

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, September 15, 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 9:00 a.m.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, September 1, 1987 as corrected. Motion carried.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to approve the minutes of Tuesday, September 8, 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

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

a) REQUEST FOR PAY ADJUSTMENT
ALCOHOLIC BEVERAGE BOARD ATTORNEY

Memorandum dated September 10, 1987 from Personnel Office advising that staff recommended the following: Award a pay adjustment to the Alcoholic Beverage Board Attorney, Michael Davis of \$2,000, which will increase his salary from \$3,000 to \$5,000 to be effective September 21, 1987.

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

b) REQUEST FOR RECLASSIFICATION OF POSITION
DEPARTMENT OF PUBLIC WORKS

Memorandum dated September 10 from Personnel Office advising that staff recommends the following: Upgrade the Building Services Supervisor, Grade 10, position in the Public Works Department to a Grade 11, Step 6 (6% increase of current grade/salary) at a salary of \$24,234 effective September 21, 1987.

Commissioner Lancaster moved, seconded by Commissioner Jarboe. Motion carried.

c) CONVERSION OF TEMPORARY PART-TIME POSITION

Memorandum dated September 14, 1987 from Personnel Office advising that the Director of Area Agency on Aging has requested the conversion of a temporary part-time In-home Aide position to Permanent Part-time.

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

2) BUDGET AMENDMENTS

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

a) No. 88-9
Building Services
Alcoholic Beverage Board

Justification: Promotion of Joseph Jones, Building Services; Salary Increase for Michael Davis, Attorney for Alcoholic Beverage Board.

Commissioner Lancaster moved, seconded by Commissioner Thompson to approve the Budget Amendment as presented. Motion carried.

b) No. 88-10
Personnel

Justification: Deputy Director hired at a step higher than budgeted.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to approve the Budget Amendment as presented. Motion carried.

3) RESOLUTION NO. 87-16
PROCUREMENT MANUAL

The Commissioners having conducted a public hearing on August 18, 1987 on the adoption of a Procurement Manual for St. Mary's County, Commissioner Jarboe moved, seconded by Commissioner Thompson, to approve Resolution No. 87-16 adopting the Procurement Manual, which shall supersede Resolution No. 86-09, to be effective January 1, 1988. Motion carried.

4) BAY DISTRICT VOLUNTEER FIRE DEPARTMENT
PERMIT FEE WAIVER REQUEST

The County Administrator presented a request by Bay District Volunteer Fire Department requesting waiver of the building permit fee and site plan review fee for construction of a fire house substation on Chancellors Run Road. In that the request is in compliance with Resolution No. 75-53, approval of the request is recommended.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve waiver of the fees as requested. Motion carried.

5) APPOINTMENT
TRI-COUNTY YOUTH SERVICES BUREAU

Commissioner Thompson moved, seconded by Commissioner Lancaster, to appoint Mary Ann Miller to the Tri-County Youth Services Bureau for a term to expire June 30, 1990. Motion carried.

CRITICAL AREAS PROGRAM AGREEMENT

Present: Frank Gerred, Director, Office of Planning and Zoning

Mr. Gerred presented the Grant-In-Aid Program Agreement for the Critical Areas Program in the amount of \$100,000 for FY '88 to be submitted to the Department of Natural Resources, Chesapeake Bay Critical Areas Commission.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and sign the Agreement as presented. Motion carried.

AIR PARK SALES AND SERVICE, INC. LEASE

Present: Arthur Bildman, Air Park Sales & Service
Joseph Densford, Assistant County Attorney

As a follow up to previous reviews and discussions relative to the lease with Air Park Sales and Service, Inc., Mr. Bildman appeared before the Commissioners to get the Board's approval.

Later in the after Mr. Densford met with Mr. Bildman regarding the lease and changes made agreeable to both parties, Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and sign the lease with Air Park Sales and Service, Inc. at the St. Mary's County Airport. Motion carried.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) TALL TIMBERS SHORE EROSION PROJECT

Mr. Norris stated that the Board, after touring Tall Timbers last week, had indicated that payment be made to the Corps of Engineers under the legal obligation the County has. Therefore, Mr. Norris recommended that correspondence be prepared to the Department of Natural Resources indicating that payment will be made once a determination of the estimated value of the credit that is going to be established by the Corps.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, that once estimated costs are established that Commissioner Bailey be authorized to sign correspondence to the Department of Natural Resources. Motion carried.

In closing Mr. Norris reported that there will be a meeting with the citizens association and decision must be made to advise DNR of whether we want to create a third district for the additional 420 feet or that it be included in the current district.

2) ADVANCED LIFE SUPPORT/ALCOHOL HALFWAY HOUSE PROJECT
BID TALLY SHEETS

Mr. Norris presented the bid tally sheets for Project No. SM 88-4-5 (ALS/AHH Building Construction) and Project No. SM 88-4-6 (ALS/AHH Site Work) and stated that because the bids came in too high that both projects be rebid.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to reject the bids as recommended and rebid the projects. Motion carried.

3) PEGGS ROAD

As a follow up to the presentation by the Lexington Park Task Force on September 1, 1987, Mr. Norris recommended that the Board accept the recommendations of the Transportation Task Force as follows:

a) To assign both economic impact fee of \$200 and development impact fee of \$600 of the developments affected by the Peggs Road corridor to offset the construction costs of the project;

b) To authorize the completion of the design of the balance of the Peggs Road corridor to State Route 235;

c) To authorize the completion of the design of the balance of the Peggs Road corridor upon completion of the contract plans and specifications;

d) To assign the Transportation Plan Task Force with the responsibility of resolving the FDR Boulevard corridor alignment and location by November 1, 1987.

Commissioner Thompson moved, seconded by Commissioner Jarboe to accept the recommendations of the Task Force as presented on September 1, 1987. Commissioner Lancaster abstained. Motion carried.

4) FSI - SPACE NEEDS STUDY

As a follow up to the presentation by FSI on September 8, Commissioner Lancaster moved, seconded by Commissioner Jarboe, to endorse the concept of the space needs study as presented. Motion carried. (A copy of the study is on file in the Commissioners' office.)

5) TANNER CREEK SHORE EROSION DISTRICT

Commissioner Jarboe referred to past correspondence from the Tanners Creek Citizens Association regarding repairs to the seawall. Mr. Norris replied that the work will be done in the winter; however, there is still a question with the Association regarding access to the wall. Mr. Norris agreed to have a DPW representative at the September 19 meeting with the Association.

6) HEALTH DEPARTMENT BUILDING/COURTHOUSE AREA

Mr. Norris advised that the Nursing Home building renovations are underway for use by the public health department. The next step will be the design of the existing health department building to be renovated for use by the Sheriff's Department and the schematic design of the courthouse area. Therefore, Mr. Norris presented contracts with FSI in the amount of \$1900 and \$8,630 respectively and requested the Board's concurrence.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept and approve the contracts with FSI as presented. Motion carried.

7) PRELIMINARY FIELD SURVEY - LEONARDTOWN BY PASS

Mr. Norris presented and reviewed with the Commissioners the preliminary field plans for the Leonardtown Bypass. After discussion Mr. Norris agreed to offer comments to State Highway Administration at the September 21 meeting regarding concerns for the design of the intersections, the inclusion of five lanes on parts of Md. Rt. 5, and the beginning and termination points of those five lands.

8) ADDENDUM TO PUBLIC WORKS AGREEMENT
WILDEWOOD SUBDIVISION - TECHNOLOGICAL PARK

Mr. Norris presented an Addendum to the Public Works Agreement by and between Wildewood Builders, Inc. and the Board of County Commissioners extending the deadline for completion of the road in the Wildewood Technological Park, Eighth Election District, to September 1, 1988. The Addendum is backed by an Irrevocable Letter of Credit in the amount of \$39,900.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve the Addendum as presented. Motion carried.

9) ADVANCED LIFE SUPPORT/ALCOHOL HALFWAY HOUSE LEASE

Mr. Norris presented a Lease by and between St. Mary's Hospital of St. Mary's County Inc., and the County Commissioners of St. Mary's County for use of 1.5 acre site for the construction of a building to be used as a residential facility for the treatment and counseling of persons recovering from alcoholism and a facility for advanced life support services.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve and authorize Commissioner Bailey to sign the Addendum as presented. Motion carried.

10) RAILROAD RIGHT-OF-WAY
MAYJACK, INC.

The Commissioners discussed with Mr. Norris the request by Mayjack, Inc. for an easement on the railroad right-of-way behind Hickory Hills Shopping Center and the Board's denial of that request. Commissioner Thompson stated that it was his understanding that the developer had a commitment from SMECO to use the railroad right-of-way for parking. Mr. Norris advised that the County has not granted permanent use of the right-of-way and there will be other requests before the Board. He further stated that Commissioner Jarboe had wanted to see the results of the FDR Boulevard study and the effects it would have on that area. Mr. Norris pointed out that there will be some sections of the right-of-way that will have less value to the County than others and this section is probably one of them because of the alignment. Commissioner Bailey suggested that perhaps the decision to allow permanent use should be on a case-by-case basis.

In conclusion Mr. Norris suggested that there be a meeting with representatives of SMECO and the County Commissioners to discuss this matter. The Board gave their concurrence.

INSTITUTE FOR GOVERNMENTAL SERVICES
BOARDS, COMMITTEES AND COMMISSIONS SURVEY

Present: Joan Rohlf, IGS
David Warner, "

The referenced representatives of the Institute for Governmental Services appeared before the Commissioners to present and review the Survey of the Boards, Committees and Commissions which had been requested by the Board in December of 1986. Ms. Rohlf explained that the study included data gathered from the Commissioners' Office, survey of the Chairmen of the 43 Boards, and a wide range of recommendations including committee system, by laws, annual reports, compensation, etc.

In conclusion the Commissioners thanked Ms. Rohlf and Mr. Warner for the thorough report and agreed to give serious consideration to the recommendations contained therein.

(A copy of the report is on file in the Commissioners' Office.)

STATE OFFICE ON AGING

Present: Senator Rosalie Abrams, Director, State Office on Aging
Billye McGaharn, Director, Area Agency on Aging

Mrs. McGaharn introduced Senator Abrams, the Director for the State Office on Aging, to the Board of County Commissioners. Senator Abrams expressed to the Board the State's support in the concerns for the aging such as the areas of housing, medical and other issue.

The Commissioners thanked Senator Abrams for visiting the County and advised that they would be attending the Seniors' lunch at Leonard Hall.

350TH CELEBRATION COMMITTEE

Present: Polly Barber, Member

Ms. Barber appeared before the Commissioners to announce that the Bicentennial Commission of the United States Constitution is requesting all Americans to simultaneously ring bells, chimes, or sirens on Thursday, September 17 at 4:00 p.m. for 200 seconds in celebration of the signing of the Constitution.

PROCLAMATION
POW - MIA WEEK

Present: Darlene Caldwell

The Commissioners presented the referenced Proclamation designating the week of September 13 - 19, 1987 as National POW -MIA Recognition Week in St. Mary's County.

EXECUTIVE SESSION

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

Commissioner Lancaster moved, seconded by Commissioner Thompson, to meet in Executive Session in order to discuss matters of Personnel, Litigation and Property Acquisition. Motion carried. The Session was held from 11:35 to 11:50 a.m.

MENTAL HEALTH, ALCOHOLISM & DRUG ABUSE ADVISORY COUNCIL
FREEDOM LANDING, INC.

Present: Phebe Barth, Director, Office of Community Services
Elizabeth Sally Raley, MHADAAC
Dan Donahue, "
Dr. Patricia Hawkins "
Suzanne Lawrence "
Mary Clements "
Gerry McGloin "

The referenced representatives of MHADAAC appeared before the Commissioners to present the Freedom Landing 1987 Evaluation Report. Ms. Barth indicated that the evaluation process began in February and the documents used by the Committee were a list of strengths and weaknesses of the program as perceived by Freedom Landing staff; and Guidelines for Psychosocial Rehabilitation Programs in Maryland.

Mrs. Raley reviewed the Evaluation Report, beginning with Commendations for the Freedom Landing staff and Board of Directors, and continuing with Findings and Recommendations.

Mary Clements addressed mentally retarded, chronically mentally ill or dual diagnosed concerns and Frank Sullivan commented on emergency services. Suzanne Lawrence and Dr. Hawkins commended Freedom Landing for their services and MHADAAC for the efforts put into the report.

In conclusion the Board expressed appreciation to MHADAAC for the Evaluation Report and agreed to review it in greater detail.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
John V. Baggett, Director, Recreation and Parks
Joseph Densford, Assistant County Attorney
Frank J. Gerred, Director, Office of Planning and Zoning

Commissioners Lancaster moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss property acquisition. Motion carried. The session was held from 1:55 p.m. to 2:20 p.m.

MARYLAND ROCK PROPERTY TRANSFER AGREEMENT

Present: John Baggett, Director, Recreation and Parks
Joseph Densford, Assistant County Attorney
Frank Gerred, Director, Office of Planning and Zoning

The referenced individuals appeared before the Commissioners to review the revised Exchange Agreement between the County and Maryland Rock for property located at Abell's Wharf conveying to the County property known as the "Recreational Access Area" and conveying to Florida Rock the "Old Public Landing." Mr. Baggett indicated that the Agreement includes a provision for a public hearing before the transfer process began.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to sign the Agreement to proceed with the property transfer with Florida Rock (Maryland Rock). Motion carried.

TOWN CREEK MARINA

Present: Ray Lankford, Manager, Town Creek Marina
Wayne Grover

Mr. Lankford appeared before the Commissioners to present documentation which he believed indicated that the owner of the the Town Creek Marina and not the County owns the strip of land along the bulkhead. Mr. Grover, on behalf of Mr. Lankford, requested that the County take down the "No Parking" signs which have been placed in front of the Marina in that it is affected the Marina business. Mr. Grover stated that the ownership of the strip of land was noted on the original Deed, but for some reason was not included on the most recent Deed.

The Commissioners thanked Mr. Lankford and Mr. Grover for the information.

CHESAPEAKE BAY CRITICAL AREA

Present: Frank Gerred, Director, Office of Planning and Zoning

Commissioner Jarboe and Mr. Gerred reported on the meeting on September 9 with seven counties, including St. Mary's, to discuss concerns with the Critical Area Program. Mr. Gerred stated that the purpose of the meeting was to discuss common concerns regarding the plans. One area of concern was the restriction of one home for every twenty acres. The counties each agreed that the legislation should be amended to give flexibility to each county yet adherence to the resource protective measures and the spirit of the Program. Commissioner Jarboe indicated that one of the concerns of St. Mary's County is the reforestation requirement which is impractical for some counties that are heavily forested.

Mr. Gerred indicated that it was suggested by the counties represented at that meeting that each County write a letter to Queen Anne County supporting its efforts to develop a realistic local program. The Legislators are being requested to extend the deadline for local program submission to June 1, 1988.

Mr. Gerred stated it was recommended that local elected officials met with the Governor to express concerns with the Program and to try to develop flexibility in each of the local programs.

The Commissioners gave their concurrence with the recommendations as presented.

ST. MARY'S PUBLIC SCHOOLS - BOARD OF EDUCATION

Present: Dr. Larry Lorton, Superintendent of Schools
Dennis Younkin, Director, Fiscal and Administrative Services

1) PUBLIC SCHOOL CONSTRUCTION PROGRAM

Dr. Lorton advised the the Commissioners that there will be a public hearing on School Construction Funding on September 16 in Annapolis, and a public statement has been prepared for the Board's review which will be entered into the record. The Statement includes four exhibits: Wealth per Pupil Summary; State Aid and Per Pupil Summary; Expenditure per Pupil Summary; and a Summary of the first three exhibits.

Dr. Lorton concluded by stating that there should be some equalization in the public school construction funding, that less wealthy counties should receive more school construction funds than the wealthier counties.

(Commissioner Jarboe, County Administrator Cox, and Mr. Loffler will attend the public hearing with Dr. Lorton.)

2) IMPACT AID

Dr. Lorton presented correspondence addressed to Commissioner Jarboe regarding the local officials who will be visiting our Congressional delegation on September 17 and requesting that two points regarding impact aid be emphasized: That keeping impact aid at current levels was not adequate; and that impact represents a steadily decreasing portion of the budget.

(Commissioners Jarboe and Lancaster will be attending this meeting.)

ST. MARY'S ACADEMY PROPERTY

Present: Joseph Densford, Assistant County Attorney

The County Administrator advised that the Committee appointed by the Board of County Commissioners to negotiate the purchase of the St. Mary's Academy property has recommended that the County execute a letter to the Academy's attorneys revising our original offer for the property. Therefore, Commissioner Lancaster moved, seconded by Commissioner Thompson, to sign the letter as presented. Motion carried.

PUBLIC FORUM

At this time the Commissioners opened the meeting for comments and questions from the audience. Comments were heard from:

Dick Myers - Re Academy property

Oran Wilkerson - Re Critical Areas Public Hearing

Bruce Haskell and Ann Haskell - Re Critical Areas Program

EXECUTIVE SESSION

The Commissioners continued the public hearing held earlier on Personnel, Property Acquisition and Litigation. The Session was held from 4:25 p.m. to 5:10 p.m.

ADJOURNMENT

The meeting adjourned at 5:10 p.m.

Approved,



W. Edward Bailey,
Acting President