

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, November 7, 1989

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

(Commissioners Loffler and Bailey were not present at beginning of meeting and Commissioner Lancaster presided over the meeting.)

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, October 31, 1989. Motion carried.

APPROVAL OF BILLS

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

MARYLAND ADOLESCENT SURVEY OF 1989

Present: Joe Dick, Alcohol and Drug Abuse Prevention Coordinator

Mr. Dick appeared before the Commissioners to present the results of the Maryland Adolescent Survey of 1989 which measured student's attitudes and behavior with regard to alcohol and drug use. A copy of the survey is on file in the Commissioners' Office.

(Commissioner Loffler entered the meeting - 9:10 a.m.)

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) APPOINTMENTS
BOARDS, COMMITTEES AND COMMISSIONS

Commissioner Thompson moved, seconded by Commissioner Lancaster, and motion carried to make the following appointments:

<u>Council on Children and Youth</u>	<u>Terms to Expire</u>
Brian Hak (student)	June 30, 1990
Noel Hepp "	June 30, 1990
Ruth Ann Heibel "	June 30, 1990
Kevin Williams "	June 30, 1990
<u>Domestic Violence/Sexual Assault Board</u>	
Nellie Dixon	June 30, 1992/96
Liesl Stark	June 30, 1993
<u>Mental Health, Alcoholism, Drug Abuse Advisory Council</u>	
Gary Anderson	June 30, 1993/98
Sam Bauman	No Term

2) CORRESPONDENCE
HIGH SCHOOL BAND/SCHOOL FUNDING

The County Administrator presented the following items of correspondence:

High School Band/School Funding

To Michell Edwards addressing her concerns regarding school band funding;

To Rhonda Sadler explaining why Great Mills Band did not march in the homecoming parade and addressing her concerns regarding funding of school bands.

To Amy Wilson responding to her concerns about school funding and explaining the County's budget process for the Board of Education.

The Commissioners agreed to sign and forward the letters.

3) 1990 LEGISLATIVE ITEMS

The County Administrator presented correspondence to the Office of Community Services advising that the legislative requests for: Child Care Centers - Start Up Funds; Child Care Providers - Salaries; and Family and Medical Leave do not need legislative action and suggesting that they would best be handled administratively by appropriate state or federal agency.

The Commissioners agreed to sign and forward the letter.

4) LEONARD HALL DRILL HALL
DAY CARE CENTER PROPOSAL

The County Administrator presented correspondence addressed to the Head Master of Leonard Hall School responding to her request to amend the Lease with the County in order to allow operation of a day care facility at the drill hall. The letter advises that the Commissioners denied the request indicating that it is contrary to the fundamental understanding of the Lease.

The Commissioners agreed to sign and forward the letter.

5) REQUEST FOR WAIVER OF IMPACT FEE

The County Administrator presented correspondence addressed Francis K. Abell of McCrone, Inc. responding favorably to his request for waiver of impact fee because the Town and Mr. Abell were unaware at that time of the fee. Mr. Cox indicated that this is the only case in this situation and that all others will pay the fee.

The Commissioners gave their concurrence.

6) NAVAL AIR STATION
EXECUTIVE SESSION ISSUES

The County Administrator presented correspondence addressed to the Commanding Officer of the Naval Air Station suggesting an Executive Session with the Commissioners to discuss the following issues: North End Gate, Frank Knox School, Felix Johnson School, Former Center Gardens property, Elementary School site, Property needed by Metropolitan Commission.

The Commissioners agreed to sign and forward the letter.

7) SOUTHERN MARYLAND ELECTRIC
BONDING REQUIREMENTS

The County Administrator presented correspondence addressed to Wayne Swann responding to SMECO's request to waive bonding requirements for projects within St. Mary's County. The letter states that it is not in the County's best interest to grant a general waiver; however, the County would be willing to consider requests on a case-by-case basis.

The Commissioners agreed to sign and forward the letter.

8) TRAPPING OF BEAVERS

The County Administrator presented correspondence addressed to Mr. Thomas a. Beach indicating that the Department of Natural Resources is of the opinion that trapping during established seasons is good conservation practice and that he should be allowed to trap beavers in the vicinity of the Airport and Route 235 conditioned by monitoring of DNR.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to sign and forward the letter as presented. Motion carried.

(COMMISSIONER BAILEY ENTERED MEETING - 9:45 a.m.)

9) ECONOMIC DEVELOPMENT COMMISSION
COMPREHENSIVE PLAN/ZONING ORDINANCE

The County Administrator presented correspondence addressed to the Economic Development Commission requesting EDC's assistance in doing an analysis of the Comprehensive Plan and the Zoning Ordinance to determine impact on economic development.

The Commissioners agreed to sign and forward the letter.

DEPARTMENT OF TRANSPORTATION
ANNUAL STATE REPORT ON TRANSPORTATION

Present: Maryland Department of Transportation Officials
Southern Maryland Delegation
Leonardtwn Mayor and Council
Other Interested Citizens

Representatives of the Maryland Department of Transportation appeared before the Commissioners to present the annual State Report on Transportation. A tape recording of the proceedings is on file in the Commissioners' Office.

DEPARTMENT OF PUBLIC WORKS ITEMS

On behalf of the Director of Public Works the County Administrator presented the following items:

1) CALLING LETTERS OF CREDIT

North Indian Creek Estates - Correspondence to First National Bank of St. Mary's calling Letter of Credit No. A1-9-22-1988 for Public Works Agreement for Potomac Way in the amount of \$33,500.

St. Mary's Industrial Park (Rodney Thompson) - Correspondence to Maryland Bank and Trust Company calling Letter of Credit No. 263 in the amount of \$18,000 for Grading Permit No. 88-41.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the correspondence calling referenced letters of credit. Motion carried.

2) PUBLIC WORKS AGREEMENT
COMMERCE PARK ROAD

The County Administrator presented a Public Works Agreement between Edward B. Howlin, Inc. and St. Mary's County guaranteeing completion of Commerce Park Road by September 15, 1990. The Agreement is backed by a Letter of Credit with Maryland National Bank in the amount of \$33,500.

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

3) SETTLEMENT AGREEMENT
NATIONAL MOBILE HOMES (HEWITTS ROAD PROJECT)

The County Administrator presented a Settlement Agreement between St. Mary's County and National Mobile Home Park Partnership.

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

4) TALL TIMBERS SHORE EROSION CONTROL DISTRICT AGREEMENT

The County Administrator presented the Tall Timbers Shore Erosion Control District Grant Agreement in the amount of \$133,650 with the Department of Natural Resources.

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

1989 AUDIT REPORT FOR ST. MARY'S COUNTY

Present: John Cox, Cox, Long and Colvin
Charles Wade, Director of Finance

Mr. Cox appeared before the Commissioners to present the Audit Report for St. Mary's County for the period ending June 30, 1989. He reviewed the financial statements and schedules and indicated that the County is in sound financial condition. A copy of the Report is on file in the Commissioners' Office.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Bailey moved, seconded by Commissioner Lancaster, to meet in Executive Session in order to discuss matters of Litigation and Personnel. Motion carried.

Litigation

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

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

Personnel

(Held from 11:55 a.m. to 12:30 p.m.)

EVENING SESSION

Public Forum

The Commissioners conducted a Public Forum accepting comments and questions from the audience as follows:

- Floyd Williams - Comprehensive Plan and Zoning Ordinance
- Joe Sedlock - Zoning Ordinance Public Hearing
(Enterprise) Status of Transfer Tax Legislation
Recycling Report
Swann's Rest Subdivision
- Jack Witten - Zoning Ordinance
- Oran Wilkerson - Zoning Ordinance
- Doug Ritchie - Zoning Ordinance
Impact Fees
- Michael Lynch - St. Mary's City National Historic Landmark
- Holgar Jansson - St. Mary's City
- Pete Patrick - Overcrowding of elementary schools
- Minnie Russell - C-3 zoning for private residence
Public Pier Ordinance
Tree stumps dumped on her property.

ADJOURNMENT

The meeting adjourned at 10:00 p.m.

APPROVED,



Carl M. Loffler, Jr.
President