

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, October 18, 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 Jarboe, moved, seconded by Commissioner Thompson, to approve the minutes of the Commissioners' meeting of Tuesday, October 11, 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) EMPLOYMENT CONTRACT  
IRENE DIXON - ELECTIONS OFFICE

The County Administrator presented an Employment Contract for Irene Dixon to assist the Elections Office during the preparations for the November 8, 1988 election. Ms. Dixon retired in July as Clerk to the Supervisors of Elections.

2) DAY AFTER THANKSGIVING

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the closing of the Governmental Center the day after Thanksgiving and that the employees use a leave day. Motion carried.

3) ECONOMIC IMPACT FEE STUDY

The County Administrator advised the Commissioners that the proposals for the economic impact fee study have been received and reviewed and staff will be submitting a recommendation at next week's meeting.

4) FELIX JOHNSON PROPERTY

The County Administrator advised that the Commissioners had authorized hiring a listing agency for the sale of the referenced property, and Judith O'Brien Realty has been selected as the listing agency.

5) PROPOSED FIRE COMMISSION

For the Commissioners' information, the County Administrator advised that a study group consisting of fire and rescue squads persons has been established, and the group has developed a proposal for a Fire and Rescue Commission. The study group will be coming before the Commissioners at a later date to make a formal proposal for the Commission.

6) OFFICE ON AGING  
INTERIM GRANT AGREEMENT  
TITLES III B, III-C1 and III-C2

The County Administrator presented the Interim Grant Agreement for Older American Act Funds for Title III-B, C-1 and C-2 for the period of October 1, 1988 through March 31, 1989.

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

7) HUNTING CREEK REZONING APPLICATION

The County Administrator advised that the referenced rezoning application had been forwarded to the Planning Commission and will be considered at its meeting of Monday, October 24.

PROCUREMENT SYSTEM REVIEW

Present: Charles H. Wade, Jr., Director of Finance  
James P. Haley, Procurement Officer  
Pam Faxon, Procurement Office  
Heather Schultheis, "

The referenced individuals appeared before the Commissioners to present a comprehensive look at the first six months of implementation and operation of the county's centralized procurement system. Mr. Haley distributed a handout and explained the purchase requisitions and procurement requests submitted and approved to date as well as accomplishments of the past six months.

Mr. Haley continued and presented the following recommendation:

(Internal)

- Schedule meetings with all departments to review the first six months
- Continue to work closely with all departments on specific procurement requirements
- Establish procurement lead timetable
- Continue to consolidate like requirements and bid out using the Competitive Procurement Process
- Establish guide specifications for all architect/engineer services involving capital projects whether Federal, State or County funded.
- Increase the dollar limitation for the sealed bidding process
- Standardize office equipment and furniture for all county government.

(External)

- Continue to meet with interested organizations on St. Mary's County Procurement
- Work with the Chamber of Commerce to hold seminars on the the Procurement Process for local businesses and interested public citizens.

- ° Make personal contact with local businesses to increase their awareness and opportunity to bid on county procurement requirement.

In conclusion the Commissioners thanked the referenced individuals for their presentation and expressed agreement to increase the dollar limitation for the sealed bidding process to \$5,000.

BOARD OF EDUCATION - CATEGORICAL TRANSFERS

Present: Charles Wade, Director of Finance

Mr. Wade presented correspondence addressed to the Board of Education setting forth the Commissioners' position with regard to the categorical transfer request of the Board.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to sign the letter as presented. Motion carried.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director  
Sheriff Wayne Pettit

- 1) ROAD RESOLUTION NO. 88-19  
DR. JOHNSON ROAD

Mr. Norris presented the referenced Road Resolution posting Dr. Johnson Road as a "No Parking Zone" from its intersection with Md. Rt. 242 for a distance of approximately 1,000 feet along both sides of the road.

- 2) SOLID WASTE ORDINANCE

Prior to the public hearing scheduled for this evening, Mr. Norris reviewed the proposed Solid Waste Ordinance and the Rules and Regulations for Use of Solid Waste Disposal Facility in St. Mary's County.

Discussion ensued with regard to the money collection system, and Sheriff Pettit expressed concern with the collection of money at the site. He stated that his department was concerned from a crime prevention point of view. He stated that he has made recommendations to Mr. Norris for the use of a coupon or sticker system, and that there be no collection of cash at the transfer station.

The Commissioners directed Mr. Norris to development recommendations regarding this issue.

PURDY GRIEVANCE

As a follow up to previous discussion regarding the Sgt. Don Purdy grievance, Commissioner Jarboe moved, seconded by Commissioner Lancaster, to not reopen the Grievance Hearing, but to uphold the decision by the Grievance Board. Motion carried.

COMPREHENSIVE PLAN  
OFFICE OF PLANNING AND ZONING

Present: Robin Guyther, Acting Director  
Jeff Jackman, Planner  
Anita Meredith, Office Supervisor III  
Elizabeth Holden, Permits Clerk  
Betsy Anthony, Recording Secretary.

Members of the audience included: Michael Whitson, Barbara Thompson, George Foster, Gerda Manson, Viki Volk, and Dick Myers.

Mr. Guyther distributed copies of a memorandum regarding the Comprehensive Plan Open Space requirements for the Commissioners to review. The memorandum noted that there were at least two ways open space requirements could be met:

1. Lots are no larger than one acre. Since one lot per 3 acres is allowed, a one-acre maximum lot size means two acres are left open; and
2. Lots could be virtually any size, but an open space easement is placed on the plat restricting 2/3 of the lot from being developed.

Mr. Guyther explained the illustration as provided in method one prepared by Redman/Johnston Associates, and method two, prepared by staff, for the same piece of property.

Commissioner Bailey inquired what the open space could be used for, and Mr. Guyther explained that it could not be used to build houses or garages but could be used for agricultural, recreational, or storage purposes. Commissioner Loffler felt that it would be necessary to designate where those outbuildings could be constructed and how open space could be used.

Mr. Guyther explained that an individual with a one-acre piece of land would not have to worry about the open space requirements.

Commissioner Bailey did not feel it was necessary to designate where a developer could build and what the developer should set aside for open space.

Commissioner Jarboe asked if an individual purchased one acre would he then be restricted to set aside 2/3 of his land for open space, and Mr. Guyther responded negatively. He explained that the original landowner could sell one acre but would then have to set aside two additional acres in order to meet the open space requirements.

Discussion ensued between the Commissioners and staff regarding the whether the open space requirements should be included in the Comprehensive Plan.

Commissioner Lancaster moved to accept the Comprehensive Plan as originally recommended by the Planning Commission and the Citizens Advisory Committee (density of one dwelling unit per 20 acres.) Hearing no second, the motion failed.

Commissioner Bailey moved, seconded by Commissioner Thompson, to adopt the one lot per three acre density without any open space requirements. After discussion, Commissioner Loffler called for the vote with Commissioners Bailey, Thompson, and Jarboe voting in favor of the motion. Commissioner Lancaster voted against the motion. Motion passed three (3) to one (1) to adopt the one lot per three acre density without any open space requirements.

Commissioner Jarboe, referring to page 18 of the Comprehensive Plan pertaining to the Agricultural District, asked Mr. Guyther to explain the qualifications and restrictions. Mr. Guyther explained that admittance into the program is strictly voluntary and that participation in the Maryland Agricultural Land Preservation Program was encouraged. Commissioner Jarboe inquired about the one dwelling unit per 20 acres, and Mr. Guyther indicated that the County's proposal allowed more development than the State Agricultural Preservation District.

Commissioner Jarboe also asked Mr. Guyther to review the Fire Protection section on page 37 regarding the ten (10) mile radius in rural areas as to whether the consultants had written the correct figure. Commissioner Jarboe noted that he was quoted a figure of a five (5) mile radius.

After discussion, Mr. Guyther indicated that he would delete items 1, 2, & 3 plus the sentence prefacing the items on the density standards on page 54 of the Comprehensive Plan.

Commissioner Jarboe asked about the TDR's, and Mr. Guyther explained that there was one TDR per three acres. Mr. Guyther noted that 20 acres = 1 development right in the RCA portions of the Critical Area.

Commissioner Thompson asked if the review process had begun with regard to the numerous letters received, and Mr. Guyther explained that he had begun to address the requests. He advised that Land located within a Development District, Village Center, and Town Center would generally receive the requested rezoning and most land currently zoned Nonconforming Use would be zoned Commercial.

Commissioner Loffler asked Mr. Guyther to include in the Plan the provision to have an Economic Development Plan developed within one year.

Mr. Cox reminded the Commissioners that, if necessary, the Plan could be amended by holding a public hearing at any time.

Hearing no further discussion, the meeting was closed.

#### EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Lancaster moved, seconded by Commissioner Bailey, to meet in Executive Session in order to discuss matters of Personnel and Property Acquisition. Motion carried. The Sessions were held as follows:

##### Property Acquisition

Also Present: John V. Baggett, Director, Recreation & Parks

Held from 11:30 a.m. to 11:45 a.m.

##### Property Acquisition/Personnel

Held from 11:45 a.m. to 11:55 a.m.

#### PROCLAMATION TRICK OR TREAT

The Commissioners presented the referenced Proclamation designating October 31, 1988 as the official Trick or Treat Day in St. Mary's County.

#### PROCLAMATION PHYSICAL THERAPY WEEK

Present: Linda Fearn

The Commissioners presented the referenced Proclamation designating the week of October 23-29, 1988 as Physical Therapy Week in St. Mary's County.

#### MEETING WITH BOARD OF EDUCATION

The Commissioners departed at 12:05 to attend the regular monthly meeting with the Board of Education.

#### PUBLIC HEARING SOLID WASTE ORDINANCE/TIPPING FEE

Present: John Norris, Director, Public Works  
Jeff Tizzard, Kidde Consultant  
Tom Simmons, "

Present in Audience (who raised comments/questions): (Viki Volk (Enterprise), Minnie Russell, Michael Gardiner, Dan Raley, Kathy Marks, Buddy Thompson, Mr. Curtis.

The Commissioners conducted a public hearing on a proposed Solid Waste Ordinance and Rule and Regulations regarding the operation of solid waste facilities in the County.

After the presentation of the plan by Mr. Norris and the Kidde Consultant representatives, questions and comments were received from the audience. Among the questions/comments raised were:

Viki Volk (Enterprise) : Whether any additional penalties for depositing trash outside the landfill.

Minnie Russell : Questioned using court system to take care of trash dumping on private property.

Dan Raley : Questioned \$1 cost to residents and \$18/ton fee.

Mike Gardiner : Questioned if there would be special assistance for disposal of medical waste.

Kathy Marks : Raised questions: theft of service provision needed; value system should be imposed on fine schedule; support covered truck provision; concerned about \$1 residential may cause long delays at landfill, item in regulations interfering with operation of business; medical waste.

Buddy Thompson : Effective date of tipping fee implementation.

During discussion the Commissioners agreed to give 30-day notice prior to implementation of the tipping fee.

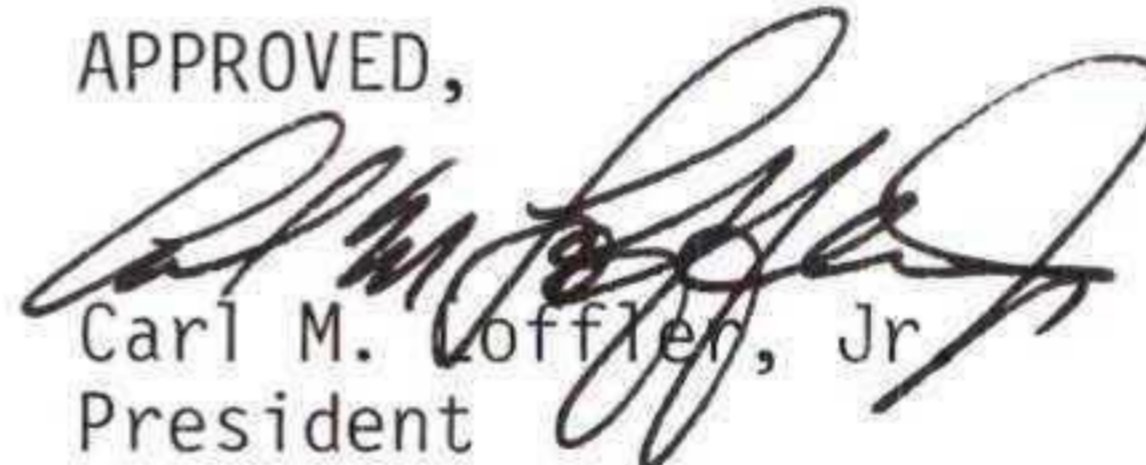
Mr. Norris indicated that because of state regulations regarding medical waste disposal, implementation of the ordinance will be delayed until arrangements can be made to handle this type of waste.

The Commissioners closed the public hearing and indicated that a decision will be made no earlier than 10 days from the hearing.

ADJOURNMENT

The meeting adjourned at 9:05 p.m.

APPROVED,



Carl M. Loffler, Jr  
President