayre, to make the following appointments. Motion carried.

350th Anniversary Committee

Christine C. Cihlar (St. Mary's College Rep.)

Mental Health Alcoholism Drug Abuse Advisory Council

Katherine Spalding (Freedom Landing Rep.)

Comprehensive Plan Advisory Committee

Roscoe Alexander (Longview Beach Rep.)

3) BAKER, WATTS AND COMPANY
PARTICIPATION AGREEMENT
BOND REFUNDING ISSUE

The County Administrator presented correspondence dated December 3, 1986 from Baker, Watts, and Company advising that they had entered into a financial advisory service agreement in connection with the Bond Refunding for the hospital, Metropolitan Commission and public facilities. In order for that firm to participate in the selling group for the sale of the bonds, the Commissioners must sign an Agreement.

Commissioner Dean moved, seconded by Commissioner Sayre, to sign a copy of the letter from Baker, Watts, and Company indicating the County's agreement for them to participate in the refunding issue. Motion carried.

4) RESOLUTION NO. 86-28
BUSHWOOD WHARF

The Commissioners have conducted a public hearing and held subsequent discussion, the County Administrator presented Resolution No. 86-28 setting forth the particulars of the Bushwood Wharf issue and stating that the Board of County Commissioners will undertake an immediate search to find a replacement site of adequate size to serve the public needs subject to the following understandings:

a. That until such time as a replacement site is found and a replacement facility is developed, the present Bushwood Wharf property shall continue at its present usage, with the County enforcing the public's orderly use thereof.

b. That upon the establishment of a replacement facility, the Bushwood Wharf property shall be returned by quit claim deed to Robert E. Pogue and Lucy L. Pogue, or their heirs, successors and assigns. The property to be so returned will be determined by survey and mutual agreement of three parties; namely, Robert E. Pogue and Lucy L. Pogue, or their heirs, successors and assigns; and the County Commissioners. The conveyance of a portion of said property to James Carroll Boyd shall not be precluded, if mutually agreed to by the same three parties.

c. That in the event mutual agreement as to the boundaries of said property cannot be reached, the matter of the boundaries shall be referred to a court of competent jurisdiction for resolution. The court shall be asked to designate which portion of the Bushwood Wharf property shall be conveyed to Robert E. Pogue and Lucy L. Pogue or their heirs, successors and assigns, and which, if any, shall be conveyed to James Carroll Boyd, or his heirs, successors and assigns.

Commissioner Bailey moved, seconded Commissioner Dean, to approve and sign said Resolution. Motion carried.

5) PERSONNEL
EDUCATIONAL ASSISTANCE

The County Administrator presented a memorandum dated December 9, 1986 recommending approval of a request from the Director of Public Works for financial aid for a Human Relations and Leadership course for Sandra Bean.

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

OFFICE OF PLANNING & ZONING

Present: Frank Gerred, Director

1) EXPLORATORY WELL
CHARLOTTE HALL

Mr. Gerred presented correspondence addressed to Dr. Harold Hansen of the Maryland Geological Survey for Commissioner Jarboe's signature expressing appreciation for his presentation on the groundwater availability in the Charlotte Hall are and requesting further investigation of the availability of state and federal monies for an exploratory well to explore the availability of water in the lower aquifers.

Commissioner Dean moved, seconded by Commissioner Bailey, to authorize Commissioner Jarboe to sign the letter. Motion carried.

2) STSP #86-1649
WILDEWOOD PROPERTIES

Mr. Gerred presented the referenced industrial site plan located in Wildewood, Lot 11, for a warehouse and office.

Commissioner Sayre moved, seconded by Commissioner Bailey, to approve and authorize Commissioner Jarboe to sign the site plan. Motion carried.

3) RESOLUTION No. Z86-19
ZONE #85-0173
(FLOATING HOMES)

Mr. Gerred presented the referenced Proclamation relative to a text change to the Zoning Ordinance concerning the prohibition of floating homes in St. Mary's County.

Commissioner Sayre moved, seconded by Commissioner Dean, to approve and sign Resolution No. Z86-19. Motion carried.

4) AGREEMENT FOR EXCHANGE OF PROPERTY
MARYLAND ROCK (MEDLEY'S NECK)

Also present: Joseph Densford, Assistant County Attorney
Mr. Greenwell, property owner

Mr. Gerred presented an Agreement with Maryland Rock and its parent company, Florida Rock, for the exchange of County-owned $\frac{1}{2}$ acre with a public boat ramp for a 5+ acre waterfront site as well as an agreement that the existing public landing and access to it will be maintained until the new facilities at the 5+ acre site are installed as well as the road to the site. Mr. Gerred advised that the corporation operating the gravel operation has determined it would be in their best interest to get the public landing out of the middle of their operation. He stated that the Director of Recreation and Parks and the Planning Office recommend the County accept this offer. He stated that the Commissioners would have to go through a public hearing process in order to abandon Abell's Wharf Road and to trade the public landing.

During discussion several issues were raised regarding the Agreement and the Commissioners directed that more information be obtained and questions regarding the public hearing process, indemnification and oyster bed lease be resolved prior to a decision being made.

EXECUTIVE SESSION

Present: Harris Sterling, Director of Finance
Edward V. Cox, County Administrator

Commissioner Dean moved, seconded by Commissioner Sayre, to meet in Executive Session in order to discuss a matter of Personnel. Motion carried. The Session was held from 1:25 a.m. to 11:35 a.m.

COMMENDATION

Present: Rev. Charles R. C. Daugherty

The Commissioners presented a Commendation to Rev. Daugherty recognizing the outstanding services to the community.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

- 1) BID OPENINGS
FLAT BED TRUCK
DIESEL, TRACK FRONT-END LOADER

Mr. Norris presented the bid tally sheet for the referenced projects and recommended awarding the bids as follows:

Project No. SM 87-5-2
Flat Bed Dump Truck

Bell Motor Company at \$45,194 less trade-in of \$11,194
(net cost - \$34,000)

Project No. Sm 87-5-4
Diesel, Track Front-End Loader

Alban Tractor Co. at \$123,456, less trade-in of \$85,000,
(net cost - \$38,456)

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

- 2) EASEMENT AGREEMENTS
STORMWATER MANAGEMENT DRAINAGE SYSTEM
ST. MARY'S NURSING CENTER PROJECT

Mr. Norris advised that an easement is needed from an adjacent property owner for the construction of a stormwater management system which will be part of the bid package going out in January.

Therefore, Mr. Norris presented and Easement Agreement by and between James W. Mattingly and Elizabeth O. Mattingly and the Board of County Commissioners granting a temporary 30 foot easement for the construction of a stormwater management pipeline and a permanent 20 foot easement for the maintenance and repair of said pipeline.

Commissioner Dean moved, seconded by Commissioner Sayre, to authorize Commissioner President Jarboe to sign the Easement Agreement as presented. Motion carried.

3) TANNERS CREEK SHORE EROSION DISTRICT

Mr. Norris advised that in 1973 St. Mary's County established a shore erosion control district at Tanners Creek. Department of Natural Resources funded the project with interest-free money and by agreement St. Mary's County collects the money and pays the loan over a 25-year period. Any maintenance needed to the stone revetment is to be performed by the County and charged to the District. Mr. Norris indicated that there has been no need for maintenance since the project started; however, the storm this past year did about \$5,000 damage. DNR is requesting the County to honor its commitment to make minor repairs, and Mr. Norris stated that the County does not have a policy for the manner in which the repairs are to be funded and collected. He further pointed out that there is no interest-free money available. Mr. Norris advised that the Tanners Creek Association is requesting interest-free money and that it be applied to the 26th year. Other alternatives were discussed and Mr. Norris was directed to develop a recommended policy and return to the Board.

4) TRAFFIC SIGNALIZATION INSTALLATION

Mr. Norris requested that a source of funds be identified for the installation of traffic signals. A source has been determined for the signal at Route 5 and Cedar Lane in Leonardtown which will be installed in the Spring of 1987; however, the Budget Director needs to identify a source for the traffic signals at the following locations:

Rt. 235 and Town Creek Drive (Estimated cost \$50,000;
County's share -\$25,000)

Md. Rt. 5 and Golden Beach Road
Md. Rt. 5 and Mohawk Drive
(Estimated Cost - \$50,000; 67%-33% cost sharing basis;
County's share - \$17,000 each)

After discussion the Commissioners directed that the Budget Director determine source of funds for these projects.

COX LONG & COLVIN
REQUEST FOR REIMBURSEMENT OF SERVICES

The County Administrator presented correspondence dated December 6, 1986 from Cox, Long & Colvin requesting reimbursement in the amount of \$6,500 for services performed beyond the scope of the audit performed by that firm.

Commissioner Bailey moved, seconded by Commissioner Sayre, to authorize payment to Cox, Long & Colvin in the amount of \$6,500 as requested. Commissioner Dean abstained.

LXINGTON PARK TRANSPORTATION PLAN

Relative to the handout presented at last week's meeting, Commissioner Dean reviewed the recommendations contained in his paper. He stated that he is in agreement to let the recommendations be deliberated in a careful and evaluative process by the new County Commissioners. Commissioner Dean indicated that he strongly supports the accomplishment of the transportation network in the Lexington Park area because of its importance to the County's infrastructure.

The Commissioners, by consensus expressed support for the recommendations and points contained in Commissioner Dean's paper and further recommended that the matter of revision to the Economic Impact Fee and the Recreation and Parks Fee and the connector fee be evaluated through the appointment of a committee to which appropriate industry people would be appointed.

EXECUTIVE SESSION

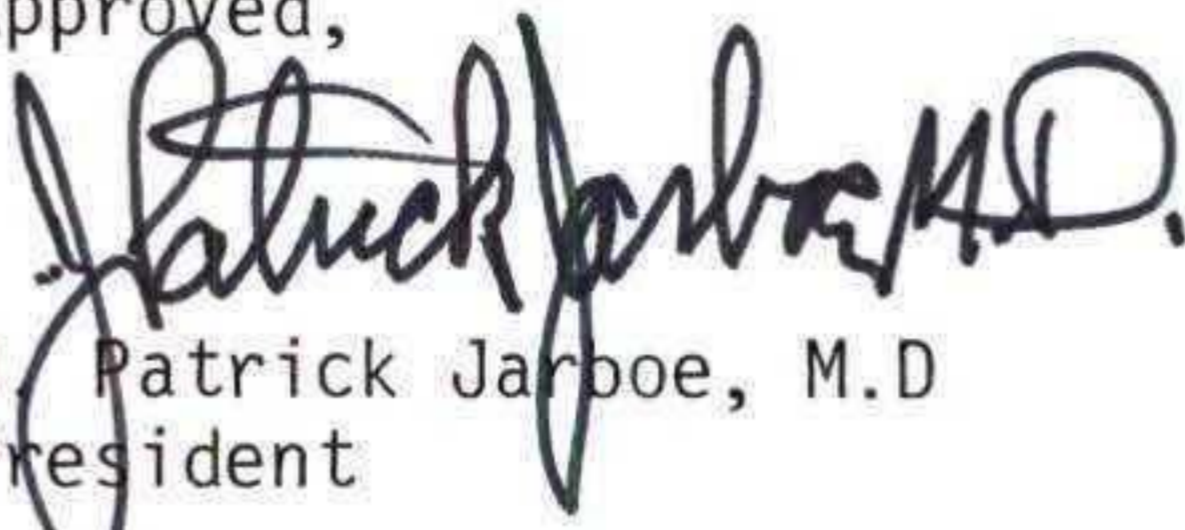
Present: Edward V. Cox, County Administrator

Commissioner Dean moved, seconded by Commissioner Sayre, to discuss a matter of Personnel. The Session was held from 12:10 p.m. to 1:30 p.m.

ADJOURNMENT

The meeting adjourned at 1:30 p.m.

Approved,



J. Patrick Jarboe, M.D.
President