

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, February 3, 1987

Present: Commissioner Joseph P. O'Dell, President
Commissioner W. Edward Bailey
Commissioner Robert Jarboe
Commissioner John G. Lancaster
Commissioner Rodney Thompson
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, January 13, 1987. Motion carried.

INTRODUCTION OF NEW DIRECTOR OF FINANCE

The County Administrator introduced Charles H. Wade, the new Director of Finance for St. Mary's County. Mr. Wade briefed the Commissioners on his background and advised that he would be available to them should they have any questions.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) SNOW REMOVAL PROGRAM
CORRESPONDENCE TO DEPARTMENTS AND EMPLOYEES

Relative to the recent snow storms, the County Administrator presented correspondence addressed to various departments and employees expressing the Commissioners' appreciation for their cooperative effort in the snow removal. The Commissioners agreed to sign and forward the letters.

2) PERSONNEL

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

a) Conversion to Merit Appointment
Department of Recreation and Parks

Memorandum dated January 23, 1987 from Personnel Officer recommending conversion of Gene L. Fenwick, Grounds Maintenance Foreman, Grade 7-1, from a contract to a merit position.

Commissioner Jarboe moved, seconded by Commissioner Lancaster to approve the conversion. Motion carried.

b) Promotion of Fiscal Clerk
Department of Public Works

Memorandum dated January 22, 1987 from Personnel Officer recommending the promotion of Adrienne Granger from Fiscal Clerk III, Grade 7, to Fiscal Clerk IV, Grade 8, in the Department of Public Works.

Commissioner Jarboe moved, seconded by Commissioner Bailey, to approve this promotion. Motion carried.

c) Request for Authority to Fill Position
Recording Secretary, Office of Planning and Zoning

Memorandum dated January 27, 1987 from Personnel Officer requesting authority to fill the Recording Secretary, Grade 7, position in the Office of Planning and Zoning, which was vacated by Anita Meridith on January 26, 1987.

Commissioner Thompson moved, seconded by Commissioner Bailey to approve this request. Motion carried.

3) BUDGET AMENDMENT NO. 87-24
DEPARTMENT OF PUBLIC WORKS

The County Administrator presented Budget Amendment No. 87-24 recommending for approval by the Budget Office with the following justification: To provide funding for employees Education/Training requests.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President O'Dell to sign the referenced Budget Amendment. Motion carried.

4) ST. MARY'S COUNTY CELEBRATION COMMITTEE (350TH)

The County Administrator presented correspondence from the Chairman of the referenced requesting that the County co-sponsor a County Officials' Day. It is proposed that all Counties would send a representative for a celebration on St. Clements Island where each would place a flag. After this ceremony there would be a celebration at St. Mary's City. In addition to the Commissioners' endorsement, the Committee is requesting support in the amount of \$1,000 from Maryland Association of Counties as a match for St. Mary's County's contribution.

Commissioner O'Dell noted that MACo, under the structure of its budget, may not be able to underwrite that amount.

After discussion the Commissioners directed the County Administrator to prepare correspondence to MACo requesting their participation in the celebration, and if possible allocate \$1,000 for this purpose. It was agreed that if MACo could not provide these funds that the Board would give consideration through a formal motion to provide an additional allocation for the event.

5) ST. MARY'S RYKEN - STUDENT ASSISTANCE TEAM

The County Administrator presented correspondence from the referenced group which was established to assist in combatting drug and alcohol abuse among the students. Therefore, Mr. Cox presented a response prepared for the Board's signatures expressing congratulations for this effort and. Further, the Director of Community Services has responded offering that department's assistance. The Commissioners agreed to sign and forward the letter.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Bailey moved, seconded by Commissioner Jarboe, to meet in Executive Session in order to discuss a matter of Personnel. Motion carried. The Session was held from 9:45 a.m. to 10:15 a.m.

REPORT OF STATE HIGHWAY PROJECTS

Present: Edward Meehan, District Engineer
Larry Elliott, Assistant Engineer for Traffic

The referenced representatives of State Highway Administration appeared before the Board to give a briefing on local highway projects, which are in two areas; major projects and special projects.

Mr. Meehan reviewed the major projects of the County, which require planning, environmental impact studies--a three to five year process. Projects are as follows: Leonardtown By-Pass, widening of Great Mills Road (MD. Rt. 246); widening of Chancellor Run Road (Md. Rt. 237). Mr. Meehan indicated that the Md. Rt. 237 project is not listed in SHA's priority project list. During discussion Mr. Meehan advised that any major project must be prioritized by elected officials (Commissioners and State Legislators) and submitted to SHA annually.

Mr. Meehan went on to explain the Special Projects program, which is a two-year program, and includes resurfacing and safety projects (traffic signalization, guardrails, grading, bridge deck replacement. Some of the resurfacing projects in the County are: Md. Rt. 234 (just completed); Md. Rt. 235 - North of Hollywood to Hillville; Md. Rt. 237 to Md. Rt. 246.

Mr. Elliott explained the traffic signalization projects planned for the County: Md. Rt. 236 and Md. 237; Route 5 and Mohawk Drive. Changes will be made to Md. Rt. 235 and 4 by next summer. With regard to the intersection of Md. Rt. 235 and Millstone Landing Road, the full funding of the installation of the traffic light will be the responsibility of the developer.

During discussion the Commissioners emphasized their desire to have the Chancellors Run Road project as a priority item by the State.

In conclusion Mr. Meehan mentioned that even if the proposed gasoline tax increase is approved, there would not be enough to fund all the roadway projects because of increased development. He suggested that the County may want to look at other urban counties to see what is being required of developers.

The Commissioners thanked the SHA representatives and advised that they would prepare correspondence listing priorities.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) SNOW STORM COSTS

Mr. Norris presented cost figures for the two recent snow storms which total \$108,376.14 and advised that there is an approximate shortfall of \$40,000. Mr. Norris requested authorization for identification of source of funds by the Director of Finance and that the President be authorized to approve the transfers totalling that amount.

The Commissioners agreed that payment must be made for the bills incurred; however, no transfer is to be made until a meeting with the Director of Finance, Mr. Charles Wade, concerning the status of accounts of all departments is made. the Board directed that Mr. Wade appear before the Board at next week's meeting.

2) SPECIAL TAXING DISTRICT
DUKE DRIVE IN PROSPECT HILL SUBDIVISION

Mr. Norris advised that the Public Informational Meeting had been held November 6 on the referenced project and requested authorization to proceed with the public hearing. A draft Ordinance has been prepared for adoption by the Board once the ten-day waiting period from the hearing has occurred.

The Commissioners agreed that Mr. Norris schedule a public hearing and directed that a capital improvement program be prepared for FY '88.

3) JAIL LOAN ACT

Mr. Norris requested authorization for Commissioner President O'Dell to sign a letter to the Legislative Delegation regarding submission of a Jail Loan Act for the 1987 Session.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to authorize Commissioner O'Dell to sign the letter. Motion carried.

4) SPACE OFFICE PROGRAM AND MASTER PLAN

Mr. Norris advised that FSI is currently under contract to perform the office space program and master plan for county agencies. Mr. Norris requested that the contract be extended in the amount of \$9,950 to perform the same services for the County's Board of Education. He indicated that there are sufficient funds in the project account and requested authorization for the President of the Board to sign the appropriate contract documents.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to extend the contract as requested. Motion carried.

5) EXISTING NURSING HOME FACILITY

Mr. Norris advised that the existing nursing home building should be ready for renovation by July of 1987. He indicated that FSI, the architectural/engineer, proposed for the facility to be used by the Health Department and discussed same with Dr. Marek. The Health Department concurs that the facility be renovated and used as proposed.

Therefore, Mr. Norris presented and requested approval of Budget Amendment No. 87-25 in the amount of \$2,824 which will provide sufficient funds to approve the design contract of FSI. The contract amount is \$52,824. In addition Mr. Norris requested authorization for the President to sign contract documents with FSI for the design of the existing nursing home facility.

During discussion Commissioner O'Dell inquired as to the projected use of the old Health Department once it is vacated to which Mr. Norris replied that it would most likely be designated for the County's Sheriff Department. Mr. Norris indicated that he and the County Administrator will be meeting with the architectural/engineer on Friday to discuss the space plan.

After discussion, Commissioner Jarboe moved, seconded by Commissioner Thompson, to approve and authorize the President to sign Budget Amendment No. 87-25 as requested above. Motion carried.

Commissioner O'Dell suggested that approval of the contract be withheld until next week when Health Department's and Sheriff Department's needs would be known.

6) ST. ANDREWS LANDFILL

Mr. Norris advised that St. Mary's County had executed an Option Agreement for approximately 55 acres of land adjoining the St. Mary's Landfill, heretofore known as the McLeod property. He indicated that the Option expired February 1, 1987, but had been extended by the property owner to February 13, 1987. Mr. Norris indicated that the Board of Appeals approved the Conditional Use of the expansion property for use as a landfill and that the soil borings conducted by the engineering firm of Gannett-Fleming Environmental Engineering, Inc. indicate that the property is suitable as a landfill.

Mr. Norris displayed plats and described the location of the property and its proximity to the existing landfill.

After discussion Mr. Norris requested that the Board authorize the President to execute the Option Agreement extension and authorize the payment of funds in the amount of \$149,600, which includes a \$10,000 deposit, for the purchase of the property.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to authorize Commissioner President O'Dell to sign the Option Agreement extension and to approve the payment of \$149,600. Motion carried.

7) CLEMENTS LANDFILL

Mr. Norris explained that operations at Clements Landfill will be at capacity by the summer of 1988 based on ground projections. He further explained that the State Health Department has recently submitted a revised permit for the existing operation at Clements that will dramatically impact the cost of that operation. He indicated that there was an additional 14 acres of property owned by St. Mary's County at that site that was not permitted for landfilling activities. The site was, up until a month ago, under design by Gannett-Fleming for use as expansion of the landfill.

Mr. Norris indicated that the recently approved regulations of the Maryland State Health Department have significantly changed the method and cost of operating a sanitary landfill. He explained that estimates were provided to the Board at their meeting with the Commissioners of Charles and Calvert Counties and that the cost of opening a landfill have risen from \$10,000 per acre to in excess of \$150,000 per acre. He indicated that he had requested Gannett-Fleming to provide estimates of their costs to analyze the economic feasibility of expanding the Clements Landfill under the new State regulations versus operating at St. Andrews and converting Clements into a transfer station. Gannett-Fleming's proposal to perform this work is \$4,200. Mr. Norris further explained that the contract with Gannett-Fleming for the design of the landfill was in the amount of \$58,240 and that these funds would be derived from that contract should the Commissioners' concur.

After considerable discussion, it was agreed that the matter would be deferred until next week.

NAVAL AIR STATION TOUR

At this time the Commissioners recessed the meeting and left for a tour of the facilities at the Naval Air Station.

RECONVENING OF MEETING

The meeting was reconvened at 6:30 p.m.

COMMUNITY SERVICES COORDINATION COMMITTEE
PRESENTATION OF REPORT

Present: Phebe Barth, Director, Community Services Coord. Committee
Belinda Anderson, Mental Health Clinic
Tom Brien, Developmental Center
Suzanne Camp, St. Mary's Hospital, Social Work
William Combs, Juvenile Services
C. W. Duncan, Tri-County Youth Services Bureau
Patricia Hawkins, Director, Walden Counseling Center
Ann Kovalcik, Community Services Coordinator
Jack Maddox, Alcoholism Clinic
Jim Mahoney, S.M.I.L.E.
William Marek, Deputy Health Officer
Byron Meek, Association for Retarded Citizens
Elizabeth Sally Raley, Co-Chairman, MHADAAC
George Smith, Director, St. Mary's Nursing Center
Jayne Sullivan, St. Mary's Public Schools
Michael Whitson, Tri-County Group Home

The referenced representatives of the Community Services Coordination Committee appeared before the Board to present a report on the history and function of the Committee. Ms. Barth introduced each of the members and advised that the purpose of the Committee is to act as a clearinghouse of information among the various related agencies and to analyze the information within each service area. Each of the agency representatives spoke on the role of their agency and explained the services provided.

Those in attendance were provided with a booklet setting forth the names of members and a description of each agency. A copy is on file in the Commissioners' Office.

In conclusion the Commissioners commended the Committee for the informative report, and Commissioner O'Dell requested that the Committee look at each agency's budget prior to submittal and offer recommendations to the Board concerning funding. Commissioner O'Dell further suggested that all requests for increases be prioritized to aid the Board in making fiscal decisions during budgetary deliberations.

In addition, Commissioner O'Dell suggested that when the booklet is updated that the various funding figures be included.

OFFICE OF PLANNING AND ZONING

Present: Frank Gerred, Director
Jeff Jackman, Planner

1) COMPREHENSIVE PLAN UPDATE

Mr. Gerred and Mr. Jackman appeared before the Board to present an update of the progress of the Comprehensive Plan Advisory Committee. The Committee has divided up into four subcommittees and will be submitting a report to the Commissioners. Mr. Jackman explained that the first step, of the Committee, which is almost concluded, has been data collection. The process includes compilation and description of economic and population data.

There will be a workshop with the Committee on February 21 at the Tech Center which will be the beginning of the discussion of the policy stage. It is hoped that the first draft of the Plan will be prepared by August.

Once the plan is drafted, it will be reviewed by the Planning Commission, after which it will be presented to the Commissioners for review and comment. If necessary, the draft will go back to the four subcommittees for additional work. Mr. Jackman advised that this process will continue until a final document is realized.

In conclusion Mr. Gerred advised that the consultants for the Plan, Wallace, Roberts & Todd, are scheduled to appear before the Board on February 17 and that he will be inviting the Planning Commission to attend.

2) CRITICAL AREAS PLAN

Mr. Gerred presented correspondence to the Board wherein OPZ recommends that the County request from the Critical Areas Commission a 180-day extension of submission of the local Critical Areas Program. He stated that this is allowed under Section 8-1089c of the Critical Areas Act and that the County may submit evidence that it is making reasonable progress in preparation of the program.

After discussion, Commissioner Jarboe moved, seconded by Commissioner Lancaster to authorize Commissioner President O'Dell to sign the letter. Motion carried.

3) LIVIBILITY CODE

Mr. Gerred advised that the State Legislature passed a bill requiring that a state-wide livability code go into effect January 1, 1989. He stated that OPZ has had meetings with the State Code Office to discuss this issue, and the State Task Force on Livability Code is having a seminar next week. Mr. Weber of the Permits Office will be attending. Mr. Gerred explained what the Code requires relative to inspection of rental units on a periodic basis, and advised that funds will be made available from the State to train inspectors, but not pay the salaries.

Commissioner O'Dell pointed out that an Affordable Housing Task Force had been established in 1985 through the Office of Economic and Community Development. He suggested that perhaps this committee would be the one to look into the impact of adopting a Livability Code, and that Mr. Mitchell be contacted to look at the best way to proceed.

4) ZONE #86-1761
TEXT CHANGES TO SUBDIVISION REGULATIONS

Mr. Gerred presented a packet of information to the Board relative to Subdivision Regulation amendments which case had been heard by the previous Board. He stated that he would like to schedule a meeting with the current Commissioners to discuss the issues once they have had an opportunity to review it. Mr. Gerred advised that the County Attorney had assured him that a new hearing would not be necessary if the current Commissioners familiarized themselves with the issue.

The Commissioners agreed to review the information and for Mr. Gerred to schedule a meeting with the Board.

5) FLOODPLAIN MANAGEMENT MAPS

Mr. Gerred advised that a public hearing has been scheduled for February 17 for the adoption of Flood Insurance Rate Maps as required by the Federal Emergency Management Agency (FEMA). He stated that the deadline for adoption of the maps is February 19, and therefore, submitted correspondence to FEMA that the County will be in compliance by that date. Mr. Gerred indicated that the brief time in which to act was created by the delay of response from Water Resources Administration. In accordance with Article 66 B the County may proceed to take action on the date of hearing after due consideration of the issue.

During discussion it was suggested that Mr. Gerred revise the letter to request an extension of time for compliance so that the Commissioners would have ample opportunity to review the matter.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to authorize Commissioner President O'Dell to sign the revised letter upon preparation. Motion carried.

6) ZONING ORDINANCE ENFORCEMENT PROCEDURES

Mr. Gerred reported to the Commissioners the enforcement procedures utilized by the Office of Planning and Zoning when there are violations. He stated that in 1983 the Zoning Ordinance was amended to allow for civil violations citations rather than misdemeanor citations, which allows for the County to proceed more successfully under the law. Mr. Gerred distributed procedures of enforcement and a list of all citations issued to date and the amount of fines collection since January 1983. Mr. Gerred pointed out that sometimes it is a lengthy process in that the violator must be given time to respond under the civil violation notices.

During the discussion, the Commissioners suggested that Mr. Gerred look into the possibility of adding attorney's fees to the fines.

COUNTY COMMISSIONERS' ITEMS

1) Motor Vehicle Administration Commissioner Jarboe inquired as to the status of the County's request from MVA relative to space requirements for an MVA office in St. Mary's County. Commissioner O'Dell advised that the Superintendent of Schools has reiterated his position that the Technical Center cannot be accommodated for this use. Commissioner Jarboe suggested that the Commissioners again meet with MVA to discuss use of the parking area adjacent to the Fairgrounds.

The Commissioners directed the County Administrator to look into the existing lease with the Fair Board and determine if in fact there are any encumbrances on that lease and if so, what can be done to release those encumbrances. Further, Mr. Cox should contract the various affected parties as to how long it would take to implement a permanent facility at the fairgrounds parking location, after which a meeting should be scheduled with all affected parties and get time schedules and cost estimates. Also to be looked into would be whether the County could get a commitment for temporary and permanent facilities.

2) State Road Projects Commissioner Jarboe moved, seconded by Commissioner Lancaster, to authorize the County Administrator to prepare correspondence to the Legislative Delegation requesting the prioritization of the Chancellors Run Road (Md. Rt. 237) project for planning, design and construction. Motion carried.

3) Operational/Performance Auditor Position Commissioner O'Dell referred to a memorandum dated January 22, 1987 from the County Administrator regarding the establishment of an Operational/Performance Auditor Position. The Commissioners directed that the County Administrator include this position in his FY ;87-'88 budget request and it will be given consideration during the budgetary process.

4) Emergency Closing Commissioner O'Dell referred to the County Administrator's memorandum of January 27, 1987 relative to emergency closing of county government facilities. After discussion the Commissioners agreed that the County Administrator be given the authority to be the only person to make the public announcements to the media relative to closings.

5) Severance Tax Commissioner O'Dell suggested that the Board be prepared to address the issue of severance tax at next week's meeting.

6) Southern Maryland Health Systems Agency Governing Board

Commissioner Bailey moved, seconded by Commissioner Thompson, to select Commissioner President Joseph P. O'Dell as the County's representative on the SMHSA Governing Board and to select George Smith, Director, St. Mary's Nursing Center, as alternate. Motion carried.

APPROVAL OF BILLS

The Commissioners discussed the propriety of paying the latest bill in the amount of \$10,362 from Atlantic Airways for ticket subsidies at the County Airport.

After discussion, Commissioner Jarboe moved, seconded by Commissioner Bailey to approve payment of the bills; Commissioners O'Dell and Thompson abstained. Motion carried with a three-to-two vote.

COUNTY ADMINISTRATOR ITEMS (EVENING SESSION)

Present: Edward V. Cox, County Administrator

6) CORRESPONDENCE TO C & P TELEPHONE COMPANY

The County Administrator presented correspondence for the Commissioners' review and signatures addressed to the C & P Telephone Company expressing gratitude for granting the County's request for a notice in the 1987 telephone directory relative to disasters and the emergency broadcast system.

The Commissioners agreed to sign and forward the letter.

7) APPOINTMENT OF JANITOR
DEPARTMENT OF PUBLIC WORKS

The County Administrator presented a memorandum dated February 3, 1987 from the Personnel Officer recommending the selection of William Forbes to the Janitor I position, Grade 4, in the Department of Public Works.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept this recommendation. Motion carried.

8) RESOLUTION NO. 87-02
PROCUREMENT - LOCAL VENDORS

Commissioner O'Dell noted that the County is in the process of preparing a new Procurement Manual which will improve procurement policies and procedures. Therefore, the County Administrator presented a proposed Resolution resolving that procurement by county government be with local vendors as long as quality is not sacrificed and the price is equal to or less than outside county boundaries.

After lengthy discussion, Commissioner Jarboe moved, seconded by Commissioner Bailey, to adopt and sign Resolution No. 87-02. Motion carried.

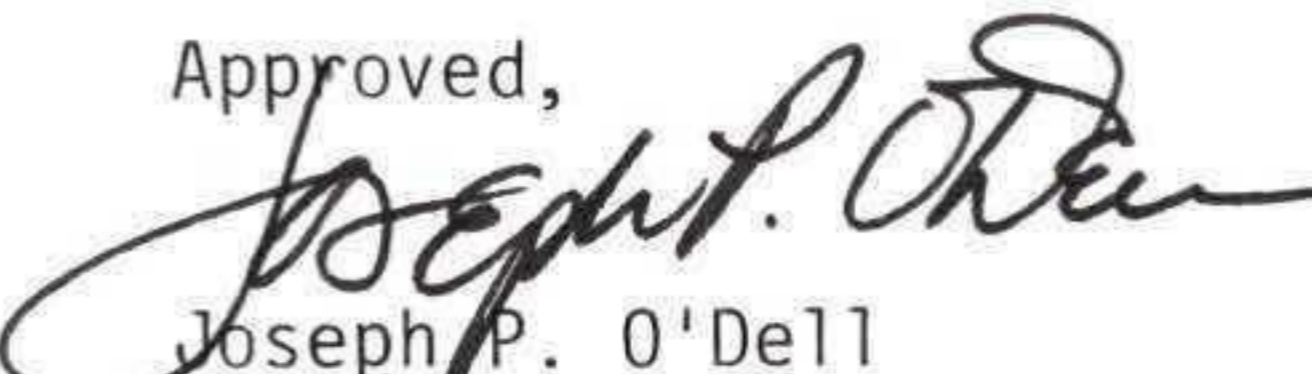
PUBLIC FORUM

At this time the Commissioners conducted a public forum whereby comments and questions were received from the audience.

ADJOURNMENT

The meeting adjourned at 9:25 p.m.

Approved,



Joseph P. O'Dell
President