

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, March 22, 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 9:00 a.m.

APPROVAL OF MINUTES

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

APPROVAL OF BILLS

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

INTRODUCTION OF PERFORMANCE AUDITOR

The County Administrator introduced Mr. Leonard Greess, who will be serving the County under a contractual arrangement as Performance Auditor, to the Board of County Commissioners.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) REGIONAL COASTAL ZONE MANAGEMENT PROGRAM

Also Present: Robin Guyther, Planner, Office of Planning & Zoning

The County Administrator presented a memorandum dated March 7, 1988 from the Office of Planning and Zoning advising that the Coastal Zone Management Program has funds available for a regional project. Mr. Guyther advised that Tri-County Council has proposed to apply for funds to establish a regional program to identify pollution and blockages in streams in each County. He stated that an endorsement is needed from each County in order to make application. No County funds are involved.

After discussion Commissioner Thompson moved, seconded by Commissioner Lancaster, to endorse Tri-County Council's application for a regional Coastal Zone Management Program. Motion carried.

2) COASTAL RESOURCE ADVISORY BOARD

Commissioner Lancaster moved, seconded by Commissioner Jarboe, and unanimously carried, to appoint the following individuals to the Coastal Resource Advisory Board for terms to expire January 30, 1990:

Frank J. Gerred, Director, Office of Planning and Zoning
Robin Guyther, Planner, OPZ
Mark Milburn, citizen representative.

3) DONCASTER YOUTH CAMP

The County Administrator presented correspondence addressed to Governor Schaefer expressing St. Mary's County's concern in the change of the operation of the Doncaster Forest Camp for youths in Charles County. The Commissioners agreed to sign and forward the letter.

4) BUDGET AMENDMENTS

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

No. 88-44
County Commissioners

To refund court costs because of change in venue -
\$1,235.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the referenced Budget Amendment as presented. Motion carried.

No. 88-45
County Attorney

To cover overexpenditures for books and publications and other contracting services by County Attorney -
\$2,200.

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

4) SHELTER FOR HOMELESS WOMEN GRANT

The County Administrator presented an amended Agreement between the Department of Natural Resources, Community Services Administration for shelter for homeless women program services. The amend provides funds to increase staff coverage and services to clients at the shelter and to purchase additional fund and supplies. Additional funds are in the amount of \$15,589 bringing the total FY '87 application to \$53,312 and the total contract for FY '87 and FY '88 to \$71,667.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the amendment Grant Agreement. Motion carried.

5) PERSONNEL

The County Administrator presented a memorandum dated March 22, 1988 from the Personnel Office recommending the establishment of an Engineer I position in the Department of Public Works and the selection of Cynthia Reynolds to the that position in the Department of Public Works.

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

6) CLEARINGHOUSE PROJECTS

The County Administrator presented the following clearinghouse projects for the Commissioners' review and consideration and advised that the projects are consistent with the County's plans, programs or objectives:

Clearinghouse Project #MD880311-0183
FmHA Section 502 Program - Chancellor Village

Clearinghouse Project #MD88026-0132-300112
Coastwide Weakfish Stock Identification Program

The Commissioners concurred with the County Administrator's recommendations.

7) CAPITOL FOR A DAY PROJECT

The County Administrator advised that Lynn Fitrell is serving in the Governor's Office as Coordinator for the Capitol-for-a-Day project. The Governor and his cabinet will be coming to Southern Maryland on June 9 and 10. In order to facilitate this event, the Governor is requesting the appointment of a liaison to assist in the planning of the program.

After discussion the Commissioners agreed to select County Administrator Cox as the liaison.

8) CRITICAL AREAS TASK FORCE
GROWTH ALLOCATION POLICY

The County Administrator presented correspondence from the Critical Areas Task Force requesting the Board's consideration to increase the consultant's contract by an additional \$2,000 in order to prepare a Growth Allocation Policy.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to increase the contract by an additional \$2,000 making the total contract \$7,000. Motion carried.

9) PERSONNEL
DIRECTOR, OFFICE ON AGING

The County Administrator presented a memorandum from the Personnel Office recommending the selection of Jane R. Conlin to the Director, Office on Aging position, Grade 15-3.

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

10) RESIDENCY REQUIREMENT FOR EMPLOYMENT

The County Administrator presented a memorandum to the Commissioners whereby he proposes that a formal statement be added to the County's Manual of Personnel Policies and Procedures requiring in order to maintain eligibility for employment:

(1) Be a bona fide resident of St. Mary's County and maintain such residency for the duration of employment.

--OR--

(2) Become a bona fide resident of St. Mary's County within one hundred eight calendar days of the date of appointment and maintain such residency for the duration of employment.

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

11) CONTRACT EMPLOYEES

The County Administrator presented a memorandum to the Commissioners attaching a list of positions recommended to be changed from contract to merit system. Commissioner Lancaster moved, seconded by Commissioner Thompson to approve the list of positions to be changed from contract to merit. Commissioner Jarboe opposed the motion. Motion carried. four to one.

NURSING CENTER PROJECT

Present: Charles Wade, Jr., Director of Finance
George Smith, Director, St. Mary's County Nursing Center
Daniel Capper, Nursing Center Board

Mr. Wade presented a proposal to alleviate the cash flow problems at the Nursing Center. He stated \$150,000 of the bond sale had been transferred to the Nursing Center and an additional \$100,076 loan was advanced in order for the Center to meet its debt service. \$100,000 had been contributed by the Nursing Center to the project, and Mr. Wade proposed that this amount be returned which would satisfy the \$100,076 loan. In addition Mr. Wade suggested that \$140,000 be advanced to the Center for debt service due July 15, 1988 and that it be repaid by one of the following methods, which will be determined by bond counsel:

- 1) By the Nursing Center at \$2800 per month for five years; or
- 2) From \$92,028 remaining from the capital budget, if available.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to accept Mr. Wade's recommendations as presented. Motion carried.

CLARIFICATION OF MORATORIUM

Present: Herb Redmond, D. H. Steffens
Frank Gerred, Director, Office of Planning and Zoning
Robin Guyther, Planner, OPZ

Mr. Redmond appeared before the Commissioners in order to get a clarification regarding the ten-lot subdivision exception in the moratorium adopted by the Commissioners. He inquired as to whether the exception was intended for ten lots per parcel under the same ownership and if the parcel was divided by a county road. Mr. Redmond pointed out that under the minor subdivision regulations this type of property was treated as separate parcels, and he was of the opinion that it should be handled that way in the moratorium exception.

During discussion the Commissioners indicated that the exception would allow ten lots per parcel and requested Mr. Gerred to formulate the clarification in writing for next week's meeting.

SUBDIVISION PLAT SUBMISSION REQUIREMENTS

Mr. Redmond requested the Board's consideration by the Board to review the checklist requirements for preliminary plans. He stated that at the preliminary plans stage, the Office of Planning and Zoning requires road standards, stormwater management, site distances, sedimentation control plans, which he stated involved a great deal of money to have prepared. Mr. Redmond stated that he believed these requirements should be for the final plan stage and not the preliminary stage.

Mr. Guyther explained the need for this requirement stating that it was necessary in order to have correct and completed plans.

In conclusion Commissioner Loffler indicated that the Board would review this matter to determine if any modifications are needed.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
James Haley, Procurement Officer

Commissioner Lancaster moved, seconded by Commissioner Bailey, to meet in Executive Session in order to discuss matter of property acquisition. Motion carried. The Session was held from 10:25 a.m. to 11:15 a.m.

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

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

Members of the audience included: Vince Del Gavio, Al Bussler, Joseph Mitchell, Jones Thompson, Louis P. Eberle, Dick Myers, Judy Landau, Viki Volk, and John B. Norris.

Mr. Gerred explained that the Planning Office had clarified what the Airport Commission had recommended as far as the slope requirements to be used for the St. Mary's County Airport.

Mr. Paradis indicated that, as the airport was being constructed, the FAA had categorized the airport as general utilities which meant it had a runway that was 3200' long x 75' wide, lighting at the runway and taxiways, a pilot's lounge, etc. The general utilities required that a minimum amount of clear space be a 20 to 1 slope which would be 200' off the end of the runway. Mr. Paradis explained that the slope requirement for the airport was currently 20 to 1, but the Airport Commission was still recommending the slope requirements to be changed to 34 to 1 for the future Master Plan.

Mr. Gerred, using the Master Plan, pointed out the area that would be protected from future growth by obtaining the 34 to 1 slope requirement. He indicated that, within the 20 to 1 slope requirement, the county was in control of that land, but with the extension to 34 to 1, the county would have to acquire control. Mr. Gerred explained that, on the west end of the runway, there is nothing that extension will greatly impact. He felt that the county might have to gain the rights to the land in order to cut down some of the trees in the surrounding area.

Commissioner Bailey asked if by obtaining the slope requirements (34 to 1) it would solve the problem of people building in the area, and Mr. Gerred replied affirmatively.

Mr. Gerred explained that nothing would be constructed within the airspace. Mr. Paradis indicated that a building could be constructed as long as it did not interfere with the airspace but that there were also other things to be considered such as noise level.

Mr. Gerred indicated that the county might have to obtain development rights of the land in question, and Mr. Paradis explained that the Federal Government would assist in the acquisition of the necessary land in order for the airport to obtain the 20 to 1 slope requirement.

Commissioner Lancaster inquired as to the amount of property involved in the acquisition on the east side of the runway that the county did not have control of, and Mr. Gerred pointed out to him the area on the Master Plan.

Commissioner Thompson asked if the property owners had been notified that the public hearing would have such a bearing on their land, and Mr. Gerred indicated that he did not specifically notify any property owners. He explained that notification was given to those whose land was directly involved.

Hearing no further questions or comments from the Commissioners, Commissioner Loffler open the hearing to the public.

Ms. Viki Volk, of the Enterprise, asked for an explanation of the property the county did not own. Mr. Gerred explained that the property fell west of Lawrence Haven Road. Ms. Volk indicated that there were three property owners involved but only one with a structure, and Mr. Gerred indicated that she was correct. Mr. Gerred informed Ms. Volk that the property to the east of the airport would have to be purchased with the bulk of that being owned by Mr. Joseph Waldschmidt. He explained that the county would need certain rights but would not necessarily need to own the property.

Mr. Allen Bussler asked for a reclarification of the 34 to 1 slope requirements and the issue of the county possibly not owning the necessary land but being able to put restrictions on that land. Mr. Gerred explained that the county might have to purchase some of the land.

Ms. Judy Landau, of The Tide, asked Commissioner Loffler if he felt that the community had been informed about the hearing. Commissioner Loffler explained that Mr. Densford, Assistant County Attorney, was currently negotiating with the property owners' in the area.

Mr. Cox, County Administrator, explained that the current public hearing was not the only public hearing held for the matter of the Airport Master Plan and that the public was advised of the situation.

Ms. Landau questioned the fact that one of the property owners was not identifiable, and Mr. Gerred explained that that specific piece of property would receive minimal effect.

Ms. Volk asked, in condemnation proceedings, can a structure be condemned in order to obtain the rights to the land, and Mr. Gerred indicated that it depended upon how much land the county needed.

Hearing no further comments or questions from the public, Commissioner Loffler closed the hearing.

PROCLAMATION
RED CROSS MONTH

The Commissioners presented the referenced Proclamation designating the Month of March as Red Cross Month in St. Mary's County.

LENGTH OF SERVICE AWARDS

The Commissioners presented the following county employees with Length of Service Awards:

Kay D'Esposito	25 years
Norman A. Pilkerton, Jr.	20 years
Rebecca W. Norris	20 years
Raymond Williams	20 years
Phillip R. Cooper	15 years
Edward V. Cox	15 years
Catherine L. Mattingly	15 years
John B. Norris	15 years
Judith A. Spalding	15 years

AGRICULTURE COMMISSION

Present: George Reeves, Chairman
James Banagan
James Beavan, Jr.
Daniel Capper
Martha Daughdrill
R. Johns Dixon
Walter Raum
Joseph Mitchell, Director, Economic & Community Development

Representatives of the Agriculture Commission appeared before the Commissioners to present an Annual Report. Mr. Reeves distributed copies of the Report and stated that agriculture has gone through some difficult times during the last four years. There has also been a decline in the seafood industry.

Each subcommittee chairperson present gave a report as follows:

Livestock - Walter Raum
Field Crops - Martha Daughdrill on behalf of Joseph St. Clair
Farmers' Market - Dan Capper, on behalf of James R. Owens
Aquaculture - James Banagan
Tobacco - R. Johns Dixon
Survey - Martha Daughdrill

After discussion the Commissioners thanked the Commission members for their efforts in putting the report together and wished them continued success in developing solutions to the agriculture/seafood problems in the County.

A copy of the Report is on file in the Commissioners' Office.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

The Commissioners continued their Executive Session on Personnel as previously moved. The Session was held from 12:15 p.m. to 1:30 p.m.

FY '89 BUDGET REVIEW

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

At this time the Mr. Wade reviewed with the Commissioners the proposed FY '89 Budget by looking at certain assumptions on the revenue side and expenses. Taking into consideration the implementation of the revenue task force recommendations, development recovery fees, and other increases, additional revenues will total approximately \$5,712,000. This amount represents no property tax increase for fiscal year 1989. Mr. Wade reviewed the departmental budgets pointing out the areas that have been decreased. During discussion the following areas were addressed:

- 1) Space needs for certain departments, particularly inspectors for livability code and building code; (To delay bringing inspectors on board until January 1, 1989)
- 2) Occupation date for detention center - January 1, 1989
- 3) Revolving Fund for Recreation and Parks (Revenue and Expenses) be included in the budget.

The Commissioners gave their concurrence with the above regarding projected revenues and the referenced three items.

Other areas addressed by the Board are as follows:

- 4) That the Election Board office have one full time person five days a week and that the election judges be in the office three days a week. \$5,000 is in the budget for election time when additional help will be needed.
- 5) Commissioner Loffler requested that:
 - a) \$15,000 be put back in to the Library budget;
 - b) \$9600 be taken from EDC budget for printing; and put in Chamber of Commerce budget
- 6) Commissioner Bailey requested that funds be put back in the St. Clements Museum for the grant position.
- 7) Commissioner Thompson requested that \$10,000 (or \$7700) be put in the Sotterly Mansion budget.

Commissioner Jarboe indicated that there were some items that he would like to see included in the budget, but would address those issues after the public hearings.

In conclusion Mr. Cox stated that adjustments will be made as indicated by the Board, and the Recommended Budget will be presented next week for the Commissioners' signatures. Each spending unit will receive correspondence advising that meetings can be scheduled with the Commissioners before and after the public hearings, which will be held April 20 and 21. After the public hearings the Commissioners will take comments in consideration and have the budget resolved and finalized by June 1, 1988.

CAPITAL BUDGET REVIEW

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

Mr. Norris reviewed the list of capital projects which indicates federal/state and local funding amount.

ADJOURNMENT

The meeting adjourned at 4:05 p.m.

APPROVED,

Carl M. Loffler, Jr.,
President