

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, December 18, 1984

Present: Commissioner George R. Aud, President
Commissioner Richard D. Arnold
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

(Commissioners Millison and Dean were not present at opening of meeting.)

APPROVAL OF MINUTES

Commissioner Arnold moved, seconded by Aud, to approve the minutes of the Commissioners' meeting of Tuesday, December 8, 1984 as submitted. Motion carried.

APPROVAL OF BILLS

Commissioner Aud moved, seconded by Commissioner Arnold, to approve payment of the bills as submitted. Motion carried.

APPRENTICESHIP PROGRAM

Present: Gerda Manson, Personnel Officer

Ms. Manson appeared before the Commissioners to request their approval of the St. Mary's County Government Apprenticeship Program. The state-approved program provides supervised, on-the-job training and classroom training. She stated that she has been working with the County Engineer and the State Employment Training Office to develop the Program. Cost will be minimal to the County--\$70 per person per year. Department of Employment and Training will be providing \$127 per employee per year.

After discussion Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and sign the St. Mary's County Apprenticeship Program. Motion carried.

(COMMISSIONER DEAN ENTERED THE MEETING - 9:00 A.M.)

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

- 1) RESOLUTION NO. 84-42
BOCA BASIC ENERGY CONSERVATION CODE
1984 AND SUBSEQUENT REVISIONS

Having conducted a public hearing regarding the adoption of the referenced Resolution, Commissioner Arnold moved, seconded by Commissioner Sayre to approve and sign Resolution No. 84-42 - (BOCA Basic Energy Conservation Code - 1984 and Subsequent Revisions). Motion carried.

2) BUDGET AMENDMENTS

The County Administrator presented the following Budget Amendments recommended for approval by the Budget Director with justifications as indicated:

- a) No. 84-39
Office on Aging
Purchasing & Logistics

Justification for Adjustment: Van replacement based on County Commissioners commitment during June 1984.

- b) No. 84-40
Recreation and Parks
Purchasing & Logistics

Justification for Adjustment: Purchase of 3 two-way radio units for maintenance vehicles to allow communications to occur between forces. Similar arrangements in operation by highway, County Engineer, and Office on Aging.

Commissioner Arnold moved, seconded by Commissioner Dean, to approve and sign the referenced Budget Amendments as presented. Motion carried.

3) MEMORANDUM OF AGREEMENT
ST. MARY'S NURSING HOME, INC.

As a follow up to last week's discussion regarding the referenced draft Memorandum of Agreement, Commissioner Dean moved, seconded by Commissioner Arnold, to approve the Memorandum of Agreement dated December 18, 1984 between the Board of County Commissioners of St. Mary's County and St. Mary's Nursing Home, Inc. regarding the continued operation of the existing nursing home and other related items, and further to authorize Commissioner President Aud to sign same. Motion carried.

4) MARYLAND HOUSING REHABILITATION PROGRAM
LETTER OF INTENT

The County Administrator advised that notification was received from Department of Economic and Community Development regarding allocations for rehabilitation loan funds for FY '85 and requesting a Letter of Intent to participate in the referenced Program. Mr. Cox stated that St. Mary's County has been participating in the program and the Letter of Intent will indicate the County's continued interest in participating.

Commissioner Sayre moved, seconded by Commissioner Dean, to authorize Commissioner President Aud to sign said Letter of Intent. Motion carried.

5) PERSONNEL

The County Administrator presented the following items of Personnel for consideration by the Board:

- a) Clerk Typist Position
Office on Aging

Memorandum dated December 13, 1984 from the Personnel Officer recommending the selection of Sharon Renaud to the Clerk Typist position, Grade 5, in the Office on Aging, to be effective December 24, 1984.

Commissioner Sayre moved, seconded by Commissioner Dean, to accept this recommendation. Motion carried.

(COMMISSIONER MILLISON ENTERED THE MEETING - 9:10 A.M.)

b) Fiscal Clerk III
Office of Purchasing & Logistics

Memorandum dated December 17, 1984 from Personnel Officer recommending the appointment of Alice Surrency to the Fiscal Clerk III position, Grade 8, Office of Purchasing and Logistics to be effective December 31, 1984.

Commissioner Sayre moved, seconded by Commissioner Aud, to accept this recommendation. Motion carried.

c) Central Communications Operator I
Emergency Operations Center

Memorandum dated December 18, 1984 from Personnel Officer recommending the appointment of Erin Burch to the Central Communications Operator I position, Grade 8, to be effective December 31, 1984. Motion carried.

6) ACCOUNTS RECEIVABLE WRITEOFFS

The County Administrator referred to a memorandum dated November 21 from the Director of Budget and Data Services requesting decision from the Board whether to expense the following accounts the County is carrying: American Wind Symphony - \$3,528.50 and Lord Baltimore's World - \$50,000. If so, the appropriate budget authorization will be submitted to the Board for approval.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, to approve expensing American Wind Symphony account. Motion unanimously carried.

Further, Commissioner Dean moved, seconded by Commissioner Arnold, to approve expensing Lord Baltimore's World. Commissioner Millison voted against the motion. Motion carried four to one.

7) LEGISLATIVE ITEM NO. 31
RESCUE SQUADS/FIRE DEPARTMENTS
CAPITAL REVOLVING FUND

The County Administrator presented correspondence dated November 19, 1984 from the Fire Board requesting legislation to allow Fire Departments and Rescue Squads to borrow from time to time money to establish a special permanent capital revolving fund subject to certain terms and conditions.

The Commissioners agreed to add this item to their Legislative Package as Item No. 31 and to indicate their support.

8) CLEARINGHOUSE PROJECT NO. MD 85-11-83
POINT LOOKOUT STATE PARK DEVELOPMENT -
CONSTRUCTION OF A COMFORT STATION AND LANDSCAPING

The County Administrator presented the referenced clearinghouse project and recommended that it be forwarded to the State with the comment that this project is not inconsistent with this agency's plans, programs or objectives. The Commissioners gave their concurrence.

9) REQUEST FOR ZONING APPLICATION REFUND

The County Administrator presented correspondence dated November 16, 1984 from James L. Chase requesting consideration for refund of one-half of rezoning application fee in the amount of \$80 (as agreed to by the Office of Planning and Zoning) in that the application has been withdrawn.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve this request. Motion carried.

10) INMATE HOUSING PROPOSAL

As a follow up to discussion at last week's meeting regarding use of the second floor of the former armory building for housing of certain inmates, Commissioner Dean stated that he concurred with the proposal as presented; however, he stated that it had been suggested to him that during the initial period of occupancy (perhaps 30 days) that there be an increased level of security in order to give assurance to patrons and employees of the library.

After some discussion, the Commissioners approved the use of the second floor of the former armory building for use as an inmate housing facility and that the Sheriff be requested to give consideration to increasing level of security during the initial stage of occupancy.

11) EROSION AND SEDIMENT CONTROL PLAN
FORREST HARVEST OPERATIONS

For the Commissioners' information, the County Administrator presented correspondence dated November 30, 1984 from Water Resources Administration regarding changes in regulations pertaining to a requirement for obtaining an approved erosion and sediment control plan for forest harvest operations. Forrest operations will require Soil Conservation District approved Erosion and Sediment Control Plan prior to logging or timber removal.

12) BOARDS, COMMITTEES AND COMMISSIONS
APPOINTMENTS

Commissioner Dean moved, seconded by Commissioner Sayre, and unanimously carried, to make the following appointments with terms as indicated:

| <u>Agricultural Preservation Advisory Board</u> | <u>Term to Expire</u> |
|---|-----------------------|
| James R. Owens (reappt.) | December 31, 1987 |
| Al Francis Guy | December 31, 1987 |
| <u>Council on Children & Youth</u> | |
| Valerie vonAllmen | December 31, 1987 |
| <u>Emergency Medical Services Board</u> | |
| Peter Woodburn | December 31, 1987 |
| Harold Newcomer | December 31, 1987 |
| <u>Metropolitan Commission</u> | |
| Laurence (Deedy) Garner | December 31, 1987 |
| <u>Recreation and Parks</u> | |
| Brent Thompson | December 31, 1988 |
| Erva Davis | December 31, 1988 |

Transportation Committee

James W. Neal December 31, 1987
Michele Hansen December 31, 1987

Tri-County Youth Services Bureau

Jerry Diamond December 31, 1987
George Smith December 31, 1987

Zoning Board of Appeals

Edward Fitzgerald December 31, 1987
Joseph Ellis December 31, 1987

13) METROPOLITAN COMMISSION
ADVANCE OF FUNDS

The County Administrator requested affirmation by the Board of emergency action taken by a majority of the Board for a loan to the Metropolitan Commission in the amount of \$300,000 at the current market rate of interest.

Commissioner Aud moved, seconded by Commissioner Sayre, to endorse this emergency action. Motion unanimously carried.

14) ACQUISITION OF PROPERTY
ST. MARY'S COUNTY AIRPORT

The County Administrator presented correspondence dated December 18, 1984 from the Airport Commission, along with a plat of the Airport property and surrounding area, requesting the County's consideration to acquire certain property for future use by the Airport for "T" hangar construction. Mr. Cox noted that this is a future project (approximately seven years) set forth in the Capital Project list. The Commissioners agreed to defer a decision at this time.

USE OF PVC PIPE DISCUSSION

Present: Larry Petty, Director, Metropolitan Commission
Laurence (Deedy) Garner, Metropolitan Commission
James Weber, Chief, Permits and Inspections
Jessie Baltimore, Plumbing Inspector
Vernon Saunders, Chairman, Plumbing Board
Mel Holland, Plumbing Board
Other interested citizens

Commissioner Dean reviewed the background of this matter stating that the Metropolitan Commission has corresponded to the Board concerning the County's prohibition by way of the Plumbing Ordinance of the use of PVC pipe to connect a house to either a Metropolitan Commission line or a septic tank. The purpose of this meeting is to get input from all concerned to try to resolve the matter. The County Plumbing Ordinance mandates that only cast iron pipe be used; however, the State Plumbing Code allows for the use of PVC pipe provided it meets certain specifications. Commissioner Dean pointed out that interest has been expressed by the Metropolitan Commission and other citizens to allow the use of PVC pipe because of its lower cost and ease of installation.

During discussion representatives of the Plumbing Board explained its position to not allow the use of PVC pipe because it is their understanding that a number of people have had problems with it and the Plumbing Board felt that it was in the best interest of homeowners to have cast iron pipe.

Mr. Weber pointed out that a Master Plumber conducted a survey on the use of PVC pipe and he determined that because of the way it had to be installed, the cost would actually be higher than cast iron pipe. Mr. Weber went on to state, however, that the Office of Planning & Zoning has no major problem with the use of PVC pipe as long as it is installed properly and inspected at the time of installation.

Discussion ensued as to the pros and cons of the use of PVC pipe and the concerns expressed regarding the use are as follows:

1. The cost is similar to cast iron pipe;
2. The question of its durability;
3. The life of the pipe.

During discussion, Commissioner Dean recommended that the Commissioners gather objective information regarding comparisons of PVC pipe and cast iron pipe from state offices and the Bureau of Standards. After this information is received, the Commissioners will review it and make a decision whether to amend or not amend the County's Plumbing Ordinance. Commissioner Dean stated that this will be done within a short time frame. The other Commissioners gave their concurrence.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Aud moved, seconded by Commissioner Arnold, to meet in Executive Session in order to discuss a matter of Personnel. Motion carried. The Session was held from 10:10 a.m. to 10:40 a.m.

TAXPAYERS' ASSOCIATION

Present: Betty Robrecht, Taxpayers' Association
Claude Jarboe, " "

Representatives of the Taxpayers' Association appeared before the Commissioners to present a letter, dated December 17, 1984 requesting to be put on a mailing list to receive any decisions or regulations on how the houseboats or floating homes are to be taxed equitable with other taxation for county housing.

CAPITAL IMPROVEMENT PROJECT DISCUSSION FY '86

Present: Joseph O'Dell, Director, Budget & Data Services
John Norris, County Engineer
John Baggett, Director, Recreation and Parks

The referenced individuals appeared before the Commissioners to present proposed capital projects for FY '86 for the County Engineer's Office and Department of Recreation and Parks.

Mr. O'Dell went on to discuss with the Commissioners the establishment of expenditure limits for the capital budget for FY '86.

Later in the day in discussion with the Budget Director the Commissioners agreed that they would make general decisions on the expenditure limit at their January 2, 1985 meeting.

OFFICE OF COUNTY ENGINEER ITEMS

Present: John B. Norris, County Engineer

1) STREET LIGHT CHANGE ORDER NO. 4

The County Engineer presented the referenced Change Order for the installation of an overhead light at intersection of Shangri-La Drive and Willows Road, Lexington Park, in the amount of \$402.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign Street Light Change Order No. 4.

2) ROAD RESOLUTION NO. R84-16

The County Engineer presented the referenced Road Resolution designating speed limits as follows:

That Shangri-La Drive from its intersection with State Rt. 246 be posted at 25 miles per hour; and from State Rt. 246 to Willows Road be posted at 25 miles per hour; and from Willows Road to Essex Drive be posted at 30 miles per hour.

And that Willows Road from its intersection with Shangri-La Drive to a point 0.5 miles south of said intersection, be posted at 30 miles per hour; and from that point to State Rt. 5, be posted at 40 miles per hour.

Commissioner Sayre moved, seconded by Commissioner Dean, to approve and authorize Commissioner President Aud to sign said Road Resolution. Motion carried.

3) SPRING VALLEY/LONDONTOWNE
TRANSFER OF FUNDS

The County Engineer requested authorization from the Board that the funds in the amount of \$1,000 for Extra Work Order No. 1 (which was presented and approved on November 27) be transferred from the Overlay Account.

Commissioner Arnold moved, seconded by Commissioner Dean, to approve this request. Motion carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
John Norris, County Engineer

Commissioner Aud moved, seconded by Commissioner Sayre, to meet in Executive Session in order to discuss matters of Personnel with the County Administrator and Litigation with the County Engineer. Motion carried. The Session was held from 1:20 p.m. to 2:10 p.m.

MARGARET BRENT DOCU-DRAMA

Present: Arthur "Buck" Briscoe, Director, Economic Development Commission
William Curtis, Chairman, EDC
Peter Andrews, PJ Domino Co.
Jamie Oriol, "
Rick "
Burt Kummerow, St. Mary's City
Dorothy Barclift, Commission for Women
Lois Fields, Friends of Margaret Brent
Dorothy Briscoe, Secretary, EDC

Mr. Briscoe introduced the referenced representatives of PJ Domino Company, who are interested in filming a docu-drama of the first 37 years of the life of Margaret Brent.

Mr. Andrews explained his company's interest in doing such a film for a public broadcasting program and requested the Board's endorsement in such a venture. Mr. Andrews discussed his plans for the film which will include Margaret Brent's relationship with Lord Baltimore and her coming of age prior to coming to America. The budget for the docu-drama will be \$375,000 and solicitations will be made to foundations and corporations for these funds. No county funds are being requested.

In closing the Commissioners expressed their support of this project and wished them well in this endeavor.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
Sheriff Wayne Pettit
Lt. Eugene Pellillo
William Miedzinski
Joseph O'Dell, Budget Director
Gerda Manson, Personnel Officer

Commissioner Aud moved, seconded by Commissioner Arnold, to meet in Executive Session in order to discuss a matter of Personnel. Motion carried. The Session was held from 2:45 p.m. to 3:10 p.m.

COMMISSIONER LARRY MILLISON LEFT THE MEETING - 3:10 P.M.)

ECONOMIC DEVELOPMENT REVENUE BOND
PARK SHOPPING CENTER, INC.
ENABLING RESOLUTION

Present: Joseph Mitchell, Director, Economic & Community Development
Joseph Densford, Assistant County Attorney
Phillip Dorsey, Attorney for Applicant

Mr. Dorsey presented Resolution No. 84-41 providing for the issuance and sale of Economic Development Revenue Bonds for the purpose of financing the costs of the rehabilitation and renovation by Park Shopping Center, Inc. of a building located in Lexington Park for use as an office facility.

Mr. Densford pointed out that amendments need to be made to the documents--that the \$500,000 bond figure is to be changed to \$425,00 and the date changed from December 11, 1984 to December 18, 1984.

Mr. Dorsey explained the background of the project and stated that it will be beneficial to the county, will provide 25-40 jobs and will raise the tax base.

If approved, the project will go to closing on December 27, 1984.

Mr. Mitchell pointed out that the project is in compliance with

federal guidelines and because the application was received by the County prior to June 19, it will not affect the County's cap amount.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, to approve and sign Resolution No. 84-41 regarding the issuance and sale of Economic Development Revenue Bonds in the amount of \$425,000; to further authorize Commissioner President Aud or his designee to sign any other related documents; and to authorize the amendment of the documents from \$500,000 to \$425,000 and from December 11, 1984 to December 18, 1984. Motion carried.

(COMMISSIONER MILLISON RETURNED TO THE MEETING - 3:30 P.M.)

OFFICE OF PLANNING & ZONING
ZONE #84-0747 - TEXT AMENDMENT (HOME OCCUPATION)

Present: Frank Gerred, Director, Office of Planning & Zoning

(Sec. 53.08: Request to change the amount of area required to conduct a home occupation. Currently, an enclosed area of 500 square feet is the maximum permitted area in which a home occupation may be conducted. The proposal would increase the maximum usable area to 1,000 square feet for certain home occupations; namely, ceramic shops.)

Having conducted a public hearing on November 20, 1984, the Commissioners commenced discussion.

Commissioner Dean stated that he was of the opinion that it would be unwise to make exceptions in home occupation provisions for just one type of activity (ceramic shops), and that any changes the Commissioners would consider making should apply in a general nature.

In addition Commissioner Dean advised that he had three points he would like to make relative to the proposed amendment:

1. That the 500 square feet of the dwelling limitation remain, but provide that individual cases be evaluated by the Board of Appeals in the same manner as a Conditional Use.
2. That the 500 square feet limitation not apply to accessory buildings (this should be on a case by case basis).
3. That the limitation of two employees other than family members be on a case by case basis.

After discussion the Commissioners gave their concurrence with these recommendations and requested Mr. Gerred to have the County Attorney prepare the appropriate Resolution.

CEDAR COVE MARINA PERMIT APPLICATION

Commissioner Sayre requested endorsement by the other Commissioners of a request to the Army Corps of Engineers to conduct a public hearing in St. Mary's County concerning the application of Cedar Cove Marina for piling work in Herring Creek. Commissioner Sayre stated that his understanding of the application is to locate several houseboats in Herring Creek, a fact which has caused concern among several citizens. Commissioner Sayre stated he believed a public hearing will inform the county citizens of the scope of this project and its possible environmental impacts on Herring Creek.

After some discussion, the other Commissioners agreed and endorsed a request to the Army Corps of Engineers to conduct said public hearing.

Further, Commissioners Arnold and Dean suggested that the Planning Commission, Planning & Zoning staff and the county Health Department be requested to make an objective evaluation regarding this matter. The Commissioners concurred.

CITIZEN ADVISORY COMMITTEE
CHESAPEAKE BAY COMMISSION

Commissioner Sayre distributed documents received from his participation in the recent meeting of the Commission in Washington, D. C. and urged the Commissioners and general public to cooperate with the goals of the Commission.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Aud moved, seconded by Commissioner Arnold, to meet in Executive Session in order to discuss a matter of Personnel. Motion carried. The Session was held from 4:35 p.m. to 5:00 p.m.

APPOINTMENT
PLANNING COMMISSION

Commissioner Dean moved, seconded by Commissioner Sayre, to reappoint Joseph M. Gough, Jr. to the Planning Commission. Motion unanimously carried.

Commissioner Dean moved, seconded by Commissioner Sayre to reappoint Keith Fairfax to the Planning Commission.

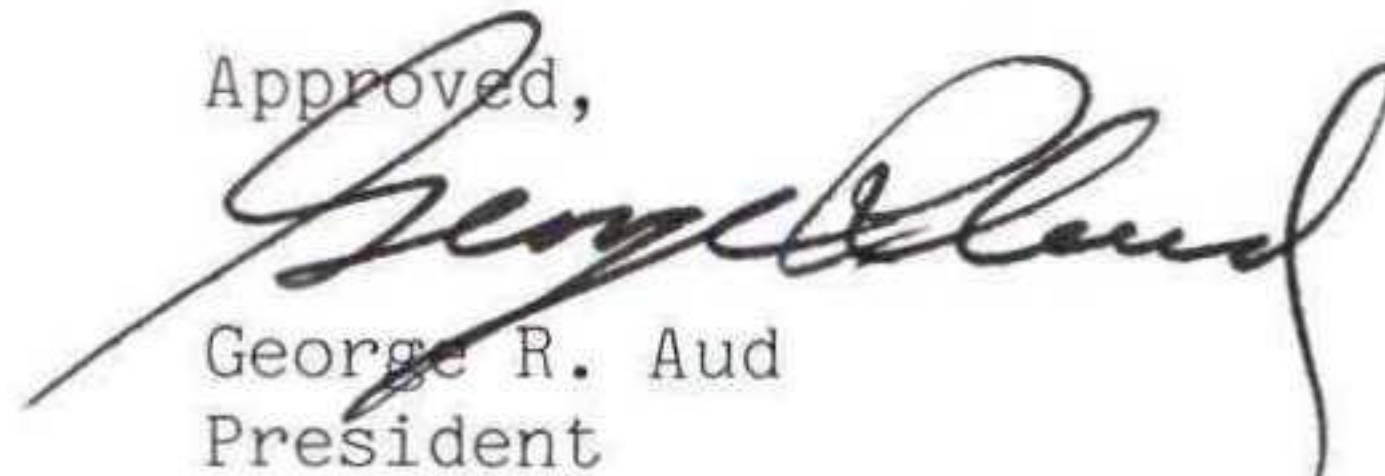
During discussion of the motion, Commissioner Millison stated that he was not in favor of reappointing Mr. Fairfax and that he would like to have Ralph Chesser appointed.

Motion carried to reappoint Keith Fairfax to the Planning Commission. The vote was four to one with Commissioner Millison voting against.

ADJOURNMENT

Having no further business, the meeting adjourned at 5:05 p.m.

Approved,



George R. Aud
President