

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, July 12, 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 Bailey, to approve the minutes of the Commissioners' meeting of Tuesday, July 5, 1988. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) APPOINTMENTS
BOARDS, COMMITTEES AND COMMISSIONS

Commissioner Thompson moved, seconded by Commissioner Bailey, and unanimously carried, to make the following appointments:

<u>COMMISSION FOR WOMEN</u>	<u>TERMS TO EXPIRE</u>
Judith McCue (reappt)	June 30, 1989
Bertie Bowman (reappt)	June 30, 1989
Elfreda Mathis (reappt)	June 30, 1991
Joan Stine (reappt)	June 30, 1991
<u>COMMUNITY DEVELOPMENT CORPORATION</u>	
Phebe J. Barth	June 30, 1990
<u>COUNCIL ON CHILDREN & YOUTH</u>	
Ruth A. Heibel	June 30, 1989
Jennifer Carroll	June 30, 1989
Noel B. Hepp	June 30, 1989
Kevin Williams (reappt.)	June 30, 1989

DOMESTIC VIOLENCE/SEXUAL ASSAULT BOARD

Janet B. Ander	June 30, 1992
Samuel C. P. Baldwin, Jr.	June 30, 1992
Joseph L. Dick	June 30, 1992
Eleanor Hall	June 30, 1992
Marian Lowe	June 30, 1992
Rev. Purnell Moody	June 30, 1992

METROPOLITAN COMMISSION

Robert G. Dean, Jr.	December 31, 1991
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PLUMBING BOARD

Robert Higgins	June 30, 1991
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SOCIAL SERVICES BOARD

Sandra Johnson (reappt.)	June 30, 1991
Catherine Giovannoni (reappt.)	June 30, 1991
George Ennis (reappt.)	June 30, 1991

2) CLEARINGHOUSE PROJECT NO. MD880526-0412
CERCLA MULTI-SITE COOPERATIVE AGREEMENT

The County Administrator presented the referenced clearinghouse project and recommended forwarding it to the State with the comment that it is consistent with this agency's plans, programs, and objectives.

The Commissioners gave their concurrence.

3) OFFICE ON AGING GRANTS

The County Administrator presented the following grants in behalf of the Office on Aging:

a) Notification of Grant Award
Retired Senior Volunteer Program

Commissioner Thompson moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the referenced NGA for the rebudgeting of funds for RSVP grant. Motion carried.

b) Statewide Special Transportation Assistance Program
Amendment No. Two

Commissioner Thompson moved, seconded by Commissioner Bailey, to authorize Commissioner Loffler to sign the Amendatory Agreement for the referenced SSTAP grant. Motion carried.

c) Gateway II Contract

Commissioner Thompson moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the Contract between the Maryland Office on Aging and St. Mary's County for the Gateway II Grant. Motion carried.

4) BUDGET AMENDMENTS

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

No. 89-1

Department of Economic & Community Development

Justification: Redirection of funds for the Economic Development Commission

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

No. 89-2

Board of Education

Local Capital Improvement Program

Justification: Great Mills High School roofing renovation

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

No. 88-74

County Administrator

Justification: To fund county's commitment of \$5,000 for the Catholic Charities Homeless services in Hughesville.

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

5) PERSONNEL - OFFICE OF PLANNING AND ZONING
TEMPORARY PROMOTION

The County Administrator presented a memorandum dated July 7, 1988 from the Personnel Office recommending the temporary promotion of Robin Guyther to Acting Director because of the resignation of the director, Frank Gerred.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept this recommendation effective July 1, 1988. Motion carried.

6) PERSONNEL - RECREATION AND PARKS
CONVERSION OF PROGRAM DEVELOPER TO MERIT

The County Administrator presented a memorandum dated July 7, 1988 from the Personnel Office recommending the conversion of the Program Developer position from Contract to Merit.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve the conversion as recommended. Motion carried.

7) 1989 LEGISLATIVE PACKAGE
LETTER TO LEGISLATORS

The County Administrator presented correspondence addressed to the legislative delegation requesting review of the solicitation letter and calendar relative to the assembling of the 1989 Legislative Package.

The Commissioners agreed to sign and forward the letter.

8) LETTER TO MARYLAND NATURAL GAS

The County Administrator presented correspondence addressed to Maryland Natural Gas advising that county staff is reviewing the request for a franchise agreement.

The Commissioners agreed to sign and forward the letter.

9) WICOMICO MUNICIPAL GOLF COURSE COMPLEX MANAGER
AMENDED CONTRACT - COST OF LIVING

The County Administrator advised that the Director of Recreation and Parks requested that the Complex Manager for the Wicomico Golf Course be granted the 4% cost of living increase which had been granted to county employees.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the amended Contract as presented. Motion carried.

ECONOMIC & COMMUNITY DEVELOPMENT
LETTER OF INTENT - COMMUNITY DEVELOPMENT BLOCK GRANT
ST. MARY'S AIRPARK

Present: Joseph Mitchell, Director, DECD
Susan Wilkinson, Economic Development Specialist

The referenced individuals appeared before the Commissioners to request the Board's approval and the President's signature for a Letter of Intent and cover letter to Department of Economic and Employment Development for a Small Cities Block Grant for development of the St. Mary's County Airpark. The grant request is in the amount of \$632,485, which would be used for a feasibility study, surveying, engineering, and Phase I construction.

Ms. Wilkinson displayed plans for the Airpark and pointed out the areas of development under the requested grant. She explained that the purpose in developing this county-owned property is to attract light industry and to expand employment opportunities in the community. Several companies have expressed an interest.

After discussion Commissioner Thompson moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the Letter of Intent and the cover letter to the Department of Economic and Community Development. Motion carried.

ST. MARY'S CHARTER BOARD

Present: Paul Chesser
Harry (Lanny) Lancaster, Jr.
Abell Longmore, Jr.
William P. McGarity
Jonathan C. Nelson
Barbara Thompson
Fred Wallace
Michael Whitson
Richard Wilson

The referenced members of the Charter Board appeared before the Commissioners to received their direction and charge. The Commissioners expressed their appreciation to the members for serving and taking on this important task.

After meeting with the Commissioners the Charter Board adjourned to another meeting room to begin its assignment and elect a Chairman.

EXECUTIVE SESSION

Present: Charles Wade, Director of Finance

Commissioner Bailey moved, seconded by Commissioner Lancaster, to meet in Executive Session in order to discuss a matter of Personnel. Motion carried. The Session was held from 9:40 a.m. to 10:00 a.m.

OFFICE OF PLANNING AND ZONING

Present: Robin Guyther, Acting Director
Laura Clarke, Planner
Jeff Jackman, Planner
Betsy Anthony, Recording Secretary.

1) PRESENTATION OF THE COMPREHENSIVE PLAN

Copies of the Planning Commissions Final Draft of the Comprehensive Plan, dated July 7, 1988, were distributed to the Commissioners. Mr. Guyther informed the Board that, they had sixty (60) days from this date to take action on the Plan.

Commissioner Loffler recommended that the Commissioners take a week to review the Plan and hold a work session next Tuesday. He asked that Mr. Guyther request that the consultants, sub-committee chairmen, and staff be present to answer any questions.

Commissioner Jarboe asked what would happen if the Plan was not approved by September 10, 1988 (last date to take action), and Mr. Guyther replied the Commissioners would have to approve a plan by September 10th or the plan in question would automatically take effect.

Mr. Guyther informed the Commissioners that the Planning Commission had recommended the adoption of the Plan by a vote of its members in favor four (4) to three (3) opposed. The three members voting against the plan disagreed with the density in the agricultural areas included in the plan.

It was determined later in the day that the work session would be held Tuesday, July 19, 1988, from 1:00 p.m. to 3:00 p.m., in the Commissioners' Conference Room.

2) PUBLIC HEARING
WATER AND SEWER PLAN AMENDMENT

Members of the audience included: Vince Del Gavio, Thorton Reece, Louis Eberle, Fred McWilliams, P. Jones Thompson, John L. Dudzinsky, Julia Richardson, Jean Waikart, Norman F. Kraft, Elinor B. Cofer, Mary Abell, and F. Williams.

The Notice of Public Hearing for the following case was advertised in "The Enterprise" on June 22, 1988 and June 29, 1988, a publication of county-wide circulation, providing legal notice for the following public hearing.

SPEC # 88-0693: PINEY POINT BEACH
Metropolitan Commission

Requesting a change in the Sewer Category of the Water and Sewer Plan from S-6 to S-2 (Final Planning) for Piney Point Beach due to the installation of sewer lines. The properties abut both sides of Rt. 498 from Oakwood Lodge to the end of the Road and they are shown on various parcels on Tax Map 65.

Mr. Guyther explained that the Piney Point sewer project was designed to be built in three stages. The lines had been extended down Lighthouse Road, however, MetComm failed to change the sewer category. The plans had been delivered to the State Health Department, but they would not review them since the plans were not the correct category.

Commissioner Loffler asked if the lines were constructed with the use of a federal grant and whether the lines were supposed to be expanded within a certain time frame. Mr. Guyther replied that he was correct regarding the grant, and that the project had been moved from the second phase to the first phase of construction.

Commissioner Thompson asked if the change had been accomplished due to the availability of funds. Mr. Guyther indicated that several residents of the area supported the program and that funding did become available so MetComm decided to do the project.

The Chair inquired whether anyone present wished to speak either in favor or opposed to this request.

Mr. Norman Craft, a resident of Piney Point, explained that the residents of Lighthouse Road had requested that the project proceed. The project started at Oakwood Lodge and continued down to the lighthouse at Stuart Petroleum's pier. He felt that it was needed, and the residents would appreciate it if the Commissioners would approve the sewer category change.

Ms. Jean Waikart, a resident of Piney Point, stated that she was glad that the extension would include Lighthouse Road.

Mr. Guyther informed the members that the Planning Commission and the Metropolitan Commission had both recommended the category change, as advertised.

Hearing no further comments or questions, the hearing was closed, and the Commissioners will render their decision at a later date.

EXECUTIVE SESSION

Present: Charles Wade, Director of Finance
Edward V. Cox, County Administrator

Commissioner Bailey moved, seconded by Commissioner Jarboe, to meet in Executive Session in order to continue the session with the Director of Finance on Personnel and with the County Administrator on a matter of litigation and personnel. Motion carried. The Session was held from 11:00 a.m. to 11:35 a.m.

TOUR AND BRIEFING - PRB ASSOCIATES

At 11:40 the Commissioners departed for a tour and briefing at PRB Associates at the St. Mary's Industrial Park. (Commissioner Loffler did not participate.)

3:00 P.M.

(COMMISSIONERS BAILEY AND THOMPSON NOT PRESENT.)

DIRECTOR OF FINANCE BUDGET AMENDMENT NO. 89-03

Present: Charles Wade, Director of Finance

Mr. Wade presented Budget Amendment No. 89-03 for various spending units to provide budget authority to departments based on encumbrances unliquidated at year-end FY '88.

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

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) TANNER CREEK SHORE EROSION DISTRICT

Mr. Norris presented correspondence dated June 21 which he had addressed to the Commissioners whereby he indicated that he had recommended to the Citizens Association that the title to the right-of-way owned by the State be conveyed to the Citizens Association. He stated that he needed concurrence from the Board to initiate this action. The Commissioners gave their concurrence and directed that the Assistant County Attorney proceed.

(COMMISSIONER BAILEY RETURNED - 3:10 P.M.)

2) HELEN FARMETTES - ABIGAIL LANE
ACCEPTANCE OF DEED
ROAD RESOLUTION NO. 88-1

Commissioner Bailey moved, seconded by Commissioner Lancaster, with motion carried, to:

Approve and authorize Commissioner Loffler to sign the Deed dated September 1, 1986 between Michael K. Gray and Deborah Karen Gray, Wayne Anthony Mast and Glenda Marie Mast and the Board of County Commissioners of St. Mary's County, accepting Abigail Lane in Helen Farmettes into the County Highway Maintenance System; and

Approve and authorize Commissioner Loffler to sign the Road Resolution No. 88-1 posting Abigail Lane in Helen Estates Subdivision at 25 miles per hour.

3) ESPERANZA FARMS SUBDIVISION - ADAMS COURT
ACCEPTANCE OF DEED
ROAD RESOLUTION NO. 88-02

Commissioner Jarboe moved, seconded by Commissioner Lancaster, with motion carried, to:

Approve and authorize Commissioner Loffler to sign the Deed dated June 29, 1988 between Esperanza Farms Corporation and the County Commissioners of St. Mary's County accepting Adams Court into the County Highway Maintenance System; and

Approve and authorize Commissioner Loffler to sign Road Resolution No. 88-2 posting Adams Court in Esperanza Farms Subdivision at 25 miles per hour.

4) PUBLIC WORKS AGREEMENTS

Mr. Norris presented the following Public Works Agreements for approval by the Board:

Laurel Ridge, Section 2 - Dated June 27, 1988, by and between Swarey Builders, Inc. and St. Mary's County guaranteeing completion of improvements by June 1, 1989 at a value of \$122,000, backed by a Letter of Credit with Maryland Bank & Trust Company.

Indian River Estates, Section V - Dated June 28, 1988, by and between Ken Cross Construction, Inc. and St. Mary's County guaranteeing completion of improvements by June 1, 1989 at a value of \$35,000, backed by a Letter of Credit with Signet Bank of Baltimore, Maryland.

Maydel Manor Subdivision - Dated June 24, 1988, by and between James D. Cryer, Sr. and St. Mary's County guaranteeing completion of improvements by March 24, 1989 at a value of \$86,500, backed by a Letter of Credit with The First National Bank of St. Mary's.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the referenced Public Works Agreements as presented. Motion carried.

5) STATE OFFICE BUILDING/ADULT DETENTION CENTER
WATER SUPPLY - LEONARDTOWN

Mr. Norris advised the Commissioners that correspondence dated June 17 was received from the Leonardtown Commissioners advising the County of the adoption of a Resolution by the Town which states that Leonardtown will only extend water service outside the Leonardtown to properties willing to be annexed within an agreed period of time. Mr. Norris pointed out that there had previously been an agreement between the Town and the County for the provision of water/sewer services to the county facilities.

After discussion the Commissioners directed that the Assistant County Attorney pursue this matter with Mr. Norris and return to the Board.

6) ST. ANDREWS LANDFILL

Mr. Norris advised that the State Department of Environment has issued the permit for St. Andrews Landfill. Correspondence dated June 20, 1988 was received from the State outlining the requirements of the new regulations. St. Mary's County is requested to provide by August 1 a statement of financial needs for preparing recycling plans, including scope and expected costs of preparing the plan, amount of state funding assistance that may be required to complete the plans. Mr. Norris requested the Commissioners concurrence to apply for available grant funds from the state for the recycling program.

The Commissioners gave their concurrence.

7) CAPITAL PROJECT STATUS REPORT

Mr. Norris presented and reviewed with the Commissioners the Capital Project Status Report for the Department of Public Works as of June 1988.

8) TIPPING FEE RATE STRUCTURE DEVELOPMENT

Also Present: Glenn Gass, Engineer, DPW
Tom Simpson, Kidde Consultant Inc.
Jeff Tizzard, "

The referenced individuals reviewed with the Commissioners the handout relative the the tipping fee rate structure. During the review Mr. Norris advised that two decisions were needed by the Board:

- 1) Percent of county subsidy;
- 2) Method of collection
 - a. At county facility
 - b. Direct billing

Discussion ensued as to the feasibility of charging residential property owners.

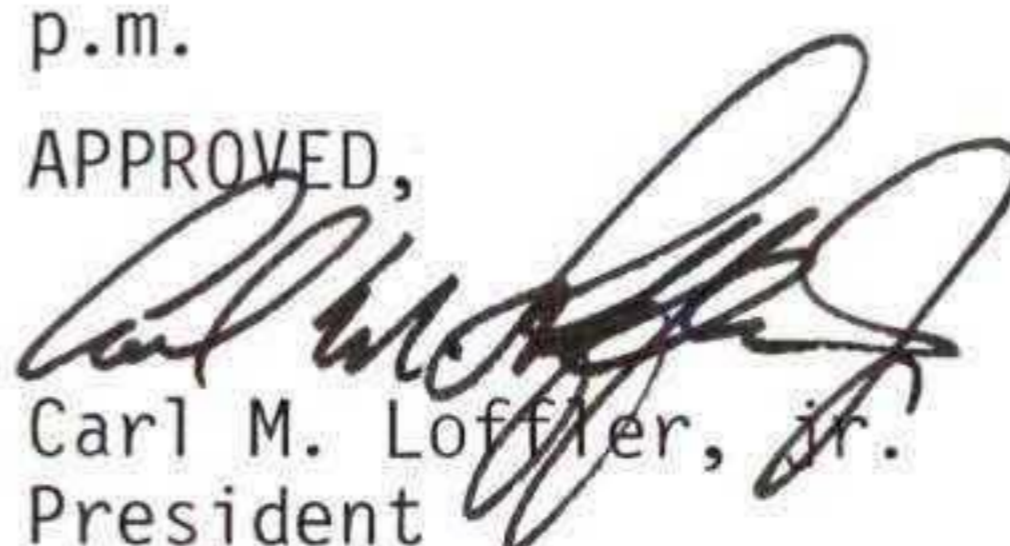
After discussion the majority of the Commissioners agreed to a 40% subsidy by the County and that a method be developed for collection at the landfill. It was the consensus of the Board that commercial haulers be charged by a weigh-in system and that residential property owners would be charged as they use the facility.

In conclusion the Director of Public Works and Kidde Consultant were directed to develop a specific proposal and return to the Board at which time a public hearing will be scheduled.

ADJOURNMENT

The meeting adjourned at 5:25 p.m.

APPROVED,


Carl M. Loffler, Jr.
President