

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, September 13, 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 9:00 a.m.

APPROVAL OF MINUTES

Commissioner Jarboe, moved, seconded by Commissioner Bailey, to approve the minutes of the Commissioners' meeting of Tuesday, September 6, 1988. Motion carried.

Commissioner Thompson moved, seconded by Commissioner Bailey, to approve the Office of Planning and Zoning's portion of the Commissioners' minutes of August 30, 1988. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) LETTER OF COMMENDATION TO JOSEPH NEAL

In response to a request from the Southern Maryland Library Association, the County Administrator presented correspondence addressed to Joseph Neal commending him for his twenty-five years of efficient library delivery service. The Commissioners agreed to sign and forward the letter.

2) "MARYLANDERS HELPING MARYLANDERS:
A YOUTH SUICIDE PREVENTION SYMPOSIUM"

The County Administrator presented correspondence dated September 1, 1988 from the Governor's Office inviting the Commissioners to attend the referenced one-day conference in Catonsville. Mr. Cox recommended that the Commissioners designate Phebe Barth, Director, Office of Community Services, as their representative to attend the conference and to coordinate this effort on behalf of the County.

The Commissioners gave their concurrence.

3) EASEMENT AGREEMENT - LEONARDTOWN CENTRE

The County Administrator presented correspondence dated September 9 from George Sparling enclosing a Deed dated October 18, 1955 from Ernest Moore to the County Commissioners of St. Mary's County; drawing of the proposed location of the easement request; and excerpt of SHA Plat No. 34697. On behalf of his client, Mr. Sparling has requested the Commissioners to grant an easement across county property in order to supply water to improvements to be constructed by Centre.

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

4) GRANT AGREEMENT
HOMELESS SHELTER

The County Administrator presented a Grant Agreement between Maryland Department of Human Resources and St. Mary's County Commissioners in the amount of \$35,000 for shelter and food for the homeless. The program, which will be effective November 1, 1988, will be administered by the Department of Social Services.

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

5) HOSPITAL AGREEMENT/ELDON LANE

The County Administrator advised that the Lease Agreement between the County and St. Mary's Hospital indicated that Eldon Lane would be constructed no later than December 31, 1988. Because of certain delays, the completion date is now December 31, 1989. Mr. Cox recommended that correspondence be prepared to the Hospital Board indicating the revised date for completion.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the letter. Motion carried.

6) PERSONNEL
OFFICE OF PLANNING AND ZONING - GUYTHER CONTRACT

The County Administrator presented a memorandum to the Board advising that a temporary promotion to Robin Guyther from Deputy director Grade 16-6 to Acting Director Grade 18-5. It had been anticipated at that time that a new director would have been selected by September 6. In that a new director has not been selected and may not be until the first week of November, Mr. Cox recommended that additional compensation to Mr. Guyther by amending his contract to Grade 19-6 until the employment of a new director, effective September 6.

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

7) PERSONNEL
OFFICE OF PLANNING AND ZONING
TEMPORARY PROMOTION

The County Administrator presented a memorandum from the Personnel Office advising that hiring of a Permits/Inspections Clerk, Grade 7, for the Office of Planning and Zoning was postponed awaiting the appointment of a new director. A temporary promotion is requested for Mary Russell, who serves as permits clerk, Grade 6, to the Grade 7 position in order to alleviate the backlog.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to grant this request. Motion carried.

8) CHARTER BOARD BUDGET

The County Administrator presented a budget as proposed by the Charter Board, which includes costs for FY 1988 and FY 1989, in the total amount of \$39,950. This amount includes the Special Election in 1989 (\$25,000). Mr. Cox indicated that if approved, the necessary budget amendment will be prepared.

After discussion Commissioner Jarboe moved, seconded by Commissioner Thompson to approve the budget as submitted. Motion carried.

In addition the County Administrator presented correspondence from Institute for Governmental Services setting forth services to be provided to the Charter Board for \$2500 plus expenses. Mr. Cox advised that he would prepare a letter to IGS accepting the contract.

*) BUDGET AMENDMENTS

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

NO. 89-8
VARIOUS

Justification: To provide budget authority to capital projects carry-forward from FY 88 to FY 89 as part of the reservation against fund balance.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign Budget Amendment No. 89-8. Motion carried.

NO. 89-9
COUNTY ADMINISTRATOR

Justification: To provide funds for consultant for study of impact fees approved by the County Commissioners on 8/30/88.

Commissioner Thompson moved, seconded by Commissioner Bailey, to approve and authorize Commissioner Loffler to sign Budget Amendment No. 89-9. Motion carried.

9) MARYLAND INDUSTRIAL LAND ACT
ST. MARY'S PRESS

The County Administrator advised that the County has received correspondence from the Maryland Department of Economic & Employment Development indicating approval of the MILA Loan in the amount of \$500,000 to the County for the construction of a shell building for St. Mary's Press. A letter has been prepared to St. Mary's Press indicating approval of the MILA loan and that they may proceed.

(Commissioner Loffler did not participate and therefore Commissioner Vice-President Jarboe presided over this portion of the meeting.)

Commissioner Thompson moved, seconded by Commissioner Bailey, to sign and forward the letter to St. Mary's Press as presented. Motion carried.

10) TALL TIMBERS/HERRING CREEK
SHORE EROSION MITIGATION PROJECT

The County Administrator presented correspondence to the Army Corps of Engineers requesting an amendment to the Local Cooperation Agreement for Herring Creek at Tall Timbers to reflect funds expended by the County to restore the parking lot.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the letter as presented. Motion carried.

11) SMALL CITIES GRANT CLOSEOUT
PROJECT #B-85- DH 24-032

The County Administrator presented the Closeout Agreement entered into by and between St. Mary's County and the Department of Housing and Urban Development and identifying closeout conditions.

Commissioner Thompson moved, seconded by Commissioner Bailey, to authorize Commissioner Loffler to sign the Small Cities Grant Closeout Agreement as presented. Motion carried.

12) PROPOSED CHANGES TO THE COMPREHENSIVE PLAN

The County Administrator presented a list of the Commissioners' proposed changes to the Comprehensive Plan as prepared by Acting Director of Planning and Zoning.

Commissioner Jarboe moved, seconded by Commissioner Thompson, to forward the proposed amendments to the Comprehensive Plan Review Committee.

ASSISTANT COUNTY ATTORNEY

Present: Joseph Densford, Assistant County Attorney

1) MECHANICSVILLE POND

With reference to the Commissioners' direction to return the Mechanicsville Pond back to its owner, Mr. Densford stated that he researched the ownership and found it had been donated to the County in 1934 by Mr. and Mrs. Arthur Meredith. The property was to be used as a water supply and upon termination of that use, it would automatically revert back to Mr. and Mrs. Meredith or their heirs. Records indicate that Mr. Meredith passed away in 1960, and there is a possibility that his widow moved away from the area.

In that the County no longer needs the pond and it should be returned back to the owners, the Commissioners directed Mr. Densford to put a notice in newspapers seeking the owner. In the meantime the property is to be maintained by the County.

2) DRURY PROPERTY RIGHT-OF-WAY

Mr. Densford advised that he has met with Mrs. Drury regarding the straightening of the county right of way along her property. He stated that Mrs. Drury desires to erect fences along her property. Therefore, Mr. Densford stated that he has prepared two deeds so that the right-of-way can be straightened to where the paved area is. He said that MCrone had prepared a plat of the area which has been attached to the two deeds. Mrs. Drury has requested MCrone to restake the 40 foot right-of-way line so she will know where to place the fence. The Commissioners agreed that the cost of that survey should be at the expense of the person requesting it.

After discussion Commissioner Lancaster moved, seconded by Commissioner Bailey, and motion carried, to approve and authorize Commissioner Loffler to sign the following Deeds:

By and between Board of County Commissioners of St. Mary's County and Mary B. Drury conveying property to Mrs. Drury in the Seventh Election District;

By and between Mary B. Drury and the Board of County Commissioners conveying property in the Seventh District to the County.

3) COLTON POINT PROPERTY

Mr. Densford advised that the property received from Mr. Cullen Gass as a gift for a waterfront park was not large enough. Mr. Gass made a formal request that the property be returned to him since it could not be used as intended. Therefore, Mr. Densford presented a Deed dated September 13, 1988 by and between St. Mary's County Commissioners and Cullen Gass and Mary H. Gass conveying property to Mr. and Mrs. Gass in the Seventh District, the land being the same which was conveyed to the County by Deed dated June 26, 1969.

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve and sign the Deed as presented, with the understanding that an area be provided for turn-around. Motion carried.

4) PROPERTY ACQUISITION FOR AIRPORT

Mr. Densford advised that he discuss with Mr. and Mrs. Mathews the County's intention to acquire their property on Lawrence Hayden Road for future extension of the county airport runway. Based on appraisals the purchase price is \$91,000, and the Mathews are agreeable to that offer.

After discussion Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Agreement by and between Robert E. Mathews and Wanda S. Mathews and the Board of County Commissioners of St. Mary's County for the County's acquisition of their property on Lawrence Hayden Road. Motion carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
John Norris, Director, Department of Public Works
Joseph Densford, Assistant County Attorney

Commissioner Bailey moved, seconded by Commissioner Bailey, to meet in Executive Session to discuss matters of property acquisition and litigation. Motion carried. The Session was held from 10:05 a.m. to 10:30 a.m.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) PREAPPLICATION FOR FEDERAL ASSISTANCE
COUNTY AIRPORT PROJECT

Mr. Norris presented the preapplication for federal assistance for projects at the County Airport: Obstruction removal, land acquisition and easements. The project is funded 95% - federal; 5% - state; 5% - county in the total amount of \$540,200.

Commissioner Jarboe moved, seconded by Commissioner Bailey to authorize Commissioner Loffler to sign the preapplication as presented. Motion carried.

2) ROAD RESOLUTIONS

Mr. Norris presented the following Road Resolutions for the Commissioners' review and consideration:

No. 88-07
Cape St. Mary's

Posting Cape St. Mary's Drive at 25 miles per hour from its intersection with Md. Rt. 472, Sixth Election District.

No. 88-08
Bushwood City Road

Posting Bushwood City Road at 30 miles per hour from its intersection with Md. Rt. 238, Seventh Election District.

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

3) ADDENDUM TO PUBLIC WORKS AGREEMENT
STALLMAN SUBDIVISION

Mr. Norris presented an Addendum to the Public Works Agreement by and between Henry T. Waring and the Board of County Commissioners of St. Mary's extending the deadline for completion of the roads in Stallman Subdivision, Section II, Eighth Election District. The Addendum is backed by a letter of credit with the First National Bank of St. Mary's in the amount of \$94,000.

4) SAN SOUCI, SECTIONS 1 AND 2
DEEDS AND ROAD RESOLUTIONS

Commissioner Lancaster moved, seconded by Commissioner Jarboe, and unanimously carried, to accept and authorize Commissioner Loffler to sign the following four Deeds for San Souci, Sections 1 and 2:

a) By and between Jay Laurence Millison and Board of County Commissioners of St. Mary's County accepting into the County Highway Maintenance System 1.255 acres, Eighth Election District as described in Schedule A attached to the Deed.

b) By and between Jay Laurence Millison and Board of County Commissioners of St. Mary's County accepting Herring Court, east portion of Cornwall Drive and west portion of Cornwall Drive into the CHMS.

c) By and between Jay Laurence Millison and Board of County Commissioners of St. Mary's County accepting McArthur Boulevard into the CHMS.

d) By and between Jay Laurence Millison and Board of County Commissioners of St. Mary's County accepting into the CHMS 2.723 acres as described as part of the roadways as shown on record plan entitled San Souci Estates, Section 1.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, and unanimously carried, to approve and authorize Commissioner Loffler to sign the following Road Resolutions for San Souci Estates:

No. 88-09

Posting the streets and roads in San Souci Estates at 25 miles per hour.

No. 88-10

Designating the following streets as "Stop Streets" in San Souci Estates, Sections 1 and 2:

McArthur Boulevard at its intersection with Rt. 235;
Halsey Court at its intersection with McArthur Blvd.;
Armsworthy Court at its intersection with Halsey Ct.;
Wainwright Court at its intersection with Halsey Ct.;
Herring Court at its intersection with McArthur Blvd.;
Cornwall Drive at both sides of its intersection with
Halsey Court.

5) WATERWAY IMPROVEMENT GRANT APPLICATION
ST. JEROMES CREEK - SOUTHERN PRONG

Mr. Norris presented the referenced Grant Application for maintenance dredging of the St. Jeromes Creek - southern prong entrance channel for the purpose of improving navigable access to the main channel in the amount of \$75,000.

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

6) CAT 963 TRACTOR FRONT END LOADER

Mr. Norris advised the Commissioners that the referenced piece of equipment has been rendered unusable in that it was burned up because of an electrical problem. He presented alternatives to the Board for replacing the equipment either through to sell it "as is where is" or to repair it at an estimated cost of \$70,000. Mr. Norris recommended selling it as a trade in on a new piece of equipment of the same design (estimated cost \$140,000). He stated that he would have to rent equipment in the meantime.

After discussion Commissioner Jarboe moved, seconded by Commissioner Lancaster, to direct Mr. Norris to investigate costs and sources of equipment. Motion carried.

BRIDGE OPENING CELEBRATION

Present: Ann Marum, Director, Chamber of Commerce

Ms. Marum appeared before the Commissioners to provide information relative to the Governor Thomas Johnson Bridge opening celebration, which will be held Sunday, September 25. Proclamations will be presented for those people who "went above and beyond" in assisting during the bridge closing. The program will begin at 3:00, and there will be a hospitality reception AT 4:30 p.m. The day will include bands, jugglers, clowns, antique cars and at 8:00 fireworks.

Because of a conflict with the St. Mary's County Fair, the Commissioners suggested that St. Mary's participation not be until after 6:00 p.m.

"MARYLAND, YOU ARE BEAUTIFUL"

Present: Carolyn Billups, County Coordinator

Ms. Billups appeared before the Commissioners to present the nominees and winner for St. Mary's County's "Most Beautiful Person" as part of Governor Schaefer's "Maryland, You Are Beautiful" Program. Receiving commendations were the following nominees: Catherine Bowles, Thelma Rehm, Billie Giesbert, Bramachari Keith, Grace Loffler, Mary Helen Keenan, Peggy Howard, Maude Lawrence, Raul Hernandez. The recipient of the "Most Beautiful Person" for St. Mary's County was Frank Klear, who was nominated by Judge Briscoe. A reception followed the awards ceremony.

PROCLAMATION
IN MEMORY OF REV. ALFRED CHAMBERS

The Commissioners presented the referenced Proclamation to Mrs. Chambers in memory of her husband, Rev. Alfred Chambers, who passed away on September 10, 1988.

PROCLAMATION
U. S. CONSTITUTION

Present: Carolyn Billups
Mable Zylack

The Commissioners presented the referenced Proclamation designating September 17 - 23, 1988 as Constitution Week in St. Mary's County.

TRIP TO FIRST ELECTION DISTRICT

The Commissioners departed at 11:55 a.. to visit areas in the First District and returned at 5:05 p.m.

AREA AGENCY ON AGING PLAN

On behalf of the Office on Aging, the County Administrator presented the application for grant funding for the Title III Agency on Aging Plan for the period October 1, 1988 through September 30, 1989 to be submitted to the Maryland Office on Aging.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the plan for submission to the State. Motion carried.

FOX HARBOR ROAD

Present: John Norris, Director, Department of Public Works

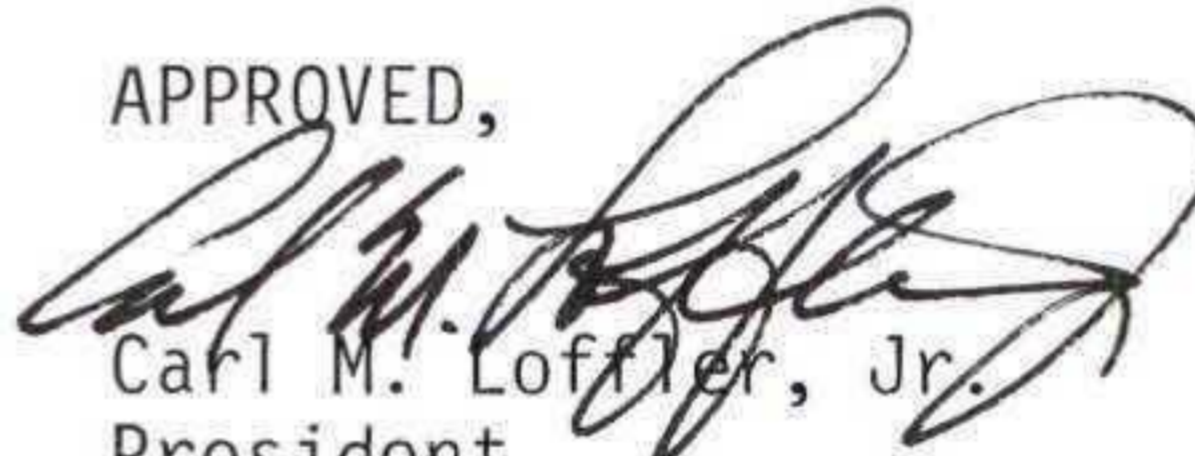
Mr. Norris proposed that since the road surface crew is in the First District, the gravel road leading to the county public wharf, Fox Harbor Road, be surface treated.

The Commissioners gave their concurrence and directed Mr. Norris to proceed.

ADJOURNMENT

The meeting adjourned at 5:20 p.m.

APPROVED,



Carl M. Loffler, Jr.
President