

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, December 27, 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 Lancaster, moved, seconded by Commissioner Thompson, to approve the minutes of the Commissioners' meeting of Tuesday, December 27, 1988. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) APPOINTMENT
COUNCIL ON CHILDREN AND YOUTH

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to appoint Cynthia Browne to the Council of Children and Youth for a term to expire December 31, 1991. Motion carried.

2) MECHANICSVILLE POND

He stated that the County had an agreement that when the pond ceased to be used as a water source for the fire departments, it would revert back to the owners. Therefore, since the pond is no longer used as a water source, the County Administrator presented a Deed dated December 27, 1988 by and between the Board of County Commissioners of St. Mary's County, Maryland and Farmers National Bank of Maryland, and Cary L. Meredith, personal representative of the Estate of Neil L. Meredith, deceased.

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

3) ORDINANCE NO. 88-36
DELINQUENT ORDINARY BUSINESS AND CORPORATION
PERSONAL PROPERTY TAX INTEREST AND PENALTIES

The Commissioners having conducted a public hearing on December 13, 1988, the County Administrator presented the referenced Ordinance imposing on ordinary business and corporation personal property taxes an interest charge of one (1%) percent per month and a penalty of three (3%) percent of the amount of taxes over due and in arrears on October 1 of each year, commencing October 1, 1989.

Commissioner Bailey moved, seconded by Commissioner Thompson, to sign the Ordinance as presented. Motion carried.

4) BUDGET AMENDMENT NO. 89-30
ANIMAL CONTROL

The County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Finance with justification as indicated:

Justification: To provide additional funds for replacement of animal warden vehicle.

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

5) UNDERAGE ALCOHOL ABUSE

The County Administrator discussed his memorandum of December 23, 1988 in which the Commissioners are encouraged to sponsor a round table meeting on January 20 at the Leonardtown Library. Mr. Cox explained that the growing problem of youth drinking and the need for more enforcement resources has been brought to his attention. The meeting to discuss the problem will be attended by individuals representing enforcement, education, treatment, courts, SADD, MADD, Youth Teen Center Committee, and PTA.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, that the Commissioners sponsor the January 20 meeting. Motion carried.

6) MEDEVAC

The County Administrator advised that he received copies of correspondence indicating the November 1989 deadline for the change of location of the MEDEVAC unit now housed at Patuxent River Naval Air Station. Mr. Cox recommended that the Commissioners schedule an evening meeting on February 7, 1989 to discuss this issue and to prepare a relocation strategy to keep the unit in St. Mary's County. He suggested that after the local meeting a regional meeting should be arranged to get agreement and to prepare relocation strategy to obtain State funding.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the County Administrator's recommendation. Motion carried.

7) PLANNING AND ZONING MOVE TO MIEDZINKSI BUILDING

The County Administrator presented a memorandum to the Board advising of the preparations for the move of the Office of Planning and Zoning to the Miedzinski Building in Leonardtown.

During discussion Commissioner Bailey indicated that he would prefer for OPZ to remain at the Governmental Center to better serve the public, and that the Office of Economic and Community Development move to the Miedzinski Building. Mr. Cox indicated that this would address current space problems of OPZ as well as other space needs of other county government offices.

After discussion Commissioner Lancaster moved, seconded by Commissioner Jarboe, to proceed with the plans for the move of OPZ to the Miedzinski Building. Motion carried.

8) MARYLAND ASSOCIATION OF COUNTIES
REPRESENTATION ON EDUCATION COMMITTEE

Commissioner Jarboe recommended that the Commissioners nominate Sal Raspa to serve on the MACo Education Committee. The Commissioners authorized the County Administrator to prepare correspondence nominating Mr. Raspa.

9) PUBLIC INFORMATION

The County Administrator reviewed his memorandum dated December 23 requesting authority to proceed with a contractual arrangement with someone to assist us in developing a public information program for St. Mary's County. This individual would prepare public releases, contacting news media, and acting as spokesperson.

After discussion, Commissioner Bailey moved, seconded by Commissioner Jarboe, to authorize the County Administrator to proceed with the contractual arrangement as described. Motion carried.

SIMMONS CABLE TELEVISION

Present: Tom Morris, Manager

Mr. Morris appeared before the Commissioners to present an update on the status of the Simmons Cable Television projects in St. Mary's County.

With regard to the Lexington Park system, Mr. Morris indicated that the first phase of the reconstruction is underway. Simmons Cable acquired the Lexington Park System from United and is currently working on upgrading the system and providing the same channel availability as other areas of the County under Simmons.

In addition Mr. Morris pointed out that part of Simmons construction program includes the expansion of the system to the Seventh District. Preliminary strand mapping for the placement of the system is underway after which Simmons will be submitting pole use applications to SMECO and C & P.

In closing Mr. Simmons advised that he would keep the Commissioners apprised of the progress of Simmons' operations in the County.

CONSTRUCTION AND DEVELOPMENT USERS FEES

Present: Charles H. Wade, Jr., Director of Finance
Bruce Jennings, Cox, Long and Colvin

As a follow up to the public hearing held December 20, 1988, Mr. Wade and Mr. Jennings appeared before the Commissioners to present and review actions necessary for the implementation of revised construction and development users fees.

During discussion requests by the Commissioners were made as follows:

- Commissioner Loffler - In that the building permit fees increases had been omitted from the revised schedule, Commissioner Loffler suggested statistical assurance that the current fees covered costs.
- Commissioner Jarboe - With regard to plans review, that the county not double charge if plans had to be sent to a consultant. Mr. Jennings stated they would look at administrative process fee rather than outside consultant fee.

It was agreed that Mr. Wade and Mr. Jennings would return in two weeks for further discussion.

RESOLUTION NO. 88-35
WICOMICO SHORES SPECIAL TAXING DISTRICT

Present: Joseph Mitchell, Director, Economic & Community Development
Joseph Densford, Assistant County Attorney

As a follow up to discussion held December 6, Mr. Mitchell and Mr. Densford presented a proposed Ordinance establishing a special taxing district for the construction and improvement of streets in Wicomico Shores Subdivision. The following streets are to be improved by the County to current standards: Executive Boulevard, Crescent Lane, Sandy Court, Sycamore Drive, Sycamore Court, Hills Drive, Bush Court, Hilltop Court, Prospect Hill Road, Shenandoah Drive, Chief Drive, Air Force Road, and Army-Navy Drive.

Mr. Densford indicated that the Ordinance has been revised, as requested by the Board, to include language that the construction and improvements shall begin only when the Metropolitan Commission receives required federal, state, and county permits for the construction of a wastewater treatment plant to serve the properties included in the Ordinance.

After discussion, Commissioner Bailey moved, seconded by Commissioner Thompson, to approve and sign the Ordinance as presented. Motion carried.

COUNTY VEHICLE USE

Present: Leonard Greess, Consultant

Mr. Greess appeared before the Commissioners to present and review a draft memorandum for the Commissioners to send to all departments regarding policies for county over-the-road vehicles. Mr. Greess reviewed the Item C: Policies as follows:

Purchase, Retirement, Replacement, and Disposal

Commissioner Loffler requested that language be added stating that the specifications as described in (a) may be exceeded as long as costs are not increased.

Commissioner Jarboe suggested that consideration be given to durability, service life, and trade-in value.

Discussion ensued regarding projected costs of adopting these policies, and Mr. Greess indicated that the only possible major impact on costs would be whether the County would do maintenance in-house under the Department of Public Works or under contract. There may also be need for additional personnel in Procurement.

After discussion the Commissioners advised that they would give consideration to this Policy Statement at next week's meeting.

FOOD SERVICE CONTRACT FOR DETENTION CENTER

Present: Sheriff Wayne Pettit
James Haley, Procurement Officer

Sheriff Pettit advised the Commissioners that the food service contract for the detention center has been awarded to Creative Food Management, Inc. and presented a report dated December 22, 1988 setting forth an analysis of food costs. Sheriff Pettit indicated that under the new contract with Creative Food it is estimated that there will be a savings of approximately \$50,848.96 for food, and approximately \$67,130 in salaries and benefits by using the contract for food services.

During discussion Sheriff Pettit requested the Board's consideration to allow the correctional officers to have one meal gratis per shift, which would be consistent with other area jurisdictions.

After discussion Commissioner Bailey moved, seconded by Commissioner Lancaster, to grant this request. Motion carried.

COMPREHENSIVE MAINTENANCE PLAN
ST. MARY'S COUNTY PUBLIC SCHOOLS

Present: Brian Law, Supervisor of Maintenance and Operations
James Marsh, Director, Fiscal/Administrative Services

The referenced individuals appeared before the Commissioners to review the Fiscal Year 1989 Comprehensive Maintenance Plan for St. Mary's County Public Schools and indicated that the Commissioners' approval is required prior to forwarding it to the State.

After review and discussion Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and sign the Fiscal Year 1989 Comprehensive Maintenance Plan for St. Mary's County Public Schools. Motion carried.

PUBLIC HEARING
ABANDONMENT OF PORTION OF OLD ROUTE 5

Present: John Norris, Director, Department of Public Works

(Present in Audience Who Spoke: Billie Geisbert, Johnny Wood, William R. Mattingly, Kenny Mueller, Dorothy Davis, Henry Fowler, Jr.)

The Commissioners conducted a public hearing on the official abandonment of Old Route 5, from Maryland Route 5, southbound lane to the "Yield" sign on Old Route 5, a distance of approximately 500 feet.

The secretary read the notice of public hearing.

Mr. Norris displayed the plat of the area, pointed out the road proposed to be abandoned, and recommended that the distance of Old Rte. 5 to be abandoned be limited to 200 to 300 feet. Mr. Norris explained that a petition had been filed requesting the abandonment of this portion of Old Rte. 5 because of hazardous traffic conditions that currently exist.

The hearing was opened to the public for comment.

The referenced individuals, with the exception of William R. Mattingly, spoke in favor of the abandonment. Mr. Mattingly stated that he was opposed to the closing of that portion of the road because he used that as an access for his farm equipment.

The Commissioners closed the public hearing and advised that the record will remain open for ten days, after which the Commissioners will make a decision.

(A tape of the proceedings is on file in the Commissioners' Office.)

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) ST. MARY'S COUNTY COURTHOUSE SPACE NEEDS AND MASTER PLAN

Also Present: George Tilghman, AIA, FSI Design Group

The referenced individuals appeared before the Commissioners to present the St. Mary's County Courthouse Space Needs and Master Plan prepared by FSI Design Group.

Mr. Norris indicated that because of increased Circuit Court and District Court case load and public service support, the Commissioners authorized the study, the purpose of which was to look at immediate, short-range and long-range space needs. The study also included adequacy and allocation of space, building renovation requirements, and feasibility for building expansion.

A committee of related agency representatives was formed to assist in the study, and Mr. Norris advised that the committee was divided. Circuit Court Judge Briscoe, Clerk of Court Mary Bell, and Register of Wills Norma Dawson recommended accepting the plan providing for the construction of a St. Mary's Courthouse at the Governmental Center property. President of the Bar Association David Densford and State's Attorney Walter Dorsey recommended acceptance of the plan providing for an addition to the Courthouse to provide the necessary space for the needs of the court related agencies. (Copies of their letters of recommendation are on file in the Commissioners' Office.)

After discussion, the Commissioners agreed to review the material presented and for the Director of Public Works to return in two weeks for further discussion.

2) PUBLIC WORKS AGREEMENT AND ADDENDUM TO PUBLIC WORKS AGREEMENT

Wildewood On behalf of the Director of Public Works, the County Administrator presented a Public Works Agreement dated December 21, 1988 by and between Paragon Builders, Inc. guaranteeing completion of Smoke Hill and Cottonwood Parkway by December 1, 1989. The Agreement is backed by a letter of credit in the amount of \$57,000 with Maryland Bank and Trust.

Countryside Subdivision On behalf of the Director of Public Works the County Administrator presented an Addendum to the Public Works Agreement between Swarey Builders, Inc. and the Board of County Commissioners of St. Mary's County extending the deadline for completion of roads in Countryside Subdivision to January 1, 1990. The Addendum is backed by a letter of credit in the amount of \$104,000 with Maryland Bank and Trust Company.

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

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Thompson moved, seconded by Commissioner Lancaster, to meet in Executive Session in order to discuss matters of land acquisition, personnel and litigation. The Sessions were held as follows:

Property Acquisition

Also Present: John Norris, Director, Public Works

Held from 12:50 p.m. to 1:30 p.m.

Personnel

Also Present: Charles Wade, Director of Finance

Held from 1:30 p.m. to 2:30 p.m.


Litigation

Held from 2:45 p.m. to 3:40 p.m.

ADJOURNMENT

The meeting adjourned at 3:40 p.m.

APPROVED


Carl M. Loffler, Jr.
President