

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, March 29, 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 Thompson moved, seconded by Commissioner Bailey, to approve the minutes of the Commissioners' meeting of Tuesday, March 22, 1988. Motion carried.

APPROVAL OF BILLS

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

FY '89 BUDGET MESSAGE

Present: Charles Wade, Jr., Director of Finance

Mr. Wade appeared before the Commissioners to present and review the draft Budget Message for the FY 1989 Recommended Budget. He stated that the changes recommended by the Commissioners at last week's meeting have been incorporated into the Recommended Budget which he will review later in the meeting.

After discussion the Commissioners expressed concurrence with the Budget Message as presented.

COUNTY ADMINISTRATOR ITEMS

1) BUDGET AMENDMENT NO. 88-46
DEPARTMENT OF PUBLIC WORKS

The County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Finance with the following justification: To provide additional funds for survey service contract for the Fifth District Transfer Station.

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

2) SALE OF FELIX JOHNSON PROPERTY

The County Administrator advised that invitations for sealed bids for the referenced property are being sent to interested parties and to the newspaper. Bids will be opened on May 2 at 2:00 p.m.

3) ZONING AMENDMENT RESOLUTION NO. Z88-01
CANAPP PROPERTY (ZONE #87-0622)

(Application to rezone 0.693 acres of land from R-2, Low Density Urban Residential, to C-2, Commercial. The land is located on the west side of Md. Rt. 235 between Town Creek Drive and Gunston Drive, California, Md., parcel 10, Block 67, on Tax Map 42, Eighth Election District, St. Mary's County.)

The Commissioners having conducted a public hearing and held subsequent decision discussion, Commissioner Bailey moved, seconded by Commissioner Thompson, to approve and sign Zoning Amendment #Z88-01 approving the zoning application. Motion carried.

4) ST. MARY'S NURSING CENTER
REQUEST FOR CHANGE OF INSURANCE

The County Administrator presented correspondence from the Nursing Center requesting the Board's approval for the Center to change its insurance package from Blue Cross/Blue Shield to Great West Life. The change will provide a savings to the Nursing Center.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve the request. Motion carried.

5) PERSONNEL
DEPUTY DIRECTOR, PERSONNEL

The County Administrator presented a memorandum dated March 24, 1988 recommending the selection of Eugene C. Carter to the Director, Office on Aging, position, Grade 15-3, to fill the vacancy created by the projected departure for retirement of Billye McGaharn.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to accept this recommendation. Motion carried.

SHERIFF'S DEPARTMENT

Present: Sheriff Wayne Pettit
Bill Miedzinski, Administrator, Sheriff's Department

Sheriff Pettit and Mr. Miedzinski appeared before the Commissioners to present the Sheriff's Department's Annual Report for 1987. Sheriff Pettit noted for the Commissioners' information that demands for services of his department have increased significantly.

In closing he requested the Commissioners to review the Report in conjunction with the Sheriff's Department Budget Request.

The Commissioners thanked the referenced individuals for the Report.

ST. MARY'S COUNTY MUNICIPAL GOLF COURSE (WICOMICO SHORES)

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett advised the Department of Natural Resources has indicated that the County would qualify for Program Open Space funds for the Wicomico Shores Golf Course in that the land was donated. Therefore, Mr. Baggett presented the Program Open Space Development Grant Application in the amount of \$195,000. No County funds are involved. The purpose of the grant is to asphalt main entrance road and cart paths.

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

COMMENDATION
RICHARD MYERS - WPTX/WMDM

The County Commissioners presented a Commendation to Richard Myers for his perseverance and stamina in reporting the news for 21 years cover County Government.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
Charles Wade, Jr., Director of Finance

Commissioner Bailey moved, seconded by Commissioner Jarboe, to meet in Executive Session in order to discuss a matter of Personnel. Motion carried. The Session was held from 10:15 a.m. to 10:40 a.m.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) CORRECTING SIGHT DISTANCE PROBLEMS

Also Present: Joseph Densford, Assistant County Attorney

Mr. Norris displayed pictures of areas where overgrowth of trees are creating sight distance problems. He stated that the problems have been brought to the property owners attention and allowing them to do the trimming themselves, but some property owners have not done so. Therefore, Mr. Norris requested direction from the Board.

After discussion the Commissioners agreed that the property owner be notified and requesting the County to go on the property to clear it. If the property owner does not comply, a Registered Letter should be forwarded advising them of their legal responsibility for any safety hazards as a result of not clearing the roadway, and that the County would remove the obstruction from the highway right of way.

2) LITTER CONTROL SIGNS

As a follow up to previous discussions regarding littering problems along county roadways, Mr. Norris advised that County Resolution No. 84-6 authorized his department to place signs along roads advising of the penalty for depositing litter.

3) PUBLIC WORKS AGREEMENT
STONEY RUN SUBDIVISION, SECTION III

Mr. Norris presented a Public Works Agreement dated March 22, 1988 by and between Wayne A. Wise and St. Mary's County guaranteeing construction of public improvements to Stoney Run Drive in Stoney Run Subdivision, Section III, Second Election District by November 1, 1988. The Agreement is backed by an Irrevocable Letter of Credit in the amount of \$64,000.

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

4) ADDENDUM TO PUBLIC WORKS AGREEMENT
SOTTERLY MANOR SUBDIVISION, SECTION IV

Mr. Norris presented an Addendum to the Public Works Agreement between Kenneth W. Sumner and St. Mary's County extending the deadline for completion Whiskey Creek Road in Sotterly Manor Subdivision to October 1, 1988.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept and authorize Commissioner Loffler to sign the Addendum as presented. Motion carried.

5) ACCEPTANCE OF DEED
DISCOVERY SUBDIVISION

Mr. Norris presented a Deed dated April 30, 1980 by and between A.L.E.R., Inc. and the Board of County Commissioners of St. Mary's County accepting Donaldson Drive, Erickson Court and Knight Court into the County's Highway Maintenance System.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Deed as presented. Motion carried.

6) ESSEX SOUTH SUBDIVISION

Mr. Norris presented correspondence dated March 28, 1988 from Larry O'Brien, President, New Colony Homes, requesting the county to have the restrictions on the building permits lifted for Essex South, Section 3, Lots 13-17 and 19 and 20. He stated that the Department of Public Works concurs with the release of the restrictions pending completion of the grading and construction of the deviation berm on the seven lots in question.

After discussion Commissioner Bailey moved, seconded by Commissioner Thompson, to lift the building permit restrictions on the seven lots in Essex South upon completion of the grading and berm construction as defined by the Director of Public Works, and further that this information be permanently recorded on the deeds for these lots. Motion carried.

7) MOKRY ESTATES (CHARLES COUNTY)
MELODY ACRES (ST. MARY'S COUNTY)

Mr. Norris presented a plat for Mokry Estates in Charles County and advised that the developer is requesting to use the streets in Melody Acres as an access to Mokry Estates. Mr. Norris indicated that the Board of Commissioners could make the decision on this matter, or it could be referred to the Planning Commission. He stated that the two subdivisions are compatible; however, it would create additional traffic through Melody Acres.

After discussion the Commissioners agreed to refer the matter to the Planning Commission.

8) MARCEY HOUSE/ADVANCED LIFE SUPPORT GARAGE
DONATION OF FILL DIRT

Mr. Norris presented correspondence dated March 25, 1988 from Alfred S. Mattingly offering to donate fill dirt for the road embankment to the Marcey House and the Advanced Life Support Garage. Mr. Norris indicated that it is the recommendation of the Department of Public Works to accept this offer.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to accept the borrow material as offered by Mr. Mattingly. Motion carried.

9) GOVERNMENT OFFICES - SPACE PLANNING

Mr. Norris advised that the preliminary report of the Space Needs Study has been received and requested direction from the Board as to the process for reviewing the preliminary draft. He suggested that the Commissioners proceed one of three ways: The agencies affected in the relocation review the draft; a third party; or a combination of the two.

The Commissioners agreed to defer a decision until later.

10) WOODLAND ACRES DRIVE

The County Administrator presented a memorandum dated March 22, 1988 from the Office of Planning and Zoning forwarding a complaint regarding the parking of cars for sale in review of Routes 2 and 235.

The Commissioners deferred action on this matter at this time.

11) DEPOSITING OF TRASH - ADKINS ROAD

The County Administrator presented correspondence dated March 16 from the Director of Environmental Hygiene regarding the ongoing trash problem at the corner of Adkins road and Md. Rt. 5 below Great Mills and requesting the County to install "No Dumping" signs.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to have "No Dumping" signs installed. Motion carried.

12) PARK PLACE - TOWN CREEK MANOR SUBDIVISION

Mr. Norris presented correspondence dated March 8, 1988 from Kenney, Kamnetz and Lacer requesting that park Place in Section 5-A of Town Creek Manor Subdivision be officially abandoned as a public road. Mr. Norris stated that the Commissioners had previously made a decision to quit claim the County's interest on the abandoned right-of-way. In order to abandon the road, a public hearing is required.

The Commissioners directed Mr. Norris to initiate the process for abandoning the road.

13) ST. MARY'S COUNTY DETENTION CENTER

Mr. Norris displayed the plans for the St. Mary's County Detention Center pointing out the areas for cells, work release, recreation, laundry, medical, and access for District Court Commissioners.

At this time Mr. Norris took the Commissioners on a tour of the facility.

OFFICE ON AGING
NOTIFICATION OF GRANT AWARDS/GRANT APPLICATIONS

As a follow up to previous discussions, the County Administrator presented and reviewed the following NGA's and Grant Applications for the Office on Aging:

- 1) Statewide Specialized Transportation Assistance Program (SSTAP)
Operating Assistance Grant Agreement
Amendatory Agreement
Project No. 87-21
Project Time Period: July 1, 1986 - June 30, 1987
Project Description: Operation of Transportation Program
serving the elderly and handicapped
Net Project Cost: \$21,952 (revised)
Local Match : \$5,488 (reduced from \$14,602)
(\$9,114 - Local Unused)
- 2) SSTAP Capital Assistance Grant Agreement
Project No. 87-21
Project Period: July 1, 1986 - June 30, 1988
Project Description: Purchase of one mini passenger bus
Net Project Cost: \$44,000
Local Match : \$16,657
(\$7,675 - Local Unused)
(\$8,982 from Seniors United for Independence)

- 4) Statewide Special Transportation Assistance Program
Operating Assistance Grant Agreement
Amendatory Agreement
Project Period: July 1, 1987 - June 30, 1988
Project Description: Operation of transportation program
serving the elderly and handicapped
of St. Mary's County.

Net Project Cost: \$78,628
Local Match : \$19,657
- 5) Retired Senior Volunteer Program
Project Period: April 1, 1988 - March 31, 1989
Total Project Cost: \$51,826
Local Match: \$17,826
- 6) Statewide Specialized Transportation/Rural Public Transportation
Project Period: July 1, 1988 - June 30, 1989
SSTAP Total Project: \$80,011
Local Match : \$19,602

RPTP Total Project : \$59,835
Local Match : 11,269 (soft match)

In concluding his presentation, Mr. Cox noted that total new money for all six projects is \$7,648. He stated that for a small investment by the County, the County will receive approximately \$200,000 and provide jobs and services.

After discussion Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve the six Area Agency on Aging items as referenced above. Commissioner Jarboe voted against the motion. Motion carried four to one.

FY '89 RECOMMENDED BUDGET

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

Mr. Wade presented the FY '89 Recommended Budget to the Commissioners and noted that the items requested by the Commissioners at last week's meeting have been included.

After discussion Commissioner Jarboe moved, to approve the 1989 Recommended Budget as presented. Commissioner Lancaster voted against the motion. Motion carried four to one.

Commissioner Jarboe indicated that all department heads should be instructed to attend the public hearings to answer any questions.

The Commissioners agreed that spending units can come before the Board to discuss their budgets prior to the public hearings and that lobbying groups can come before them after the hearings.

PUBLIC HEARINGS ON TAXES

Mr. Wade indicated that it would not be necessary to conduct a public hearing on the Accommodations Tax in that one had previously been held. The trailer tax and cable television tax would require a hearing and can be explained at the budget public hearings. The only new tax requiring a public hearing is the Energy Tax, and Mr. Wade stated that a public hearing will be scheduled after the budget process.


EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
Charles H. Wade, Director of Finance

Commissioner Bailey moved, seconded by Commissioner Jarboe, to meet in Executive Session in order to discuss a matter of Personnel. Motion carried. The Session was held from 2:15 p.m. to 3:30 p.m.

ADJOURNMENT

The meeting adjourned at 3:30 p.m.

APPROVED,

Carl M. Loffler, Jr.
President