

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, October 4, 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, September 27, 1988. Motion carried.

APPROVAL OF BILLS

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

ST. MARY'S DAY CARE CENTER

Present: Joseph Mitchell, Director, DECD
 Pete Lambert, Administrator, St. Mary's Hospital
 Mike Marlay, Chairman, St. Mary's Hospital Board
 Michael Davis, Attorney, "
 Joseph Densford, Assistant County Attorney

As a follow up to last week's discussion, Mr. Mitchell presented an Agreement between St. Mary's Hospital and St. Mary's County for a child day care center to be located on the hospital property. Community Development Block Grant funds in the amount of \$98,000 from HUD through the State are being used towards the cost of construction. The hospital is responsible for construction and operation of the facility, which will provide child day care for low to moderate income families.

After discussion Commissioner Bailey moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the Agreement, which has been reviewed and recommended for approval by the Hospital Board and Assistant County Attorney. Motion carried.

OFFICE OF PLANNING AND ZONING
PUBLIC HEARING

Present: Robin Guyther, Acting Director, OPZ
 Betsy Anthony, Recording Secretary

Members of the audience included: Susan Craton, Dick Meyers, and Vince DelGavio.

Mr. Guyther read the Notice of Public Hearing aloud, as advertised in The Enterprise Newspaper on September 14, 1988 and September 21, 1988, a publication of county-wide circulation, providing legal notice for the following public hearing:

SPEC # 87-2004: LEONARDTOWN CENTRE

Requesting a change in the Water and Sewer Plan categories from W4D and S4D to W2D and S2D to allow connection to the existing systems. The property is located on the west side of Rt. 5 just north of Leonardtown. Shown on Tax Map 32, Block 15 as Parcel 328.

Mr. Guyther noted that the category changes were necessary to allow the applicant to connect with the existing systems. He explained that Mr. King of the Metropolitan Commission, had recommended the changes be from W4D and S4D to W1D and S1D and that the Planning Commission had recommended approval.

Commissioner Loffler inquired whether anyone present wished to speak either in favor or in opposition. No comment being offered, the hearing was closed.

Commissioner Jarboe moved, seconded by Commissioner Bailey, and unanimously passed, to approve the water and sewer changes as recommended by the Planning Commission and the Metropolitan Commission.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
Joseph Densford, Assistant County Attorney
Robin Guyther, Acting Director, Office of Planning and Zoning

Commissioner Bailey moved, seconded by Commissioner Lancaster, to meet in Executive Session in order to discuss matters of litigation. Motion carried. The Session was held from 9:20 a.m. to 10:05 a.m.

LEGISLATIVE PACKAGE REVIEW

The County Administrator reviewed the following items of the 1989 Legislative Package and votes were taken by the Commissioners as indicated:

	Support	Not Support	No Position
1 - Regional Park/State Debt	5	0	0
2 - County Commissioner Salaries	3	0	2
3 - Sheriff's Salaries	4*	0	1
4 - Sheriff's Deputies' Salaries	2	2	1
5 - MetComm-Benefit Assessment Charge	4	1	0
6 - Def. Delinq./Placement of Children	5	0	0
7 - Open Mtgs. Law/Disp. of Property	5	0	0
8 - Nat. Resources Severance Tax	4	1	0
9 - Public Facilities Bond	4	1	0
10 - ABB-Fingerprinting	4	1	0
11 - ABB-Sales to Drunkards	4	1	0
12 - ABB-Clerk Position Reclass.	0	5	0
13 - ABB-License Fees	4	0	1
14 - Economic Development Commission -	3 (2 Support w/ amendments)		
	(may be repealed and adopted by Resolution)		
15 - Lie Detector Screening	5	0	0
16 - Family Care Providers/Resid. Areas	5	0	0
17 - Impact Fees	Withdraw	(Legislation Not Necessary)	
18 - School Buses (Length of Use)	3	2	0
19 - Human Relations Com./Confidentiality	5	0	0
20 - Energy Tax	5	0	0
21 - Treasurer's Salary	4*	0	1
22 - Tax Sale-Delinquent Properties	5	0	0
23 - Economic Impact Fee-Leonardtwn	2	0	3 (subject to response to Town Commissioners)

* With amendments (subject to salary study)

Mr. Cox indicated that the positions of the Commissioners on the referenced items will be presented to the Legislators at the breakfast meeting on Monday, October 10.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) LEASE AGREEMENT
STORAGE SPACE - LIGHTHOUSE ROAD

The County Administrator presented a Lease Agreement with the U. S. Department of Interior for 450 square foot of storage on Lighthouse Road in Piney Point.

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

2) CONTRACT SERVICE AGREEMENT

The County Administrator presented a Contract Service Agreement by and between the Board of County Commissioners of St. Mary's County and Joseph L. Dick for the operation of the County's Alcohol and Drug Abuse Prevention Program. The program is totally funded by the State.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the referenced contract as presented. Motion carried.

S.M.I.L.E.

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

As a follow up to previous discussions regarding S.M.I.L.E. coming under the administration of County Government, Commissioner Thompson moved, seconded by Commissioner Lancaster, and motion carried to:

To authorize Commissioner Loffler to sign letters to the Coordinator of Adult Day Care and the Coordinator for community Program notifying them of the transfer of S.M.I.L.E to County Government on October 31, 1988;

To approve that:
The existing cash in the S.M.I.L.E. account representing program income will be transferred to the County on October 31, 1988;

The financial records will be turned over to the Finance Office on or before October 31, 1988;

The Office of Aging be authorized to submit the existing S.M.I.L.E. positions to the Personnel Office for classification under the county system;

The Development of a revised budget for the day care program in the Office on Aging reflecting administration of the program for the county.

Commissioner Thompson further moved, seconded by Commissioner Lancaster, to establish the S.M.I.L.E. Board of Directors as an advisory council, develop bylaws for S.M.I.L.E. and to revise bylaws for Commission on Aging and submit them to the Commissioners. Commissioner Jarboe voted against the motion stating that instead of two boards, the Commission on Aging should be expanded to include some of the S.M.I.L.E. Board members. Motion carried four to one.

GRIEVANCE PROCEDURES - PURDY

Present: Gerda Manson, Deputy Personnel Officer

As a follow up to last week's presentation of the the Purdy grievance procedures, the Commissioners discussed the next steps to be taken. In that the Sgt. Purdy had contacted some of the Commissioners to request an appearance before the Board, the Commissioners agreed to schedule him on next week's agenda. In response to an inquiry from Commissioner Loffler, Ms. Manson advised that it is permissible and appropriate for the Commissioners to meet with the aggrieved party, and that this would not constitute a reopening of a hearing. She stated that the Personnel Manual gives the Commissioners the prerogative to conduct a new hearing if they so desire.

In conclusion the Commissioners requested Ms. Manson to notify Lt. Purdy to put his request to appear before the Board in writing and that it will be scheduled next week.

COUNTY COMMISSIONER TIME

LEGALITY OF OIL AND GAS LEASE

Commissioner Jarboe questioned the legality of an Oil and Gas Lease Agreement by a firm in Virginia. The County Administrator advised that he would contact the County Attorney to investigate this matter.

PROCLAMATION
4-H WEEK

Present: Jean Dean, 4-H Agent
Frances Jones, Expanded Food and Nutrition Program
Janine Baratta

The Commissioners presented the referenced Proclamation designating the week of October 2 - 8, 1988 as 4-H Week in St. Mary's County.

PROCLAMATION
ADOPT-A-DOG MONTH

Present: Liliane Jarboe

The Commissioners presented the referenced Proclamation designating October as Adopt-A-Dog Month in St. Mary's County.

PROCLAMATION
UNITED WAY CAMPAIGN

Present: Mary Flood

The Commissioners presented the referenced Proclamation designating October 10 - November 30, 1988 for the United Way Campaign.

(The Commissioners departed to attend the Staff Meeting, after which they participated in a meeting with Moody's rating agency.)

P.M. SESSION

PUBLIC FORUM

8:10 P.M.

Commissioners Lancaster and Thompson started the public forum at 8:10 p.m.

Commissioners Bailey and Jarboe, who had been attending an Economic Matters Committee of Southern Maryland Meeting, entered the Session at 8:40 p.m.

Commissioner Loffler, who had been attending a tour and dinner with the Moody's rating agency, entered the meeting at 8:55 p.m.

Questions and comments were received from the following in the audience.

- Louis Eberle - Resubmission of Hunting Creek to Planning Commission
Report from Impact Fee Consultant
- Elizabeth Reeves - Critical Areas and Comprehensive Plan Restrictions
- Floyd Williams - Comprehensive Plan (restrictions and TDR's
Zoning Ordinance standards
- Minnie Russell - Fox Harbor Boat Ramp status
Tipping Fee public hearing
Enforcement of boat parking sign
- Mike Bridges - Office on Aging Transportation System

RESOLUTION NO. 88-24
IMPACT FEES

Present: Robin Guyther, Acting Director, Office of Planning and Zoning
Joseph Densford, Assistant County Attorney

Mr. Guyther presented a proposed Resolution to rescind Resolution No. 74-27, Resolution No. 74-42, Resolution No. 76-30 and Resolution 79-18 and adopting Impact Fees as allowed in Article 25, Section 10D-1.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve and sign Resolution No. 88-24. Motion carried.

BUDGET AMENDMENT NO. 88-75
RECREATION AND PARKS

Present: Charles H. Wade, Jr.

Mr. Wade presented and recommended for approval the referenced Budget Amendment to provide funds to cover Enterprise fund deficit.

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


PUBLIC FORUM (continuation)

The public forum continued and comments were received as follows:

- Minnie Russell - Ridge Transfer Station rental payment
- Dick Myers - Resolution on Impact Fees.

ADJOURNMENT

The meeting adjourned at 9:45 p.m.

APPROVED,

Carl M. Loffler, Jr.
President