

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, September 20, 1988

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

(COMMISSIONER RODNEY THOMPSON WAS NOT PRESENT.)

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

APPROVAL OF MINUTES

Commissioner Lancaster, moved, seconded by Commissioner Bailey, to approve the minutes of the Commissioners' meeting of Tuesday, September 13, 1988. Motion carried.

APPROVAL OF BILLS

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

S.M.I.L.E., INC

Present: Gene Carter, Director, Office on Aging  
 Melody Mason, S.M.I.L.E.  
 Jane Kostenko, Office on Aging

As a follow up to previous discussion with regard to S.M.I.L.E. coming under the administration of the County through the Office on Aging, Mr. Carter distributed a paper setting forth final actions required. Mr. Carter explained that in order to effect the transfer the following is needed:

1. Letter of notification of the county's intent to the State Adult Day Care Coordinator.
2. An operating budget for adult day care.
3. County to sign a new provider agreement.
4. County to be licensed.

Relative to the construction of new S.M.I.L.E. Centers

1. Letter of notification of transfer to the State Medicaid Coordinator;
2. Several pages of the grant application must be signed by the Commissioners.

Final approval from the Commissioners for transfer of S.M.I.L.E. with the following conditions:

1. Effective date of county administration to be October 31, 1988;
2. Current Board to become S.M.I.L.E. Advisory Council, two members of which shall sit on Commission on Aging;
3. Existing cash in S.M.I.L.E., Inc. representing program income be transferred to the County on October 31.

4. Financial records turned over to the Finance Department on or before October 31.

Authorization for the Office on Aging to carry out the final preparations as follows:

1. Classification of existing staff under the county classification system, preserving present salary levels for all employees.
2. Development of a revised operating budget for the Office on Aging which will include S.M.I.L.E. Program;
3. Development of by-laws for S.M.I.L.E. Advisory Board and revised by-laws for Commission on Aging.

During discussion Commissioner Jarboe questioned the establishment of a permanent S.M.I.L.E. Advisory Board.

Commissioner Loffler suggested that action by the Board on the referenced issues be taken next week when a full board is present.

#### COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

##### 1) ST. CATHARINE SOUND DREDGING

On behalf of the Department of Public Works the County Administrator presented correspondence addressed to the Army Corps of Engineers allowing use of county property for the purpose of spoil disposal.

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

##### 2) CAT CREEK - BOAT RAMP AND PARKING EASEMENT

The County Administrator presented a Boat Ramp and Parking Easement Agreement dated August 31, 1988 between Eugene A. Bair and Gertrude Bair; John J. Keating and the State of Maryland through the Board of County Commissioners of St. Mary's County for the purpose of permitting public access to the existing boat ramp and parking area.

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

##### 3) WAIVER OF BUILDING PERMIT FEE REQUEST ST. MARY'S PUBLIC SCHOOLS BUILDING TRADES FOUNDATION, INC.

The County Administrator presented a memorandum dated September 19, 1988 from the Office of Planning and Zoning forwarding a request from the Public Schools, Building Trades Foundation, Inc. requesting an exemption to the building permit fee for its latest project located on Lot #12 of the Little Holly Subdivision. In that the project is in compliance with Resolution No. 75-53, the Office of Planning and Zoning recommends approval of the waiver request.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the waiver as requested. Motion carried.

4) REGIONAL RESOURCE CENTER AGREEMENT

The County Administrator presented a memorandum dated September 1, 1988 from the Department of Public Works indicating that two items should be addressed in the draft agreement with the State regarding the Regional Resource Center. The Assistant County Attorney has reviewed the Agreement and concurs in the comments by Public Works.

After discussion Commissioner Jarboe moved, seconded by Commissioner Bailey, to direct the staff to have the Agreement amended as recommended. Motion carried.

5) BUDGET AMENDMENTS

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

No. 89-10  
Charter Board

Justification: To set up accounts for Charter Board based on budget approval of 9/13/88.

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

No. 89-11  
Economic & Community Development

Justification: To provide necessary funds to cover essential expenditures for staff coordinator for tourism not provided for in the final budget.

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

6) TWINNING PROPOSAL  
MEDINA BOROUGH COUNCIL (ISLE OF WIGHT)

The County Administrator presented a proposal by Mr. G. J. Dean, Acting Head of Secretarial Services, Isle of Wight, for a twinning between Medina Borough and St. Mary's County. The twinning concept links civic and official levels between the two areas and could involve occasional exchange visits.

After discussion Commissioner Bailey moved, seconded by Commissioner Jarboe, to authorize the County Administrator to pursue twinning and bring back information to the Commissioners. Motion carried.

7) GRIEVANCE APPEALS

The County Administrator advised that the Purdy grievance has been appealed, and the Board of County Commissioners is the body to hear appeals. He stated that the records of the case are available to the Commissioners and suggested that the Personnel Officer brief the Commissioners on the case to assist them in making a determination about conducting another hearing.

8) RECREATION AND PARKS  
RECREATION SUPERVISORS

The County Administrator presented correspondence for the Commissioners' review addressed to the Recreation Supervisors expressing appreciation for their dedication on behalf of the county and explaining that a salary survey is being conducted, which should be completed by December.

9) TAXATION CREDIT  
SEVENTH DISTRICT OPTIMIST YOUTH FOUNDATION

In that legislation had been enacted permitting the Commissioners to grant the Seventh District Optimist Youth Foundation a credit against local taxation for real property, the County Administrator presented Resolution No. 88-23 granting the tax credit since the property is used for civic purposes.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and sign Resolution No. 88-23 as presented. Motion carried. Commissioner Bailey abstained.

10) CLEARINGHOUSE PROJECT NO. MD880829-0707  
FY 1989 FEDERAL AID PROGRAM - VARIOUS CATEGORIES

The County Administrator presented the referenced clearinghouse project, which includes the Leonardtown Bypass, and recommended that it be forwarded to the State with the comment that it is consistent with the County's programs and objectives. Motion carried.

The Commissioners gave their concurrence.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) CLEMENTS LANDFILL

Mr. Norris advised the Commissioners that the contract for converting the Clements Landfill to a transfer station has been awarded, which has a 60-day contract time; however, the landfill is running out of space. Mr. Norris requested the Board's consideration to advance the schedule by 60 days for commercial haulers to deposit refuse at the St. Andrews Landfill.

The Commissioners gave their concurrence but requested Mr. Norris to be flexible with the closing date for commercial haulers using the Clements Landfill.

2) SOLID WASTE ORDINANCE

Mr. Norris suggested that the public hearing for the Solid Waste Ordinance be scheduled for October 18 at 7:30 p.m.

The Commissioners gave their concurrence.

During discussion Mr. Norris advised that the following will be included in the Ordinance presented at the public hearing:

- Commercial haulers will be charge \$18/ton
- Individuals will be charged \$1/per trip
- Those users not providing general revenue will pay \$18/ton, with their volume being estimated and can recover the County's 40% in subsidy through agreement.

Mr. Norris expressed the need for a Solid Waste Supervisor to handle the new permit regulations by the state and inquiries from the public regarding dumping.

The Commissioners requested Mr. Norris to return to the Board with a job description for the position.

3) WATER IMPROVEMENT GRANT APPLICATION  
ST. GEORGE ISLAND PUBLIC WHARF

Mr. Norris presented the referenced grant application for the redecking and rehabilitating the existing St. George Island Public Wharf in the amount of \$5,000.

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

4) WILDEWOOD BOULEVARD RECONSTRUCTION

Mr. Norris displayed the plans for the reconstruction of Wildewood Boulevard and Airport Road, and he stated that there is a sharp turn off of Route 235. He stated that the developer for Wildewood Subdivision has a number of items to be completed--curbing, lanes, and widening and will be putting an access road off the parking lot from the new shopping center to Airport Road. The radius at the intersection of Rt. 235 requires correction, and the cost by the developer is estimated at \$60,000, and the estimated share of the County work at \$25,000. Mr. Norris advised that a 400 foot radius would allow a 25 - 30 mile per hour speed. Mr. Norris recommended that the County enter into an agreement with the developer of Wildewood and provide the \$25,000 for them to make the necessary improvements.

Discussion ensued regarding the county paying the developer to do county work and whether the county should do the work and receive payment by the developer and requested Mr. Norris to develop a proposal allowing the County to take the leadership role.

RATING AGENCY VISITS

Present: Charles H. Wade, Jr., Director of Finance

Mr. Wade advised the Commissioners that rating agencies will be meeting with the Commissioners as follows: September 28 - Standard and Poors; October 4 - Moody's. The meetings will begin at 3:00 p.m; 5:00 - tour; 6:00 p.m. - dinner.

AQUIFER CONTAMINATION CONCERNS

Present: Pat O'Donnell, Potomac River Association  
Oran Wilkerson, "  
Jim Shea, St. Jeromes Creek  
Erik Janson, National Network to Prevent Birth Defects  
Elinor Cofer, Friends of the Chesapeake  
Grace Horton, League of Women Voters  
Dr. William Marek, Health Officer  
Larry Petty, Director, Metropolitan Commission

Mr. O'Donnell explained that the purpose of this meeting was to express concerns by the various groups regarding contamination of aquifers through the introduction of septic effluent into the groundwater, which could affect health as well as fish production. Representatives of Potomac River Association, St. Jeromes Creek Association, Friends of the Chesapeake, and National Network to Prevent Birth Defects made presentations on their concerns relative to the discharge of sewage effluent into the waters of the County. The group further indicated that they were not in favor of the County have the groundwater penetration study conducted by the State because it would not provide necessary information relative to biological contamination.

After the presentations, Commissioner Loffler explained that the Commissioners had postponed the decision regarding a groundwater penetration study awaiting for more facts and if funding became available for experimental testing. The Commissioners have until December 31 to make a decision whether to proceed with the study. Dr. Marek indicated that the State's guidelines for the study include hydrological data, but does not include a requirement for biological effects from groundwater penetration.

In conclusion the Commissioners assured those present that before the Board takes any action, it will be brought to a public hearing.

COMMENDATION - BETTY WILSON

Present: John Baggett, Director, Recreation & Parks  
Betty Wilson, Outgoing President, St. Mary's Arts Council  
Linda Patton, Incoming President, "

The Commissioners presented a Commendation to Betty Wilson for her outstanding leadership as President of the St. Mary's Arts Council.

PROCLAMATION  
TOOTSIE ROLL MONTH FOR THE RETARDED

The Commissioners presented the referenced Proclamation designating the Month of October as Tootsie Roll Month for the Retarded.

BOARD OF EDUCATION MEETING

The Commissioners departed at 12:00 Noon for a meeting with the Board of Education.

ADJOURNMENT

The meeting adjourned at 4:00 p.m.

APPROVED,

  
Carl M. Loffler, Jr.  
President