

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS**

June 16, 1992

Present: Robert T. Jarboe, Vice-President
W. Edward Bailey, Commissioner
John G. Lancaster, Commissioner
Barbara R. Thompson, Commissioner
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

(Commissioner President Carl M. Loffler, Jr., was not present.)

CALL TO ORDER

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, June 9, 1992 and the Planning and Zoning portion of the Commissioners' meeting of June 2, 1992. Motion carried.

APPROVAL OF BILLS

Commissioner Bailey moved, seconded by Commissioner Lancaster, to authorize Commissioner Jarboe to sign the Check Register as presented. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) **Boards, Committees, Commissions
Appointments**

Commissioner Thompson moved, seconded by Commissioner Bailey, and motion carried, to appoint the following individuals to Boards, Committees and Commissions with terms as indicated:

<u>Commission for the Disabled</u> Gene Carter	<u>Terms to Expire</u> 12/31/92/96
<u>Ethics Commission</u> Serita F. McFarling	6/30/95
<u>Human Relations Commission</u> John T. Jones	6/30/92/96
<u>Plumbing Board</u> James M. Downs	6/30/93/96
<u>Recreation and Parks Board</u> Jane Sypher	12/31/95/99

2) **Community Development Administration
Special Loan Programs**

The County Administrator presented correspondence addressed to the Community Development Administration forwarding a signed Level I Agreement for participation in the Special Loan Program to be administered by the County's Community Development Corporation. The Program provides funding for housing rehabilitation.

Commissioner Lancaster moved, seconded by Commissioner Bailey, to sign and forward the letter and to authorize Commissioner Jarboe to sign the Level I Agreement. Motion carried.

3) **Memorandum of Understanding
Clements Landfill Property**

The County Administrator presented a Memorandum of Understanding between the Board of County Commissioners of St. Mary's County, Maryland and Louise M. Sommerville setting forth the terms and conditions by which the County would consider selling approximately three acres to Ms. Sommerville. The property is located in the Fourth Election District and is part of the Clements Landfill. The documents have been reviewed by the Director of Public Works and the County Attorney who recommend proceeding with the transaction.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Jarboe to sign the Memorandum of Understanding as presented. Motion carried.

4) Deed - William A. Fraser

The County Administrator presented a Deed from the Board of County Commissioners to William A. Fraser conveying 72,404 square feet of land located in the Sixth Election District, which is part of the Oakville Landfill property. Mr. Fraser will use this property to access his property.

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

5) Personnel

The County Administrator presented the following items of Personnel for the Commissioners' consideration:

a) Department of Public Works - Leave Without Pay

The County Administrator presented a Memorandum dated June 16 from the Personnel Officer requesting approval for 183 days of Leave Without Pay until December 19, 1992 for Timothy M. Scriber. Mr. Scriber has requested a disability retirement due to serious illness, and this action would retain his state pension benefits until final action on his disability retirement.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the LWOP request for Mr. Scriber as requested. Motion carried.

b) Office on Aging

(1) Activity Coordinator Position

Memorandum dated June 16 from Personnel Officer advising that the Director of Office on Aging has requested approval to change the vacant Activity Coordinator, Grade 15 position from full time to permanent part time. The request is based on state grant funding reductions and increased personnel costs.

(2) Outreach Specialist Position

Memorandum dated June 11, 1992 from Director, Office on Aging recommending resolution of the Outreach Specialist Position situation (24 hours per week as a grant-funded permanent part-time employee). The proposal provides for full funding of the position from adult day care revenues; one third of her time in preparing OOA Newsletter and two-thirds in providing administrative support to the Adult Day Care program manager.

Commissioner Lancaster moved, seconded by Commissioner Bailey, to approve the referenced OOA personnel requests. Motion carried.

c) Recreation and Parks
Fiscal Clerk

Memorandum dated June 16 from Personnel Officer requesting approval to change the Fiscal Clerk II, Grade 13, position to a Fiscal Clerk V, Grade 16 position. The position has been reviewed and it has been determined that Recreation and Parks should have a Fiscal Clerk V which would be consistent with most other departments with fiscal responsibilities.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve the change of position from Fiscal Clerk II to Fiscal Clerk V as requested. Motion carried.

6) Notification of Grant Award
Retired Senior Volunteer Program

The County Administrator presented the Notification of Grant Award from ACTION for the referenced RSVP program for Fiscal Year 1993 in the amount of \$36,851.

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

7) Patuxent River Commission - Appointment

The County Administrator presented correspondence addressed to Governor Schaefer recommending the appointment of Commissioner Barbara R. Thompson to replace Commissioner Robert T. Jarboe as the County's representative on the Patuxent River Commission.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to sign and forward the letter appointing Commissioner Thompson to the Patuxent River Commission. Motion carried.

8) St. Mary's Women's Center

The County Administrator presented correspondence addressed to the Board of Directors of the Legal Services Corporation indicating support of the Women's Center's application for funding from the Legal Services Corporation.

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

9) American Flight Group

The County Administrator presented correspondence addressed to the Naval Facilities Engineering Command requesting a waiver of the landing fees for the American Flight Group. St. Mary's County has been working with AFG of Baltimore for commuter service out of Patuxent River. Use of the Navy runway would be temporary until such time as the County Airport's runway is extended. The landing fee by the Navy of \$1.50 per 1,000 lbs. of gross weight would prohibit operation of the commuter service.

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

10) Mental Health, Substance Abuse, and Victims
Advisory Council

The County Administrator presented correspondence addressed to the Chairperson of the Mental Health, Substance Abuse, and Victims Advisory Council approving the bylaw for the Council as presented. The by-laws incorporate the element of Domestic Violence/Sexual Assault into the Council.

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

11) The Skydiving Center

The County Administrator presented correspondence addressed to The Skydiving Center advising that monthly reports are required to be submitted to the Airport Commission in accordance with the Rules and Regulations and leases.

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

12) Board of Education - Collective Bargaining

The County Administrator presented correspondence addressed to the Board of Education recognizing the challenge in addressing the collective bargaining agreement and advising that sufficient funds are not available to fund salary increases.

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

13) Resolution No. Z92-02
ZPUD #86-0893 - MAYJACK, INC. (HICKORY HILLS)

The County Administrator advised that on June 30, 1987 the Commissioners adopted Resolution No. Z87-05, which rezoned approximately 128 acres off of Barefoot Drive owned by Mayjack, Inc. from R-2 to PD-IP and PDR subject to certain conditions. One of the conditions was that no construction could occur on the PDR portion until Chancellors Run Road was expanded to four lanes. The applicant has request relief from that requirement, and, therefore, the County Administrator presented the referenced Resolution granting that relief, but maintaining all other rezoning modifications and conditions of Resolution No. Z87-05.

Commissioner Lancaster moved, seconded by Commissioner Bailey, to approve and sign Resolution No. Z92-02. Motion carried.

14) Clearinghouse Project No. MD #920521-0461
Hickory Hills Townhouses

The County Administrator presented the referenced clearinghouse project for the Commissioners' review and consideration and recommended that it be forwarded to the State with the comment that the project is consistent with the County's plans, programs and objectives.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to forward the comment as recommended. Motion carried.

15) Governor's Drug & Alcohol Abuse Commission
Southern Maryland Drug Task Force Grant Approvals

The County Administrator presented correspondence (4) from the Governor's Drug & Alcohol Abuse Commission advising that the following grant proposals have received Federal approval as modified under Maryland's FY 92 Drug Law Enforcement Formula Grant Program.

- Street Operations
- Assets Forfeiture Unit
- Drug Diversion Unit
- Alcohol Enforcement Program

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Jarboe to sign the Grant Approvals as presented. Motion carried.

16) O'Brien Tennyson Rezoning (Maple Park)

In response to a March 8 letter from Dr. John L. Bennett expressing concern regarding the proposed referenced development, the County Administrator presented correspondence advising that the Department of Planning and Zoning reviewed the referenced case. Mr. Grimm had determined that modifications to the site development plan for Maple Park are in fact necessary in order to properly implement the County Commissioners' conditions.

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

17) Literacy Works Grant

The County Administrator presented a memorandum dated June 5 from St. Mary's Public Schools forwarding the Literacy Works Grant application for Fiscal Year 1993 for the Commissioners' approval. The grant supplements the Adult Basic Education Program and the St. Mary's Literacy Council.

Commissioner Bailey moved, seconded by Commissioner Thompson, to authorize Commissioner Jarboe to sign the grant application as presented. Motion carried.

18) Correspondence - Board of Education

The County Administrator presented the following items of correspondence addressed to the Board of Education:

- Approving the increase of \$262,602 to the Budget for Special Education - Non-Public Placement (Category 13) as requested in June 3 correspondence from Superintendent Kozlovsky
- Approving inclusion of the grant award "7-11 People Who Read Achieve" in the amount of \$1,800 as requested in June 3 correspondence from Superintendent Kozlovsky:

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

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) Sandgates Road Revetment Project

Mr. Ichniowski advised that the referenced project was delayed until next spring; however, because of the condition of the road, the State has agreed to accelerate the project. He stated that the State will be submitting a Notice to Proceed with Design and an Agreement for the funding of design of the project for the Commissioners' approval and signature. The agreement will be similar to the one completed for Point Breeze at Colton's Point. Mr. Ichniowski recommended that the County proceed with the project and advance funding as well as "fast tracking" with the State. Payments by the County would not begin until next spring and can be included in next year's budget.

After discussion Commissioner Bailey moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the agreement when it is submitted by the State. Motion carried.

2) Miles Subdivision
Special Taxing District

Mr. Ichniowski presented a draft handout which will be distributed at the public informational meeting on June 24 regarding the establishment of a special taxing district for road improvements in Miles Subdivision.

During discussion Mr. Ichniowski reviewed the four alternatives for methods of assessments and recommended Alternative No. 4 (Amount Assessed Equally to Each Property Owner (10 property owners - County is five owners - no interest). The assessment would be \$212.50 per year per owner.

After discussion Commissioner Lancaster moved, seconded by Commissioner Bailey to authorize the Department of Public Works to proceed with the public informational meeting and to use Alternative No. 4 for the method of assessment. Motion carried.

3) Acceptance of Deed
Shady Dale Subdivision

Mr. Ichniowski presented a Deed dated June 1, 1992 between Benjamin H. Burroughs and the Board of County Commissioners of St. Mary's County accepting the extension of Hancock Drive.

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

**INTRODUCTION OF COMMANDING OFFICER
MARINE CORPS SECURITY FORCE COMPANY**

Present: James Weber
Capt. Jeffrey W. Fultz
1st Sgt. Curtis Harris

Mr. Weber introduced Capt. Fultz and Sgt. Harris to the Commissioners. Capt. Fultz is the new Commanding Officer of the Corps Security Force for the Naval Air Warfare Center. Capt. Fultz advised that 58 personnel have been brought to the base with expectations of a total of 67 later. He indicated that the primary responsibility of his company is the guarding of the aircraft for the Navy.

The Commissioners welcomed Capt. Fultz to St. Mary's County and expressed support in working together.

MARYLAND STATE POLICE

Present: Lt. Allen Potts, Barracks Commander, Leonardtown
Capt. Johnson, Troop Commander
Sheriff Pettit

Lt. Potts advised that he will be retiring as of June 30 and wanted to take this opportunity to say goodbye to the Commissioners and to introduce the Troop Commander, Capt. Johnson.

Capt. Johnson and Sheriff Pettit complimented Lt. Potts and his 30 years of professional law enforcement service.

Capt. Johnson pointed out that a replacement for Lt. Potts has not yet been selected but would be done in the near future.

In closing the Commissioners wished Lt. Potts best wishes on his retirement and commended him on his service to St. Mary's County.

EXECUTIVE SESSION

Present: Mary Pat Pope, Administrative Officer
Sheriff Pettit
Capt. Greg Copado

Commissioner Lancaster moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss a matter of personnel. The Session was held from 10:35 a.m. to 11:10 a.m.

PLUMBING BOARD - ANNUAL REPORT

Present: Joe Mike Weiland, Plumbing Inspector

Mr. Weiland appeared before the Commissioners to present the Plumbing Board's 1991 Annual Report. Mr. Weiland explained the Board's purpose and reported on the number of licensed plumbers in the county as well as the number of plumbing permits issued. During discussion Mr. Weiland advised that the Board is currently working on changes in the Code and would be presenting them to the Commissioners at a later date.

A copy of the report is on file in the Commissioners' Office.

**PROCLAMATION
OFFICE OF SHERIFF MILLENNIUM**

Present: Sheriff Wayne Pettit

The Commissioners presented the referenced Proclamation recognizing the Office of Sheriff Millennium in the year 1992.

GOVERNOR'S HIGHWAY SAFETY AWARDS

Present: Sheriff Wayne Pettit
Sgt. James Raley

The Sheriff presented the following Highway Safety Awards received by the Sheriff's Office from the Governor on May 29: Third Place for significant efforts in informing the community of seat belt use; and recognition of innovative traffic safety programs in St. Mary's County.

EXECUTIVE SESSION

Present: Mary Pat Pope, Administrative Officer
Joe Mattingly, Assistant State's Attorney

Commissioner Bailey moved, seconded by Commissioner Lancaster, to meet in Executive Session to discuss a matter of Personnel. Motion carried. The Session was held from 11:30 a.m. to 12:05 p.m.

ADJOURNMENT

The meeting adjourned at 12:05 p.m.

Minutes approved by Board of
County Commissioners on 6/23/92.

Judith A. Spalding
Recording Secretary