

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, August 25, 1987

Present: Commissioner W. Edward Bailey, Acting President  
Commissioner Robert Jarboe  
Commissioner John Lancaster  
Commissioner Rodney Thompson  
Edward V. Cox, County Administrator  
Judith A. Spalding, Recording Secretary

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Thompson, to approve the minutes of the Commissioners' meeting of Tuesday, August 18, 1987. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

- 1) Personnel  
Correctional Officer - Sheriff's Department

The County Administrator presented a memorandum dated August 21, 1987 from the Personnel Officer recommending the selection of Dale R. Wilson to the Correctional Officer position, Grade 10, in the Sheriff's Department, effective September 7, 1987.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to accept this recommendation. Motion carried.

- 2) SOUTHERN MARYLAND HEALTH SYSTEMS AGENCY  
CORRESPONDENCE TO DEPARTMENT OF HEALTH & MENTAL HYGIENE

The County Administrator presented correspondence addressed to the State Health Department regarding the health planning process for the Southern Maryland region. The Commissioners agreed to sign and forward the letter as presented.

- 3) MARYLAND ROCK/BRETON BAY PARK

The County Administrator presented a memorandum addressed to the Board outlining the points of agreement reached at the meeting of August 18 with representatives of Maryland Rock. Discussion of the Agreement with Maryland Rock will be an item of discussion at a later meeting with appropriate parties present.

4) ST. MARY'S COUNTY LIFE INSURANCE POLICY  
AMENDMENTS TO CONTRACT

Because of recent ADEA regulation changes relative to people over over age of 70, the County Administrator indicated that it was necessary to amend the life insurance policy. The amendments are as follows:

Amendment No. 2 - corrects the contract to reflect the contribution basis as "Contributory." The contract had been issued on a non-contributory basis.

Amendment No. 3 - reflects the changes made to terminate the additional contributory life benefits at age 70 because of recent ADEA regulations. The Additional Contributory Benefit will terminate at retirement.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve the amendments to the contract as presented. Motion carried.

5) BATTERED SPOUSE/RAPE CRISIS PROGRAM  
GRANT APPLICATION

The County Administrator presented the Grant Application for the Domestic Violence/Sexual Assault Program (Battered Spouse/Rape Crisis Programs) at a total project cost of \$52,727.

Commissioner Jarboe moved, seconded by Commissioner Thompson, to authorize Commissioner Bailey to sign the Application. Motion carried.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Department of Public Works

1) PUBLIC WORKS AGREEMENTS/ADDENDUMS

Mr. Norris presented the following Public Works Agreements and Addendums for the Commissioners' review and approval:

a) Amber Meadows (Eagle's Glen)

Addendum to Public Works Agreement by and between The Driggs Corporation extending the deadline for completion from September 1, 1987 to June 1, 1988.

b) Beechwood Estates

Addendum to Public Works Agreement by and between Swarey Builders, Inc. extending the deadline for completion from September 15, 1987 to September 1, 1988 and reducing the Maryland Bank & Trust Company Letter of Credit to \$86,000.

c) Carroll Manor, Section I

Public Works Agreement dated August 19, 1987 by and between Sussex, Inc. and St. Mary's County, Maryland guaranteeing the completion of the following roads in Carroll Manor, Section I by August 1, 1988: Carroll Manor Road, Thomas Drive, Shaw Court and Old Golden Beach Road. The Agreement is backed by a Letter of Credit with International Fidelity Insurance in the amount of \$51,000.

d) Esperanza Farms Corporation, Section Ten

Public Works Agreement dated August 18, 1987 by and between Esperanza Farms Corporation and St. Mary's County, Maryland guaranteeing the completion of roads Adams Court in Esperanza Farms, Section Ten. The Agreement is backed by a Letter of Credit in the amount of \$35,000.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to authorize Commissioner Bailey to sign the Addendums/Agreements as presented. Motion carried.

2) LETTERS OF CREDIT

Mr. Norris reported that there will be several Irrevocable Letters of Credit due September 1, 1987 and, therefore, requested authorization for Commissioner Bailey to sign letters of claim on Letters of Credit on the following projects, should it be necessary:

a) Forest Run - Section II

Irrevocable Letter of Credit in the amount of \$14,300;

b) Hunting Quarter, Section I

Irrevocable Letter of Credit in the amount of \$109,000;

c) Amandiana Estates

Irrevocable Letter of Credit in the amount of \$129,000;

d) Grading Permit - Paragon Builders  
Wildewood, Lake III, Borrow Pit

Irrevocable Letter of Credit in the amount of \$14,500;

e) Grading Permit - Chancellors Run Estates  
Section 1, Stormwater Management Pond

Irrevocable Letter of Credit in the amount of \$21,500;

f) Grading Permit - Amandiana Estates  
Stormwater Management

Irrevocable Letter of Credit in the amount of \$25,300;

g) Grading Permit - Tracor Bldg., Lot 9  
Wildewood Technological Park

Irrevocable Letter of Credit in the amount of \$6,500;

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to authorize the President of the Board to sign the claim letters, if necessary. Motion carried.

3) CORRECTIONAL FACILITY  
INCREASE IN CONTRACT

Mr. Norris advised that the fee by the architect, Mosley-Hening Associates, Inc., for the design of the Correctional Facility was based on the gross square footage of the building. The original design gave a square footage of 46,534; however, with changes to the plan as approved by the State, the actual square footage is now 57,143. The architect has requested additional compensation based on this increase. Increase to the contract is in the amount of \$67,134.21, and Mr. Norris reported that the State has agreed to increase the Jail Loan Act to St. Mary's County in the amount of \$33,567.10.

Therefore, Mr. Norris requested the Board's authorization to increase the contract to \$67,134.21 to be funded one-half by the county and one-half by the State. This will increase the contract to \$466,539. Funds are in the project account.

After discussion Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve the increase of the contract with Mosley-Hening Associates, Inc. Motion carried.

4) RESOLUTION NO. 87-14 - BA87-01  
ST. MARY'S NURSING HOME LOAN ACT OF 1985

Mr. Norris advised that the County was the recipient of a grant through the Department of Health and Mental Hygiene in the amount of \$500,000 for the construction of the St. Mary's Nursing Home, which was a Building Authority project. There is a requirement by the Board of Public Works that there be a fifteen year right of recovery; that if the Nursing Home ceases to exist that the State would be entitled to recover costs on a percentage basis. Therefore, Mr. Norris presented the referenced Resolution to be executed by the Building Authority Commission and Board of County Commissioners, which will be recorded among the land records of St. Mary's County.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to authorize the Board to sign the Resolution as presented. Motion carried.

5) ROAD RESOLUTION NO. R87-35  
FAIRGROUNDS ROAD

Mr. Norris presented a Road Resolution posting Fairgrounds Road as a "No Parking" zone from its intersection with Md. Rt. 5 for the boundaries of the Fairground property along both sides of the road; and that this be effective through October 31, 1987.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to authorize Commissioner Bailey to sign the Road Resolution as presented. Motion carried.

6) TOWN CREEK MANOR - PARK PLACE (LOT 4)

Mr. Norris advised that the owner of Lot 4 in Town Creek Manor has inquired whether the County has maintenance responsibility for the portion of Park Place beyond the intersection with Boaz Street. He stated that that portion of the road had deteriorated and the County has not maintained it for approximately 15 years. Mr. Norris requested permission to to advised the property owner that it is not in the County's Highway System, but is available for use as a private right-of-way. Commissioner Jarboe moved, seconded by Commissioner Lancaster, to authorize Mr. Norris to make contact with the property owner. Motion carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator  
John Norris, Director, Department of Public Works

Commissioner Thompson moved, seconded by Commissioner Lancaster, to meet in Executive Session in order to discuss matters of litigation. Motion carried. The Session was held from 12:05 p.m. to 12:45 p.m.

OFFICE OF PLANNING & ZONING  
PUBLIC HEARINGS: STALLMAN SUBDIVISION  
MAURICE DIXON SUBDIVISION

Commissioners present: W. Edward Bailey, Robert Jarboe, John G. Lancaster and Rodney Thompson. Staff present included: Frank J. Gerred, Director, Robin Guyther, Planner, and Betsy Anthony, Recording Secretary.

Members of the audience included: William J. Bozes, Agnes P. Heard, Robert Graham, Vince DelGavio, Win Sisson, and Louis Eberle.

Mr. Guyther read the Notice of Public Hearing aloud, as advertised in "The Enterprise" Newspaper on August 7, 1987 and August 12, 1987, a publication of county-wide circulation, providing legal notice for the following public hearing(s):

SPEC # 86-1631: STALLMAN SUBDIVISION

Shown on Tax Map 43, Block 19, Parcel 120 on the west side of Chancellors Run Road. Change Water Category from W-5 to W3D.

SPEC # 84-0014: MAURICE DIXON SUBDIVISION

Shown on Tax Map 58, Block 6, Parcel 34 on the south side of Hermanville Road and adjacent to Route 5. Change Water Category from W-5 to W3D.

ALFRED MATTINGLY PROPERTY

Property is Leonardtown, shown on Tax Map 32, Block 17, Parcels 73 and 77. Change Water Category from W-5 to W-1 and change Sewer Category from S-5 to S-1.

Mr. Guyther explained that a water/sewer plan designated whether an area could have public water/sewer or when the public could receive water/sewer service. The properties in question were zoned W-5, indicating that water service was planned within five years. In these cases, the applicants were ready to install the system. In order to allow an applicant to put in his own system, the State Health Department requires that the applicant's property be designated accordingly. The proper category was W3D which means system under development and the "D" means that the developer will finance the project. The Planning Commission and staff recommended approval of all three changes.

Ms. Agnes Heard inquired about the Stallman Subdivision asking where the water/sewer line was going to be. Mr. Guyther showed her a copy of the map indicating where the system would be. He explained that the line would cut across Chancellors Run Road and end up near Nancy Lane. Ms. Heard asked how and if it would affect her, and Mr. Guyther informed her that it would not, that the water would be in that subdivision only and would be taken under the road, tying in with the existing property.

After all questions and comments were made, Commissioner Bailey closed the hearing to the public.

Commissioner Lancaster moved, seconded by Commissioner Thompson, and unanimously passed, to accept and approve each recommendation made by the staff and Planning Commission.

SPEC # 86-1631: STALLMAN SUBDIVISION, and the SPEC # 84-0014: MAURICE DIXON SUBDIVISION Water Category will be changed from W-5 to W3D, and the ALFRED MATTINGLY PROPERTY Water Category will be changed W-5 to W-1 and the Sewer Category will be changed from S-5 to S-1.

REVENUE TASK FORCE

Present: B. Kennedy Abell, Revenue Task Force  
Louis Eberle, "  
Janice Hockersmith, "  
Ken Kelley, "  
James Raley, "  
Don Weigel, "  
Richard V. Wilson, "  
Mary Whetstine, "  
Dennis Younkin, "  
Charles H. Wade, Jr., Director of Finance

The referenced members of the Revenue Task Force, which was recently appointed by the Commissioners, appeared before the Board to receive their charge and direction. Commissioner Jarboe distributed copies of his report to the Board dated June 29, 1987 which outlines the purpose, composition, schedule and staff.

After discussion, the Commissioners expressed their support to the Committee, after which the Committee adjourned to the Library to continue its meeting.

COUNTY COMMISSIONERS' TIME

1. 350th Celebration - Commissioner Thompson expressed appreciation to the 350th Committee for the celebration festivities at Tudor hall on August 15.

2. Use of County School Bus - Commissioner Thompson stated that friends of his that live in Calvert County have enrolled their daughter at the Christian School in Lexington Park. They would like for her to be able to board the county school bus on this side of the Thomas Johnson Bridge and have her taken to the Christian School, which is part of the bus route.

The Commissioners gave their concurrence.

3. Breton Bay Water Company - Commissioner Jarboe stated that letters have been received regarding the water supply in Paw Paw Hollow and suggested that the County Administrator request MetComm to prepare a statement as to the progress of the improvements to the Breton Bay Water Company facilities.

4. Sludge Disposal Easements - Commissioner Jarboe requested that the Metropolitan Commission provide the Board with a copy of recorded easements from the landowner when sludge is placed on his property.

5. Drought Crop Damage - Commissioner Jarboe reported that correspondence dated August 11, 1987 was received from Congressman Dyson regarding the extensive crop damage due to drought in the First Congressional District. Commissioner Jarboe requested that the Commissioners prepare a letter to Congressman Dyson requesting expressing appreciation for his concern and requesting his continued support.

ST. MARY'S PUBLIC SCHOOLS

(1) COMPENSATION/CLASSIFICATION STUDY

(2) RESOURCE TEACHER (COMPUTER INSTRUCTION)

Present: Dr. Larry Lorton, Superintendent of Schools  
Dorothy Harper, Board of Education

1) Compensation/Classification Study

Dr. Lorton explained that as previously requested by the Board of County Commissioners, Request for Proposals were advertised for a Compensation and Classification Study for the classified, administrative and supervisory personnel of the Board of Education. In assessing the proposals, Dr. Lorton stated that the Board of Education wanted a firm that would conduct the study without involving school staff. He stated that the Proposals were evaluated, and the firm of Public Administrative Services was selected at a cost of \$29,000, an increase of \$4,000 over the appropriated amount. In addition Dr. Lorton indicated that the RFP included an analysis of the entire school organization at an additional cost of \$15,000. Therefore, Dr. Lorton requested the Board's consideration to fund the complete package of \$44,000, or at least consider the \$29,000 proposal for the Compensation/Classification Study.

Commissioner Lancaster stated that he was in favor of providing funds for what the Commissioners had requested, the Compensation/Classification Study at \$29,000.

Commissioner Bailey expressed concern as to the source of funding should the study result in an increase in salaries.

Commissioner Thompson indicated that he had voted for the study at a cost not to exceed \$25,000, and that is what he is committed to.

Commissioner Jarboe stated that the County did not have additional revenue to provide the \$19,000, and further expressed concerns to provide additional funding if the study recommends an increase.

During discussion, Mrs. Harper pointed that if the additional funds were to come from the Board of Education budget, the Board would have to return to the Commissioners for approval of categorical changes. She further indicated that the Board of Education, at the beginning of the budget process, would like to be given a target amount so that problems like this would not arise. The Commissioners concurred with the suggestion of a target figure in the future.

2) Resource Teacher (Computer Instruction)

Dr. Lorton advised that an instructional position was requested in the budget to assist the classroom teachers in maximizing efficiency in the use of the computers throughout the school system. The Board of County Commissioners approved instead \$25,000 for contract service which Dr. Lorton stated would not meet the schools' needs. Therefore, he presented the job description for the referenced position and went on to clarify the request in response to inquiries from the Board.

After discussion, Commissioner Lancaster moved, seconded by Commissioner Thompson, to endorse the recommendation of the Board of Education for a Resource Teacher (Computer Instruction) as presented. Motion carried.

PUBLIC FORUM

At this time the Commissioners conducted a public forum opening the floor for questions and comments from the audience. Responses were received from:

Frances Eagen regarding the resource teacher for public schools;

Dick Myers regarding the MACo Conference.

MARYLAND ASSOCIATION OF COUNTIES AWARD - GEORGE R. AUD

The County Administrator announced that George Aud received an award from MACo for being president of MACo in 1986. He was given a plaque and a gavel.

ADJOURNMENT

The meeting adjourned at 3:15 p.m.

Approved,

  
W. Edward Bailey  
Acting President

