

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, February 17, 1987

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

(Commissioner W. Edward Bailey was not present at beginning of the meeting.)

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Thompson moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, February 10, 1987. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) ADDITIONAL OFFICE SPACE REQUEST
SHERIFF'S DEPARTMENT

As a follow up to the Sheriff's request of last week regarding additional rental space for the Sheriff's Department, the County Administrator presented a memorandum dated February 13, 1987 from the Sheriff. The memorandum advised that the requested rentals can be funded for the remainder of the fiscal year from the Sheriff's department current budget by transferring funds from the Gasoline and Oil Account to the Rental/Buildings Account. Funds in the amount of \$500 for the renovation of the office to accommodate the polygraph unit can be provided from the Department of Public Works budget, according to John Norris the Director of DPW.

Commissioner Jarboe moved, seconded by Commissioner Lancaster to authorize the Sheriff to make the necessary arrangements for the rental of additional office space. Motion carried.

(COMMISSIONER W. EDWARD BAILEY ENTERED THE MEETING - 9:20 A.M.)

2) EMERGENCY SHELTER GRANT PROGRAM

The County Administrator presented a memorandum dated February 11, 1987 from Dr. Patricia Hawkins, Director of Walden Counseling Center and Dennis Nicholson of the St. Mary's Housing Office, transmitting a Letter of Intent to Participate for an Emergency Shelter Program Grant in the amount of \$20,000. It is a federal program which directs money to the State which in turn allocates funds to the County.

The Commissioners agreed to request additional information relative to the grant prior to making a decision.

3) PATUXENT RIVER DISCOVERY DAY

The County Administrator presented correspondence from Calvert County Planning Office inquiring whether St. Mary's County would contribute partial funding to offset the cost of Patuxent River Discovery Day. The focus of the Discovery Day seeks to join Calvert and St. Mary's through a series of public events which will highlight history, culture and common environment concern, the Patuxent River. Free boat trips will carry passengers back and forth between Sotterly and Broomes Island.

The County Administrator advised that in the past the costs for the Discovery Day have been absorbed by the Department of Recreation and Parks.

The Commissioners agreed not to accept the proposal from Calvert, but would request Sotterly Manor to provide free admission to the manor for that day.

4) BUDGET AMENDMENTS

The County Administrator presented the following budget amendments recommended for approval by the Director of Finance with justifications as indicated:

a) No. 87-26
Sheriff's Department

Justification: Rental of additional office space for Sheriff's Department narcotics investigation section, crime prevention, judicial section and polygraph.

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

b) No. 97-27
Alcoholic Beverage Board

Justification: Required to meet expenses incurred as a result of additional hearing time experienced by the Alcoholic Beverage Board.

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

The Commissioners requested an informational briefing by the Alcoholic Beverage Board relative to the proposal for liquor license quotas.

5) REQUEST FOR SALARY SUPPLEMENT
DIRECTOR OF SOCIAL SERVICES

The County Administrator advised that correspondence has been received from the Chairman of the Social Services Board relative to a \$2,000 salary supplement for the Director of Social Services. Mr. Cox presented a response for the Commissioners' approval indicating that the Board agreed to the FY 86-87 stipend provided certain documentation is submitted. However, since county government has discontinued salary supplements for other officials, there will be no consideration of a salary supplement to the Director of Social Services in ensuing fiscal years.

After discussion, Commissioner Thompson moved, seconded by Commissioner Bailey, to authorize Commissioner President O'Dell to sign the letter to Mr. Hmieleski relative to the \$2,000 supplement for the Director of Social Services providing that funds are budgeted in the current fiscal year. Commissioner Lancaster abstained. Motion carried.

6) HIGHWAY EQUIPMENT OPERATOR III
DEPARTMENT OF PUBLIC WORKS

The County Administrator presented a memorandum dated February 17, 1987 requesting authority to fill the Motor Equipment Operator III, Grade 7, position in the Department of Public Works, which was vacated by James Gatton on February 13, 1987.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to grant this request. Motion carried.

7) BUILDING CODE TASK FORCE REPORT

The County Administrator presented correspondence dated February 10, 1987 from the Building Code Task Force submitting the initial report of the Task Force expressing willingness to meet with the new Board of Commissioners to discuss the Report. The Commissioners agreed that such a meeting be scheduled.

OFFICE OF PLANNING AND ZONING

Present: Frank Gerred, Director

1) COASTAL ZONE MANAGEMENT GRANT

Mr. Gerred presented the Coastal Zone Management Grant application in the amount of \$18,000 representing a portion of staff salary for implementation of the CZM Program.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to authorize Commissioner President O'Dell to sign and forward correspondence to Coastal Resources Division enclosing the CZM Grant Application. Motion carried.

2) PERMANENT ADDRESSING SYSTEM
(911 ENHANCEMENT PROGRAM)

Mr. Gerred advised that his office was working with the Emergency Operations Center in an enhancement of the 911 system, the development of a permanent addressing system for every address in the County. A permanent number will be placed at the Control Center so that emergency vehicles can be dispatched without confusion.

Mr. Gerred recommended that at some later date the Commissioners appoint a committee to disseminate information so that the public will have an opportunity to interact with the project as it proceeds. Mr. Gerred indicated that the system will probably take approximately a year to implement.

Commissioner O'Dell suggested that when Mr. Gerred returns to the Board at a later date relative to this matter that he present the goals and objectives of the program; what the operational and capital requirements would be; and recommendations for those to serve on the committee.

3) STORMWATER MANAGEMENT

Mr. Gerred informed the Commissioners that Stormwater Management has been in place for three years and that the Department of Public Works has proposed amendments to the Zoning Ordinance. A Committee has been appointed from the Planning Commission to review the Ordinance and Mr. Gerred invited the Commissioners to appoint a representative to participate if they so desire. He stated that background information has been provided to each of the Board members including minutes of the original joint hearing held December 2, 1986. Mr. Gerred advised that the Committee will be meeting several times to review Public Works' and Office of Planning and Zoning's comments and suggested the Board may want input in this discussion. The first meeting will be held in March.

4) GROUNDWATER AVAILABILITY IN NORTHERN END OF COUNTY

Mr. Gerred advised that the past Commissioners had received a presentation by Maryland Geological Survey relative to groundwater availability in the County. He stated that he has followed up on the Board's interest in this matter by requesting MGS to develop costs and funding sources (federal or state) for a test well. Contact has been made with Charles and Calvert Counties regarding participation, and Calvert County has expressed interest. Mr. Gerred concluded by stating that the Health Department and Metropolitan Commission will be making an informational presentation to the Board in the near future which will cover the areas of wells and water use.

5) "SISTER MARY" PROPERTY - MECHANICSVILLE

Mr. Gerred advised that he received correspondence dated February 5, 1986 from Floyd E. William which indicates a violation of the Zoning Ordinance at the former residence of "Sister Mary". Mr. Williams contends that the property does not meet requirements for residence in an industrial zoned area. Mr. Gerred reported that he replied to Mr. Williams on February 9, 1987 advising that the property is in a non-conforming use, and that the use remains until it is abandoned.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) PROJECT NO. SM 87-2-5
BIDS ON HIGHWAY STOCK MATERIALS

Mr. Norris presented the bid tally sheet for the referenced project and recommended awarding the bids as follows: (per ton)

Rip-Rap Stone to Base Company	-	\$12.60
SPR1 to Donald E. Gerald	-	\$11.89
Stabilized Aggregate Base w/ Calcium to Base Company	-	\$12.95
#7 Stone to Donald E. Gerald	-	\$12.49
#8 Stone to Donald E. Gerald	-	\$12.49

Commissioner Bailey moved, seconded by Commissioner Jarboe, to award the bids as indicated above. Motion carried.

2) PROJECT NO. SM 87-2-4
BIDS ON BANK RUN GRAVEL

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

(On a per ton basis)

Loaded and Delivered by the Bidder within 5 mile radius

Base Company in the amount of \$5.05

Loaded and Delivered by the Bidder within 15 mile radius

Base Company in the amount of \$5.75

Loaded and Delivered by the Bidder within 25 mile radius

Base Company in the amount of \$5.95

Loaded by the Bidder on County Vehicles at scale
delivered by County

Base Company in the amount of \$3.75

Loaded by the County at scale, delivered by the County

Base Company in the amount of \$3.50

(On a per cubic yard basis)

Loaded and Delivered by Bidder within 5 miles

Raymond Woodburn in the amount of \$6.00
Trading Post in the amount of \$6.00

Loaded and Delivered by the Bidder within 15 miles

Raymond Woodburn in the amount of \$7.00

Loaded and Delivered by Bidder within 25 miles

Raymond Woodburn in the amount of \$8.00
Trading Post in the amount of \$8.00

Loaded by Bidder on County Vehicles at pit

J. Irving Knott in the amount of \$2.50

Loaded by the County at pit

J. Irving Knott in the amount of \$2.00

Commissioner Lancaster moved, seconded by Commissioner Bailey, to accept the lowest bidders as identified. Motion carried.

3) UNDERGROUND STORAGE TANK TESTING

Mr. Norris advised that the State of Maryland requires all companies, including government, to test underground storage tanks. He indicated that the deadline for the testing has passed; however, an extension has been requested. Mr. Norris stated that he solicited prices to have the testing done and received a proposal from Interstate Tank Testing Company in the amount of \$4,600. He indicated that because the requirement for the testing was unknown during the FY '87 budget preparation, it was not a budgeted item. Mr. Norris stated that the only source of funds in his department was asbestos removal and therefore requested the Board to identify another source for the project.

4) PROJECT NO. SM 87-4-9
ST. MARY'S NURSING CENTER SITE WORK

For the Commissioners' information Mr. Norris distributed the bid tally sheet for the referenced project and noted that the only bidder was Raymond Woodburn in the amount of \$258,000. Mr. Norris advised that the awarding of the contract will be the responsibility of the Building Authority Commission.

5) ACCEPTANCE OF DEED
ABELL DRIVE - WOODLAND SUBDIVISION
ROAD RESOLUTION NO. 86-3
ABELL DRIVE

Mr. Norris presented a Deed dated September 27, 1982 by and between Julius J. Finnacom and Hal Edwin Cole and the St. Mary's County Commissioners for the acceptance of Abell Drive, Woodland Subdivision, Section Two, Eighth Election District. In addition, Mr. Norris presented Road Resolution No. 86-3 posting Abell Drive at 25 miles per hour.

Commissioner Thompson moved, seconded by Commissioner Bailey, to accept the referenced Deed as presented and to approve and sign Road Resolution No. 86-3. Motion carried.

6) ACCEPTANCE OF DEED
MAYJACK, INC.

Mr. Norris presented a Deed dated February 6, 1986 by and between Mayjack, Inc. and St. Mary's County Commissioners for the acceptance of a portion of Barefoot Drive off of Chancellors Run Road, Eighth Election District.

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve and accept the Deed as presented. Motion carried.

7) CLEMENTS LANDFILL

As a follow up to the February 3, 1987 Commissioners' meeting, Mr. Norris continued discussion with regard to an economic feasibility analysis to determine whether to expand Clements Landfill or convert it into a transfer station. He recommended that the Commissioners expend \$4200 out of the project account to have the analysis done and look at alternatives and costs and determine whether to terminate the landfill at Clements.

Commissioner Bailey moved, seconded by Commissioner Lancaster to authorize the expenditure of \$4200 to Gannett-Fleming for the analysis of Clements Landfill. Motion carried.

8) ST. CLEMENTS SHORES ROAD/DRAINAGE IMPROVEMENTS

Mr. Norris indicated that a petition had been received in November 1986 from property owners in St. Clements Shore requesting road and drainage improvements. Mr. Norris referred the Commissioners to specific problems in the area; i.e., narrow roads, flat areas, etc. Some of the property owners have suggested that the County should have enacted a drainage plan prior to allowing lots to be developed and had further indicated that the County has an Agreement regarding buildable lots in the subdivision which was not being followed.

Mr. Norris advised that Mr. Wise of his Department will be doing an analysis of what needs to be done for spot improvements such as pipe replacement.

During discussion Mr. Norris requested funding consideration in the Capital Projects account to do an analysis for the drainage improvements at St. Clements Shore and further to identify alternative sources of funding.

Commissioner O'Dell acknowledged that if the County issued building permits that we would share in the responsibility, but suggested that Mr. Norris obtain a commitment from the property owners relative to participation in the funding of the improvements. Mr. Norris replied that would make this the only location where the County has existing public streets where the County has not taken the role of solving the problem. Mr. Norris indicated that there is a certain area that is the responsibility of the developer; however, in this instance there is now no developer, but purchasers and builders of individual lots

In conclusion Mr. Norris requested funds in the amount of \$17,000 to provide support for improvements using rental contractors, which were funds outside of the current available funds in the existing county highway budget. The Commissioners indicated that could not be done at this time and suggested that it be done with current capital, manpower and resources available.

The Commissioners further directed that the Office of Planning and Zoning review the Agreement to see if the County had violated the policy established with regard to the combining of lots to create a buildable lot.

9) PIN CUSHION ROAD IMPROVEMENTS

Mr. Norris advised that a petition had been received from the residents of Pin Cushion Road requesting that it be paved and widened like Sunnyside Road. He stated that his department will develop estimates and return to the Board for a decision. Mr. Norris indicated that it is not in the current recommended schedule because it was not as critical as some other road projects. The Commissioners requested Mr. Norris to develop recommendations regarding the request so that the residents can be informed of the Board's decision.

EXECUTIVE SESSION

Present: Mr. and Mrs. Richard Meatyard III
Marvin Kamenitz
Joseph Densford, Assistant County Attorney
Edward V. Cox County Administrator

Commissioner Thompson moved, seconded by Commissioner Bailey, to meet in Executive Session in order to discuss a matter of litigation. The Session was held from 11:30 a.m to 11:55 a.m.

LEXINGTON PARK TRANSPORTATION PLAN

Present: John Norris, Director, Department of Public Works
Dan Ichniowski, DPW
Frank Gerred, Director, OPZ
Ken Evans, The Wilson T. Ballard Co.

The referenced individuals appeared before the Board to brief them on the proposed Lexington Park Transportation Plan. The proposed plan was displayed and Mr. Norris and Mr. Ichniowski pointed out the areas of the existing development plans: Patuxent Park West, Tosca, and the Calvert Bean property and discussed the new road proposals for Peggs Road extended and FDR Boulevard.

Mr. Evans of The Wilson T. Ballard Company summarized the transportation engineering study for the Lexington Park Area. Presented and reviewed were the following: traffic flow projections for year 2010, basis of need for road improvements, highway capacity for each proposed roadway improvements to handle the traffic, possible roadway typical sections, costs of various typical section.

During discussion Commissioner O'Dell suggested that the County adequately plan and conceptualize the proposed roadways prior to making a decision so that they do not result in problems currently existing with Md. 235 and 246.

In conclusion the Commissioners requested the Department of Public Works to summarize the information presented and return to the Board for review as well as an update on the generation of funds for this project.

TOUR OF ECONOMIC & COMMUNITY DEVELOPMENT PROJECTS

The Commissioners left to tour the various facilities of the Department of Economic & Community Development.

EXECUTIVE SESSION

Present: Wilmer Bowles

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to meet in Executive Session in order to discuss a matter of litigation. Motion carried. The Session was held from 6:15 p.m. to 6:45 p.m.

PUBLIC HEARING
FLOOD PLAIN MAPS
6:30 P.M.

Commissioners present: Joseph P. O'Dell, W. Edward Bailey, Robert Jarboe, John G. Lancaster and Rodney Thompson. Staff present included: Frank J. Gerred, Director, Jeffrey J. Jackman, Planner, and Anita M. Meridith, Recording Secretary, Office of Planning and Zoning.

Members of the audience included: Allan L. Bussler, Betty M. Robrecht, Patrick O'Donnell, Richard Marks Berger, Herbert N. Redmond.

SPEC # 87-0108: FLOOD INSURANCE RATE MAPS

The purpose of the hearing is to adopt the information regarding flood elevations shown on the maps as opposed to the maps themselves. This adoption method is proposed because the data contained on the maps is more important than the maps themselves and, though the maps have been reviewed, detailed field work in a specific location may reveal different information than is on the maps because it is not possible to field check every area of the County.

Advertisement of this public hearing appeared in "The Enterprise" Newspaper, a publication of general County-wide circulation on Wednesday, January 28, 1987, thus providing proper legal notification of this hearing.

Mr. Gerred advised that the Planning Commission previously held their hearing on February 9, 1987 and agreed with staff's recommendation that the height elevation should be the emphasis from the maps rather than the actual detail of the maps themselves. The Planning Commission recommended that the minor text changes to the Zoning Ordinance be so amended, delineating that the first habitable floor be one foot (1 ft.) above whatever the elevation would show on the map, that the Board of County Commissioners adopt the Flood Insurance Rate Maps for St. Mary's County.

Mr. Gerred explained that these four minor changes to the Zoning Ordinance basically related to the proposed adoption of the data plain referred to by the final Flood Insurance Program Maps, which included a series of sixty-five (65) individual maps.

Staff advised that only the datum from the maps was being recommended for adoption due to the fact that all maps had not been field checked as there were some discrepancies in the scales. In those latter instances, where a miscalculation was evident, a survey of the property would be required in order to determine whether a structure would be set in a flood plain.

The Chairman asked whether anyone in the audience wished to speak concerning the Flood Plain Maps that were being recommended for adoption by the County Commissioners, as recommended by staff and the Planning Commission.

There was no response.

With regard to the proposed text changes necessary and coincidental to the adoption of the maps, Mr. Gerred advised that Section 38 of the Ordinance referred to an outdated FEMA Program which should be changed to read the National Flood Insurance Program, as amended in 1979. He quoted those other sections of the Ordinance which would require text change coinciding with adoption of the subject maps. The Chair inquired whether anyone wished to speak either in favor or opposed to the proposed amendments to the Zoning Ordinance concerning the changes required as a result of possible adoption of the Flood Plain Maps for use for zoning matters in St. Mary's County. There was no response.

In absence of any negative commentary regarding said adoption, staff urged that the Commissioners consider immediate action so as to insure that there would be uninterrupted coverage to the citizenry in St. Mary's County as opposed to possible lapse in this Flood Insurance Program. Accordingly, Commissioner Bailey moved, seconded by Commissioner Lancaster, and unanimously passed, that the County adopt the Flood Plain Maps for St. Mary's County.

Staff will prepare appropriate documentation for the Commissioners signatures and adoption.

COMPREHENSIVE PLAN UPDATE FOR ST. MARY'S COUNTY

Present: Frank Gerred, Director, OPZ
Antoinette Seymour, Wallace, Roberts & Todd
Diana Mendez, WRT
Jenny Watson, Urban Designer, "
John Sherwood, Economist, "
Dick Keller, Transportation Planner, "

The referenced representatives of the consulting firm of Wallace, Roberts and Todd briefed the Commissioners on the progress of the Comprehensive Plan Update. Presentations were made as follows:

Ms. Mendez presented the results of the survey that had been distributed throughout the County. The questionnaires were printed in the local paper (251 responses) and 104 were provided by personal contact in order to obtain a broad spectrum of residents of the County.

Ms. Seymour reviewed the maps that were placed around the room which depicted alternatives for growth development in the County. She distributed a list of questions that will be addressed at the Workshop that will be held February 21 and will be used in the preparation of alternative concept plans.

Mr. Sherwood presented his analysis of the County's economy and its relationship to the Navy and contractors and advised that the information gathered will be used in making projections.

Mr. Keller advised that he has assembled all available data regarding traffic flow and will begin to calibrate a computer traffic model to look at different land use options and density. He stated that he will also be identifying critical points in the transportation system.

The Commissioners thanked the representatives for their presentation and requested to be kept informed of the progress.

COUNTY COMMISSIONERS' ITEMS

1) MOTOR VEHICLE ADMINISTRATION

Commissioner Jarboe suggested that proposals be developed for alternative sites for the a Motor Vehicle Administration office in the County. The County Administrator was directed to work with the Commissioners in developing the proposals.

2) PERMIT SYSTEM

Commissioner Jarboe suggested that a public hearing be conducted by the County in order to obtain public comment on the permit system and determine whether the public has an understanding of the system and whether there is a problem with the system.

The County Administrator stated that the Health Department, Office of Planning and Zoning will be conducting in the near future a public information meeting with the Commissioners to review the process.

Commissioner O'Dell suggested that the Commissioners should be informed prior to interacting with the public.

3) CHANCELLORS RUN ROAD

Commissioner Bailey reported that he heard on the radio that there were two projects in Southern Maryland that were being considered for funding using the gasoline tax--Hughesville Bypass and Chancellors Run Road.

Commissioner O'Dell requested the County Administrator to get a detailed reports from the Legislators regarding this.

4) MOVIE TICKET SALES

Commissioner Thompson referred to correspondence dated February 2, 1987 from in an individual expressing concern relative to movie theaters in the County selling tickets to "R" rate movies to children. The individual requested the Commissioners to take action by having legislation enacted to have this procedure stopped.

The Commissioners directed the County Administrator to look further into this with the legislators. In addition Commissioner O'Dell suggested that the matter could be addressed by the Citizens for Decency.

PERSONNEL

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

1) Deputy Director/Accounting

Memorandum dated February 17, 1987 from the Personnel Officer, recommending the selection of Joseph Suchinsky to the Deputy Director/Accounting position, Grade 14-2, effective March 16, 1987.

Discussion ensued as to whether the Commissioners should have an opportunity to review the qualifications of applicants for positions of a certain level. Commissioner O'Dell suggested that Commissioners Jarboe and Bailey draft up a proposal for the handing of that process.

After discussion Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept this recommendation of the Personnel Officer Commissioner Thompson voted against. Motion carried four to one.

2) Clerk Typist III
Office of Community Services

Memorandum dated February 13, 1987 from the Personnel Officer recommending the appointment of Linda Clark to the Typist Clerk III position, Grade 5, in the Office of Community Services, effective February 18, 1987.

Commissioner Thompson moved, seconded by Commissioner Bailey to accept the recommendation. Motion carried.

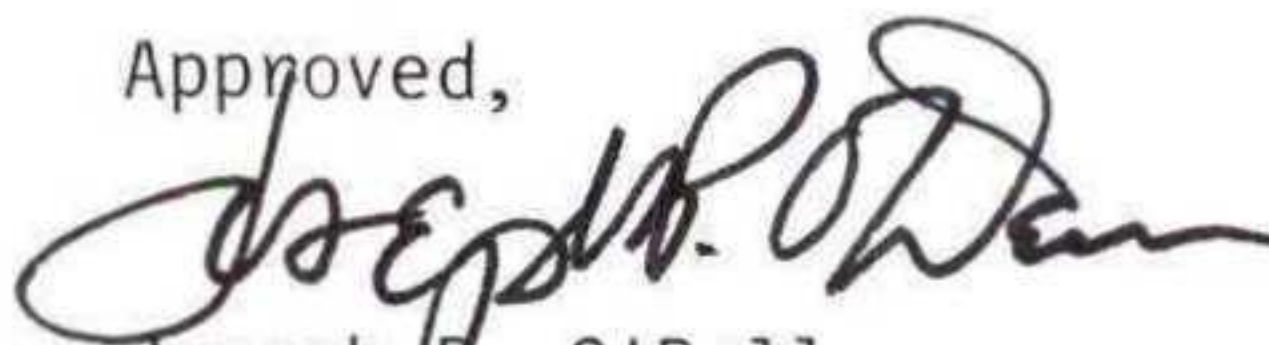
PUBLIC FORUM

At this time the Commissioners opened the floor for comments and questions from the audience. Several citizens expressed opinions and offered comments.

ADJOURNMENT

The meeting adjourned at 8:50 p.m.

Approved,


Joseph O'Dell
President