

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, June 7, 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 Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, May 31, 1988. Motion carried.

APPROVAL OF BILLS

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

FELIX JOHNSON PROPERTY

Present: James Haley, Deputy Director, Procurement

Mr. Haley appeared before the Commissioners to update the Commissioners on the proposed sale of the Felix Johnson property. He explained that bids were opened May 20 with two bids received: Larry Millison in the amount of \$.09/square foot (\$175,818.06) and Charles O'Connell in the amount of \$1.16/square foot.

After discussion Mr. Haley made the following recommendations:

1. That the Commissioners reject the bids in accordance with Section L-3 of the solicitation entitled Institutions, Conditions, and notice to Offerors--"The St. Mary's County Government reserves the right to reject any and all bids without explanation, and to waive any informalities in the bids."

2. That the Commissioners authorize a formal auction to obtain the best possible price for the subject property starting at the current appraised value per square foot.

After discussion Commissioner Bailey moved, seconded by Commissioner Jarboe, to reject the bids that were received. Motion carried.

In addition the Commissioners agreed to table the second recommendation in order to discuss in executive session at a later date whether to set a minimum price rather than go with appraised value.

BITUMINOUS CONCRETE OVERLAY BIDS

Present: James Haley, Deputy Procurement Officer

Mr. Haley presented the bid tally sheet for the Bituminous Concrete Overlay Project and advised that the contract was awarded to the lowest bidder, Driggs Corporation, in the amount of \$995,347.50.

CAPITOL-FOR-A-DAY

Present: Joseph Mitchell, Director, DECD
Martha Daughdrill, Coordinator, Watermen's Meeting
Donna Hudson, Coordinator, State Office Groundbreaking
Susan Wilkerson, Coordinator, Defense Contractors

The referenced individuals appeared before the Commissioners to review the various events in connection with the Governor's visit during Capitol-For-A-Day. The County Administrator explained that the referenced individuals were coordinators for the various events which will begin on Thursday, June 9.

At the conclusion of the discussion, the Commissioners thanked the Coordinators for all their efforts in making Capitol-For-A-Day a success.

CHILD CARE PROGRAM

Present: Dr. William Marek, Deputy Health Officer
Carol Pinckney, St. Mary's County Health Department

Commissioner Bailey moved, seconded by Commissioner Thompson, to meet as the Board of Health. Motion carried.

The referenced individuals appeared before the Commissioners to explain the new child care program which is being initiated in the St. Mary's County in place of the child health clinics. The program entitled Early, Periodic, Screening, Diagnosis and Treatment (EPSDT) is unique to the State of Maryland and is designed to deliver service to children and young adults by certified physicians. During the discussion Dr. Marek distributed a Release giving the details of the new program.

In conclusion the Commissioners thanked Dr. Marek and Mrs. Pinckney for informing them of the EPSDT program.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to adjourn as the Board of Health and reconvene as the Board of County Commissioners. Motion carried.

RESOLUTION NO. 88-15

MULTI-SERVICE CENTER (STATE OFFICE BUILDING) FINANCING

Present: Edward V. Cox, Building Authority Commission
Joseph Densford, " (on behalf of Ted Weiner)
Frank Gerred, "
John Norris, "
Charles Wade, "
Stuart Diana, Piper & Marbury
Sam Ketterman, "

Mr. Cox explained that the State Office Building is the second project of the Building Authority Commission, which is established by law as a separate debtor entity so that the debt of the Commission does not go against the County's debt in bond ratings. Action has been taken by the Commission to adopt a Resolution approving the participation of the Commission in the financing of the construction of the multi-service center building.

Mr. Diana explained that the Board of County Commissioners should confirm the action by the Building Authority Commission regarding the construction of the state office building by the Building Authority Commission for the State of Maryland. The building will be leased to the State and the State will make lease payments to the Building Authority Commission.

After discussion, Mr. Diana presented Resolution No. 88-15 approving the participation of the County in the financing and construction of a multi-service center building to be used by various agencies of the State of Maryland.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to adopt and sign the referenced Resolution as presented. Motion carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
John B. Norris, Director, Department of Public Works
Joseph Densford, Assistant County Attorney
Edmund Wettengel, developer, Wildewood Subdivision
James Kenney, attorney for developer

Commissioner Bailey moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss a matter of litigation. Motion carried. The Session was held from 10:20 a.m. to 11:05 a.m.

PUBLIC HEARING

ABANDONMENT OF COUNTY ROA - TOWN CREEK MANOR SUBDIVISION

Present: John B. Norris, Director, Department of Public Works

The Board of County Commissioners conducted a public hearing on a request that County Route 3140, Park Place, in Section 5-A of Town Creek Manor Subdivision, Eighth election District, be officially abandoned as a public road from its intersection with Boaz Street for a distance of approximately 250 feet.

Mr. Norris read the Notice of Public Hearing and advised that the adjacent property owners and property owners in the vicinity of Island Drive had been notified by Certified Mail.

After receiving questions and comments from the audience, the Commissioners closed the public hearing. A decision will be made after a 10-day waiting period.

ASPHALT PAVING AWARD

Present: Arnold Gardner, Maryland Asphalt Association
John Norris, Director, Department of Public Works
George Jarboe, DPW
Michael Mattingly, "
Willy Buckler, "
Billy Colivus, Arundel Asphalt

Mr. Gardner presented to the Board of County Commissioners the Maryland Asphalt Association Award for the County's project on Golden Beach Road. Mr. Norris reported that this is the third consecutive year that St. Mary's County has won the Asphalt Award.

COUNTY ENGINEER'S ASSOCIATION OF MARYLAND

Present: John Norris, Director, DPW
Daniel Ichniowski, Engineer, DPW

Mr. Norris announced that Mr. Ichniowski was recently selected as President of the County Engineers' Association of Maryland.

PROCLAMATION
SAFE BOATING WEEK

The County Commissioners presented the referenced Proclamation designating June 5-11, 1988 as Safe Boating Week in St. Mary's County.

PROCLAMATION
ST. MARY'S GARDEN WEEK

The County Commissioners presented the referenced Proclamation designating June 5-11, 1988 as St. Mary's Garden Week in St. Mary's County.

(11:45 a.m. - The County Commissioners departed for a lunch meet with the Hospital Board and Leonardtown Commissioners at St. Mary's Hospital concerning the Alcohol Halfway House and Advanced Life Support facility.)

ALCOHOL HALFWAY HOUSE/ADVANCED LIFE SUPPORT FACILITY

Present: St. Mary's Hospital Board
Leonardtown Commissioners
Alfred Mattingly, developer of adjacent property

Commissioner President Loffler opened the meeting by summarizing the history of the County's efforts to locate on the hospital property a facility to house the halfway facility for recovering alcoholics and the Advanced Life Support unit. Costs for the project and conditions for approval by the Town have brought the project to a standstill.

Discussion continued by the various parties until a compromise position was stated and agreed to by the principals. The Town Planning Commission would be requested to review its condition of approval in order to change from 60 feet to 50 feet the required right-of-way and from 22 feet to 20 feet the paved surface eliminating the bicycle path and walkway. The County would agree to construct one-third of the road in question toward the adjoining property line. The Town and the developer would construct the remaining two-thirds.

The County Commissioners agreed to address correspondence to the Leonardtown Planning Commissioner requesting the revisions. The Leonardtown Commissioners agreed to also address correspondence to the Leonardtown Planning Commission.

Later in the meeting, Commissioner Bailey moved, seconded by Commissioner Jarboe, to sign and forward correspondence addressed to the Leonardtown Planning Commission requesting the revisions as referenced above. Motion carried.

TRI-COUNTY COUNCIL

Present: Gary Hodge, Executive Director

1) Regional Tourism

Mr. Hodge advised that all three counties have now agreed to participate in the funding for the Regional Tourism Program. He stated that a request should now be made to the State of Maryland for its share of the program. He suggested that the request be for the amount of \$40,000 as opposed to the originally stated amount of \$20,000 because of additional needs and because of the State's interest in promoting Southern Maryland.

After discussion Commissioner Bailey moved, seconded by Commissioner Lancaster to direct the County Administrator to prepare correspondence authorizing Tri-County Council to request additional funds from the State of Maryland. Motion carried.

2) Export Development

Mr. Hodge stated that in February Tri-County Council had indicated that there would be a revision of the tobacco element of the Export Development Program and a proposal would be developed for the next fiscal year. He advised that the State has budgeted \$30,000, which requires a \$10,000 match from each County to continue the Export Development Program in FY '89. After several meetings with the tobacco industry and state officials, he advised that it appeared to be premature to abandon tobacco promotion at this time. He stated, however, that it will be de-emphasized as a component of the overall export development program. Mr. Hodge indicated that funding level for tobacco promotion will be decreased, but he was not prepared to give a specific amount at this time.

Mr. Hodge further pointed out that the U.S. Department of Agriculture's assistance to agricultural communities which are subject to unfair trade practices in overseas markets. He suggested that a set of circumstances could be put in place which would qualify Southern Maryland for funds to promote tobacco as an export commodity from this region. This could relieve the responsibility of the local government in FY '89 for this type of promotion.

Thirdly, Mr. Hodge advised that the economic development directors have developed an alternative for Southern Maryland export development they believed should be aggressively pursued:

- Identification of potential crops other than tobacco;
- Identification of businesses that are potential exporters in the future;
- Promotion of international tourism;
- Identified of foreign markets for products and services such as high-tech industry.

Mr. Hodge advised that there needs to be dialogue with the State as to what programs would be appropriate for next fiscal year.

After discussion the Commissioners indicated their support for Mr. Hodge to proceed to develop information in the referenced areas.

3) Tri-County Council Committees

Mr. Hodge advised that Tri-County Council has approved the creation of three new standing committees: Regional Economic Development, Southern Maryland Transportation Planning Board, and Southern Maryland Agricultural Commission, and requested the Board's assistance in making nominations.

The Commissioners agreed to give consideration to appointments at next week's meeting.

COUNTY ADMINISTRATOR

Present: Edward V. Cox, County Administrator

1) ZONING AMENDMENT RESOLUTION NO. Z88-03
LEONARD COPSEY - SITE OF "DRIFT INN" SIGN

Having conducted a public hearing on May 10, 1988 and held subsequent discussion, Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve and sign Resolution No. Z88-03 granting the rezoning application as requested from AR to CL. Motion carried.

2) RESOLUTION NO. 88-16
FINE SCHEDULE FOR CIVIL ZONING VIOLATION

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and sign Resolution No. 88-16 adopting the civil violation penalty schedule for St. Mary's County. Motion carried.

3) SOUTHERN MARYLAND REGIONAL RESOURCE CENTER/BRANCH LIBRARY
TITLE II CONSTRUCTION FUNDS PROGRAM GRANT APPLICATION

The County Administrator presented the grant application for the Southern Maryland Regional Resource Center/Branch Library to be located at Charlotte Hall.

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

4) COMPUTER SYSTEM FOR SOUTHERN MARYLAND LIBRARY

Commissioner Thompson moved, seconded by Commissioner Lancaster, to direct the County Administrator to prepare a letter to the Director of the Southern Maryland Regional Library Association requesting a determination of the exact proposal for what was provided in the budget regarding the computer for the library system. Motion carried.

5) HOMELESS SERVICES PROGRAM APPLICATION

The County Administrator presented the grant application for the 1988-1989 Homeless Services Program Application to be submitted to the Department of Human Resources.

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

6) BUDGET AMENDMENTS

The County Administrator presented the following budget amendments recommended for approval by the Director of Finance:

a) No. 88-68
Office On Aging

Justification: To cover over-expenditures.

b) No. 88-69
Public Works

Justification: To fund salary costs for Solid Waste Division and Maintenance Shop.

Commissioner Jarboe moved, seconded by Commissioner Bailey, to approve and sign the Budget Amendments as presented. Motion carried.

7) BOARDS, COMMITTEES AND COMMISSIONS
APPOINTMENTS

Commissioner Lancaster moved, seconded by Commissioner Jarboe, and unanimously carried, to make the following appointments:

AIDS Task Force

Lula T. Biscoe

<u>Airport Commission</u>	<u>Term to Expire</u>
John Paradis	June 30, 1991
John Chesley	June 30, 1991
<u>Community College Advisory Board</u>	
Michael Humphries	June 30, 1993
Elizabeth C. Dufresne	June 30, 1993
<u>Community Development Corporation</u>	
Leisl Stark (Reappt.)	June 30, 1991
Andrew Kozak (Reappt.)	June 30, 1991
<u>Historic District Commission</u>	
James Forrest (Reappt.)	June 30, 1991
<u>Human Relations Commission</u>	
Mary Novotny	June 30, 1992
Gertrude Veronica Carter	June 30, 1992
Alice O. Bankins	June 30, 1992
<u>Johnsongrass Committee</u>	
Franklin Hewitt (reappt.)	June 30, 1989
R. Johns Dixon "	June 30, 1989
Vernon Saunders "	June 30, 1989
Aloysius Raley "	June 30, 1989
Douglas Bowles "	June 30, 1989
James R. Owens "	June 30, 1989
Tommy Bradburn "	June 30, 1989
<u>Mental Health, Alcoholism, Drug Abuse Advisory Council</u>	
William Arick (reappt.)	June 30, 1991
Lorraine Fulton (reappt.)	June 30, 1991
<u>Metropolitan Commission</u>	
Gerard Lowe (reappt.)	June 30, 1991
<u>Nursing Center Board</u>	
Norris Jay Hanks (reappt.)	June 30, 1991
<u>Plumbing Board</u>	
Thomas M. Russell (reappt.)	June 30, 1991
<u>Private Industry Council</u>	
David S. Wilson	June 30, 1991
<u>Recreation and Parks Board</u>	
Felton Rothwell	December 31, 1990
<u>Tri-County Community Action Committee</u>	
Lillie Lane (reappt.)	June 30, 1991

Tri-County Group Home

Michael J. Whitson (reappt.) June 30, 1991

Zoning Board of Appeals

Alfred Shane Mattingly (alternate) December 31, 1988/1992
Floyd Williams (temporary alternate) December 31, 1988/1992

8) COUNTY EXTENSION SERVICE BUDGET
COUNTY APPROPRIATION

The County Administrator presented the County's appropriation for the County Extension Service and advised that the Board is required to indicate approval of the budget.

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

9) DEPARTMENT OF AGRICULTURE AGREEMENT
CONTROL AND ERADICATION OF NOXIOUS WEEDS

The County Administrator presented an Agreement dated May 23, 1988 by and between the Maryland Department of Agriculture and St. Mary's County for the control and eradication of noxious weeds.

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

10) ADMINISTRATIVE ASSISTANT
OFFICE ON AGING

The County Administrator presented a memorandum dated June 6, 1988 from the Personnel Office advising that the Director of the Office on Aging has requested that the Fiscal Director position, Grade 8 be converted to Administrative Assistant.

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve this request. Motion carried.

11) FISCAL CLERK
OFFICE ON AGING

The County Administrator presented a memorandum dated June 7, 1988 from the Personnel Office requesting authority to fill the Fiscal Clerk II, Grade 6, position, in the Office on Aging, which will be vacated by Susan Regal on June 17, 1988.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve this request. Motion carried.

12) LIVABILITY CODE IMPLEMENTATION PROGRAM

The County Administrator presented correspondence from the Department of Housing and Community Development advising that the Livability Code Program provided for the reallocation of grant funds which are not applied for within the program fiscal year. St. Mary's County is entitled to \$483 of unused LCIP bonus funds.

Commissioner Bailey moved, seconded by Commissioner Thompson, to authorize Commissioner Loffler to sign the Amendment to the County's current agreement and Revised Program Budget for the additional \$483. Motion carried.

13) CRITICAL AREAS PROGRAM

The County Administrator stated that the Chairman of the Critical Areas Task Force has advised that the State Critical Areas Commission has not reached an agreement on the grandfathering of previously approved subdivisions and deleting them from the 5% growth limitations. He advised that the legislative deadline cannot be met by the County and the State Commission will begin the process to take over the county's plan. This will take considerable time and by that time the County would have finished its review, and the amended Plan is expected to be submitted to the Board by August 16.

The Task Force is recommending that that Commissioners extend the moratorium on development until the amended plan is adopted.

The Commissioners agreed to discuss this recommendation at next week's meeting.

MARCEY HOUSE GRANT REQUEST

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the documents and grant application for Marcey House. Motion carried.

EXECUTIVE SESSION


Present: Edward V. Cox, County Administrator

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

ADJOURNMENT

The meeting adjourned at 3:00 p.m.

APPROVED,


Carl M. Loffler, Jr.
President