

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, March 15, 1988

Present: Commissioner Carl M. Loffler, Jr., President  
 Commissioner W. Edward Bailey  
 Commissioner Robert T. Jarboe  
 Commissioner John G. Lancaster  
 Commissioner Rodney Thompson  
 Edward V. Cox, County Administrator  
 Judith A. Spalding, Recording Secretary

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

APPROVAL OF MINUTES

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, March 8, 1988. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

1) METROPOLITAN COMMISSION  
BONDING FOR TREASURER

The County Administrator presented correspondence dated March 14, 1988 from the Metropolitan Commission requesting the Board's approval of the bonding of the newly appointed Treasurer of MetComm, Georgann B. Clark.

Commissioner Jarboe moved, seconded by Commissioner Bailey, that St. Mary's County Commissioners approve the Continental Insurance Company surety for the bonding specified in Section 113.1.E of the Public Local Laws of St. Mary's County, in the amount of \$25,000 to be issued to Mrs. Georgann B. Clark as the duly appointed Treasurer of the St. Mary's Metropolitan Commission, effective March 17, 1988. Motion carried.

2) SENATE BILL 405  
STATE TRANSFER TAX - EXEMPTIONS

The County Administrator advised that the amendments to the referenced bill would exempt the first \$20,000 of consideration payable on the conveyance of owner-occupied residence from the local recordation and transfer taxes. He stated that this would cost the county an estimated \$350,000 in year in actual revenues. Therefore, Mr. Cox recommended that the Commissioners authorize the president of the board to sign correspondence to Senator Fowler voicing the County's opposition to this bill.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the correspondence as recommended. Motion carried.

3) ST. MARY'S HOSPITAL LEASE/MARCEY HOUSE

As a follow up to previous discussion, the County Administrator advised that the referenced amended lease has been reviewed by the Assistant County Attorney and the Director of Public Works. Other than the completion date for Eldon Lane, the staff has indicated the Lease is in order for approval by the County Commissioners.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the amended Lease as submitted by the Hospital Board of Directors. Motion carried.

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Commissioner Lancaster moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the amended Lease as submitted by the Hospital Board of Directors. Motion carried.

4) PATUXENT RIVER COMMISSION

Commissioner Bailey moved, seconded by Commissioner Lancaster, to reappoint Commissioner Robert Jarboe to the Patuxent River Commission. Motion carried.

5) LOCAL GOVERNMENT INSURANCE TRUST

The County Administrator presented correspondence dated February 22, 1988 from Local Government Insurance Trust with an Amended and Restated Local Government Insurance Trust Agreement. The amended Agreement provides for property insurance to participants in addition to the currently provided for liability insurance (general and vehicle). Mr. Cox indicated that the staff recommends that the Commissioners approve and sign the Amended and Restated Agreement.

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

EMERGENCY OPERATIONS CENTER  
ANNUAL REPORT

Present: Tom Oliver, Director, EOC  
Shirley Wood, Communications, Chief Operation  
Gloria Ledonne, Secretary

The referenced individuals appeared before the Commissioners to present the 1987 Annual Report for the Emergency Operations Center. Mr. Oliver reviewed the details of the report which includes police, fire and rescue service activities handled through the Communications Center. A copy of the Report is on file in the Commissioners' Office.

In conclusion the Commissioners expressed appreciation to the staff of the EOC.

AREA AGENCY ON AGING

Present: Billye McGaharn, Director

Notifications of Grant Award

As a follow up to last week's discussion, Mrs. McGaharn presented the following NGA's for action by the County Commissioners:

Statewide Special Transportation Assistance Program  
(Capital Assistance Grant Agreement - Amendatory Agreement)  
Project No. 87-21  
Project Time Period: July 1, 1986 - June 30, 1988  
Project Description: Purchase of one mini passenger bus  
Net Project Cost : \$44,000 (local Share - \$16,657)

Public Transportation Capital Grant Agreement  
Project No. MD-18-0005  
Project Description: Purchase of one 22-passenger bus  
Net Project Cost : \$42,500 (Local Share - \$2,125)

Statewide Special Transportation Assistance Program  
(Operating Assistance Grant Agreement - Amendatory Agreement)  
Project No. SSTAP 88-21  
Project Time Period: July 1, 1987 - June 30, 1988  
Project Description: Operation of transportation program serving  
the elderly and handicapped of St. Mary's.  
Net Project Cost : \$78,628 (Local Share - \$19,657)

In addition to the referenced Notifications of Grant Award, Mrs. McGaharn presented the following NGA from ACTION:

Older American Volunteer Program  
Retired Senior Volunteer Program  
Total Project Cost: \$51,826 (Federal - \$34,000; Local - \$17,826)

Statewide Specialized Transportation/Rural Public Transportation

Project Period: July 1, 1988 - June 30, 1989

SSTAP

State - \$58,409  
Local - 19,602  
Income - 2,000  
Total \$80,011

RPTP

Federal/State - \$38,566  
Local - (11,269) (soft match)  
Proj. Income - 10,000  
Total \$59,835

After discussion, the Commissioners agreed to defer a decision on the referenced NGA's and Grant Application until next week.

AREA AGENCY ON AGING

Present: Jack Sullivan

Relative to Mrs. McGaharn's resignation, Mr. Sullivan recommended that the Commissioners hire her as a consultant for a period of time until her replacement has been trained. The Commissioners advised that they would take the recommendation under advisement.

TRANSFER OF AIRPORT LEASE

Present: John Paradis, Chairman, Airport Commission  
George Haliscak Airport Commission  
Ed Long, "  
Donna Smith, "  
John Norris, Director, Public Works  
Joseph Densford, Assistant County Attorney  
Art Bildman, Air Park Sales and Services

As a follow up to last week's discussion regarding the transfer of the Lease from Atlantic Aero to Air Park Sales and Service, the County Administrator distributed a list of issues raised by the Department of Public Works. It was agreed that the Airport Commission members, the Assistant County Attorney, the Department of Public Works, and Mr. Bildman meet in Room 16 to discuss the issues and develop recommendations for the Commissioners.

OFFICE OF PLANNING AND ZONING  
SPEC # 87-2001: ST. MARY'S COUNTY AIRPORT MASTER PLAN  
AIRPORT OVERFLIGHT AREAS DESIGNATION

Present: Frank J. Gerred, Director, Planning and Zoning  
Betsy Anthony, Recording Secretary.

Members of the audience included: Viki Volk, Vince DelGavio, John J. Smith, George Haliscak, Wanda Mathews, Allen Bussler, Susan Wilkinson, Judy Landau, Dick Myers, John Paradis, Edward H. Long, and John B. Norris.

Mr. Gerred noted that the Notice of Public Hearing was advertised in "The Enterprise" Newspaper on February 24, and March 2, 1988, a publication of county-wide circulation, providing legal notice for the following public hearing:

SPEC # 87-2001: ST. MARY'S COUNTY AIRPORT MASTER PLAN and  
AIRPORT OVERFLIGHT AREAS DESIGNATION

The Airport Master Plan designates certain areas as Clear Zones in which no building will be permitted due to safety considerations associated with Airport activities. The Plan under review will designate those clear zones as Aircraft Overflight Areas of the St. Mary's County Zoning Ordinance and Zoning Maps.

Present: Mr. John Paradis, Chairman, Airport Commission  
Mr. John B. Norris, Director, Dept. of Public Works

Mr. Gerred reviewed the Master Plan with the Commissioners explaining that the an extension of the runway would be taking place on both ends and pointed out that the existing clear zone was delineated by a green line and the proposed clear zone was outlined in pink. He explained that the extension of the runway on either end would require the taking of property.

Mr. John Paradis indicated that the extension would take place on the west end of the runway first.

Discussion ensued regarding the slope requirements by the FAA. Differences of opinion arose relative to the approval given by the Planning Commission at an earlier meeting. Mr. Norris indicated that the FAA had previously changed the definition slope requirements to 20 to 1. Mr. Paradis explained that the Airport Commission had strongly recommended that the plan be kept as previously approved by the Planning Commission.

During review of the plan, Mr. Gerred realized that the boundary of the clear zone on the western end of the runway was not correct. Commissioner Loffler felt that it was necessary to have the accurate information in order to hold a public hearing. He requested that staff (DPW/OPZ) amend the plan to incorporate the correct figures for the clear zones on both ends of the runway.

Hearing no further discussion, Commissioner Loffler inquired whether anyone wished to speak either in favor or opposed to the request.

Mr. Allen Bussler, of The Sentinel, inquired as to what was located at the western end of the runway, and Commissioner Thompson indicated that there was a house in the vicinity. Mr. Bussler also asked if the Master Plan took into consideration the possibility of an emergency landing off of the runway. Mr. Paradis explained that the area was not clear for airplanes to land, but the area was clear so that no one would be in the vicinity if an airplane was to abort a flight.

Ms. Judy Landau, of The Tide, asked what the county had done as far as obtaining the house, and what did the airport gain by the extension of the runway.

Mr. Cox, County Administrator, explained that the County Commissioners had authorized Mr. Densford, County Attorney, to negotiate with the property owners and report his findings to the Commissioners.

Mr. Paradis explained that by extending the runway it would most benefit the larger aircraft needing to land at the St. Mary's Airport. The extension would also benefit companies desiring to relocate in the county but need the larger runway for their aircraft.

Case continued to March 22, 1988.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) WATERWAY IMPROVEMENT GRANT APPLICATION  
DUKEHART'S CREEK DREDGING PROJECT

Mr. Norris presented the referenced grant application for 100% funding for the dredging of Dukehart's Creek Entrance Channel to North Branch in the amount of \$25,000.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the Grant Application as presented. Motion carried.

2) COUNTRYSIDE SUBDIVISION

Mr. Norris presented the following documents relative to Countryside Subdivision:

Road Construction Agreement

Agreement by and between the Board of County Commissioners of St. Mary's County, Maryland and Swarey Builders, Inc. in the amount of \$148,000 for the cost of constructing and improving a section of Pegg's road to county standards. The Agreement is backed by a Letter of Credit with Maryland Bank and Trust Company.

Deed

Deed dated March 3, 1988 by and between Israel Z. Swarey and the Board of County Commissioners for St. Mary's County for Pegg's Road - Variable Right-of-Way, Eighth Election District.

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

Public Works Agreement

Dated February 22, 1988 by and between Swarey Builders, Inc. and St. Mary's County for road and drainage improvements to Jacob Court, Countryside Subdivision, Eighth Election District by January 1, 1989. The Agreement is backed by a letter of credit with Maryland Bank & Trust Company in the amount of \$104,000.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the Public Works Agreement as presented. Motion carried.

3) RIGHT-OF-WAY AGREEMENT  
INDIAN BRIDGE ROAD

Mr. Norris presented the Right-of-Way Agreement whereby the Department of Natural Resources grants to St. Mary's County an easement and right-of-way for the construction, reconstruction, widening, maintenance, repair, operation and inspection of Indian Bridge Road.

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

EXECUTIVE SESSION

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

Commissioner Bailey moved, seconded by Commissioner Jarboe, to meet in Executive Session in order to discuss matters of Personnel. Motion carried. The Session was held from 12:05 p.m. to 12:21 p.m. Mr. Norris left the Session, and the Commissioners continued in Session with Mr. Cox until 1:20 p.m.

FLORIDA ROCK - LAND EXCHANGE AGREEMENT

(Commissioner Bailey did not participate in this discussion.)

Relative to the Land Exchange Agreement between Florida Rock and St. Mary's County for land at Abell's Wharf, Commissioner Thompson moved, seconded by Commissioner Jarboe, to table the land exchange for an indefinite period. Motion carried three to one with Commissioner Lancaster voting against the motion.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator  
Frank Gerred, Director, Office of Planning and Zoning  
Jim Weber, Chief, Permits and Inspection  
Joseph Densford, Assistant County Attorney

Commissioner Bailey 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 1:40 p.m. to 2:10 p.m.

EXECUTIVE DIRECTOR - TRI-COUNTY COUNCIL

Commissioner Jarboe moved, seconded by Commissioner Lancaster, that Gary Hodge's, Executive Director for Tri-County Council, contract be continued for another two years. Motion carried.

FY '89 BUDGET REVIEW

Present: Charles Wade, Jr., Director of Finance  
John Norris, Director, Department of Public Works

Mr. Wade appeared before the Commissioners to review estimated General Fund Revenues and Expenses and the Capital Budget for FY'89. The Commissioners will continue the review at next week's meeting.

ADJOURNMENT

The meeting adjourned at 5:00 p.m.

APPROVED,

  
Carl M. Loffler, Jr.  
President