

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, February 1, 1978

Present: Commissioner James M. McKay, President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe
Commissioner Larry Millison
Edward V. Cox, County Administrator
Judith A. Mullins, Recording Secretary

(Commissioner Parlett was not present due to illness.)

The meeting was called to order at 9:00 a.m.

READING AND APPROVAL OF MINUTES

The minutes of January 25, 1978 were read. Commissioner Dean made a motion to approve the minutes as read, seconded by Commissioner Jarboe. All Commissioners present voted in favor.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the encumbrance vouchers for the Commissioners' review and approval. Commissioner Jarboe made a motion to approve payment of the bills, as submitted, seconded by Commissioner Millison. All Commissioners present voted in favor.

LOT 52 - HELEN ESTATES

By letter dated January 31, 1978, the County Attorney forwarded Articles of Agreement by and between Israel Swarey and Ezra Swarey and the County Commissioners for St. Mary's County whereby the County would accept \$7500 from Mr. Swarey for Lot 52 of Helen Estates, which had been dedicated for recreational purposes.

Commissioner Jarboe made a motion to approve and sign said Agreement, seconded by Commissioner Millison. All Commissioners present voted in favor.

SHEEHAN SUBDIVISION - SHORE DRIVE

Upon the recommendation of the County Attorney as contained in his letter dated January 19, Commissioner Jarboe made a motion to accept the County Attorney's recommendations and accept Shore Drive into the County Highway Maintenance System after the developer has improved the roads to meet County standards with the contingency that notification be given to the County Engineer prior to commencement of work, seconded by Commissioner Dean. All Commissioners present voted in favor.

LIONS CLUB - FAIRGROUNDS

The County Administrator presented correspondence dated January 31, 1978 from the Lions Club requesting a tractor pull facility at the County fairgrounds. An agreement has already been reached between the Lions Club and the Fairboard for this facility.

After some discussion, the Commissioners requested that the exact location be identified, an assessment be made as to the amount and varieties of uses, and a determination made as to availability of funds from the Fairgrounds Improvement Account.

ZONING MAPS

The County Administrator presented correspondence dated January 27, 1978, from the Director of Land Use and Development stating that the comprehensive zoning maps for the County have been updated to the present and requesting that the President of the Board be authorized to sign said maps in order that the maps may be laminated prior to the public hearing on the zoning amendment update.

Commissioner Dean made a motion to adopt the updated official zoning maps of St. Mary's County as presented by the Director of Land Use and Development, and to authorize the President of the Board to sign same, seconded by Commissioner Jarboe. All Commissioners present voted in favor.

RAILROAD RIGHT-OF-WAY

The County Administrator advised the Commissioners that correspondence received from the Charles County Commissioners dated January 27, 1978 indicates that Charles County at this time does not wish to adopt and enforce the Railroad Right-of-Way Ordinance for that portion of the railroad right-of-way lying within the jurisdiction of Charles County. Accordingly, the Commissioners directed that the Ordinance be prepared in final form for adoption and re-presented at an early date.

COMMUNITY DEVELOPMENT COORDINATOR

As recommended by the selection committee, Commissioner Jarboe made a motion to hire James Lanham to the position of Community Development Coordinator for the Title I Project, Grade 12, Base, seconded by Commissioner Millison. All Commissioners present voted in favor.

LETTER TO STATE HIGHWAY ADMINISTRATION
MAINTENANCE OF PATUXENT BEACH ROAD

Commissioner Jarboe presented a letter for the Commissioners' review and signatures addressed to the State Highway Administration regarding maintenance of Patuxent Beach Road.

COAST GUARD STATION PROPERTY
PINEY POINT

Present: John Baggett, Director, Recreation and Parks
Interested citizens

Mr. Baggett appeared before the Commissioners to discuss the Coast Guard Station property at Piney Point which has been declared surplus by General Services Administration and stated that the State has also expressed an interest in the property.

Several interested citizens in attendance at the meeting expressed a need by various organizations in the County (such as Homemakers, 4-H, Maryland Historical Trust, League of Women Voters, St. Mary's County Art Association, etc.) for such a facility.

After discussion, the Commissioners directed Mr. Baggett to develop two plans for submission to GSA; one, joint use with the State, and two, exclusive ownership by the County.

In addition, the Commissioners recommended that suggestions by the public for use of this property be submitted to the Commissioners' Office for consideration.

PINEY POINT MOORINGS
SURPLUS GOVERNMENT PROPERTY

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett advised the Commissioners that he received correspondence from General Services Administration which stated that the above-referenced property containing approximately 0.4267 of an acre has been declared surplus property. The property lies within the Harry Lundeborg School and 0.3616 of the land is submerged in St. George Creek. However, Mr. Baggett stated he would go to the site and determine if the property would be of any value to the County.

APPLICATION FOR FEDERAL FUNDS FROM BOR
FOREST LANDING

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented an Application to the BOR (Bureau of Outdoor Recreation) for the Commissioners' review and approval requesting \$7,000. Mr. Baggett stated he would also be forwarding an application to the State for an additional \$7,000. Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign said Application, seconded by Commissioner Dean. All Commissioners present voted in favor.

APPLICATION FOR FEDERAL FUNDS
ST. INIGOES PARK

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented an Application to the BOR (Bureau of Outdoor Recreation) for the Commissioners' review and approval requesting \$25,000.

Mr. Baggett stated he would also be forwarding an application to the State for an additional \$25,000. Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign said application, seconded by Commissioner Millison. All Commissioners present voted in favor.

HERMANVILLE RADAR SITE - REQUEST FOR HEATING

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett requested authorization by the Commissioners to proceed to have some type of heating installed at the Recreation and Parks maintenance building at the County-owned Hermanville Radar Site. The Commissioners gave their concurrence for Mr. Baggett to proceed and requested that the heating cost be kept to a reasonable minimum.

GOLDEN BEACH ROADS

Present: Col. Creighton Olson, Golden Beach
John Benson, Golden Beach
Citizens from Golden Beach
John Norris, County Engineer

The above-referenced individuals from Golden Beach appeared before the Commissioners to make certain requests regarding various non-County Roads in Golden Beach, (Scott Circle, Alison Circle, Boundary Drive, Sky View Drive, Roof Top Circle, Hill View Drive, and Cathy Circle).

1. Emergency maintenance repairs of undeveloped roads which Mr. Olson stated the County Engineer has been taking care of;
2. A plan to look at a long-range program to bring the afore-said roads up to par with the other roads in Golden Beach.

Mr. Benson gave the history of the road situation stating that Golden Beach, Inc. was the developer around 1960 and that certain roads were being paved each year by the County. Mr. Benson made the following points:

1. The developer was never required to post bonds for the completion of the roads;
2. Previous boards of Commissioners, in light of no posted bonds, could not force the development corporation, which has now been dissolved, to complete the paving of the roads;
3. Previous Commissioners had an apparent schedule of road paving for the Golden Beach area as evidenced by past road paving by the County.

The residents of Golden Beach requested the Commissioners to consider paving the afore-mentioned roads as had been done in the past by the County.

The Commissioners pointed out that the situation in Golden Beach was a regrettable one but not unlike several others that exist in the County. A long-range solution is possible in the form of special taxing districts, whereby the County and the citizens jointly resolve the road problems. The Commissioners stated that it has been the policy of this Board of Commissioners not to accept any roads into the County Road System until they have been brought up to County road standards, and that although they would entertain the possibility of performing emergency repairs on the Golden Beach roads in question, they cannot do extensive paving. The Golden Beach representatives were encouraged to stimulate the citizens in the area to form a special taxing district to ultimately resolve the problem. The County Engineer was directed to cooperate with and assist the Golden Beach citizens in understanding the scope of construction necessary, its costs, and the procedures necessary to form a special taxing district.

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise
Sunny Schust, "
Florence Ballangee, Beacon
Ingrid Buehler, Beacon
Dave Fox, WKIK
Paula Smith, WPTX

At this time, the Commissioners conducted their semi-monthly Press Conference. A tape of the Conference is on file in the Commissioners' Office.

PROCLAMATION NO. 78-13
FUTURE BUSINESS LEADERS OF AMERICA WEEK

Present: Cindy Quade
Linda Harding
Cathy Quade
Dale Thompson
Sharon Rollins
Judy Farrell

The Commissioners presented the above-referenced Proclamation proclaiming February 12-18, 1978 as Future Business Leaders of America Week.

PROCLAMATION NO. 78-12
VOCATIONAL EDUCATION WEEK

Present: George Sullivan
Mr. Don O'Neil
Dale Thompson
Susan Tennyson
Deanne Mercure
Timmy Wathan
Brenda Hill
Mary Dean

The Commissioners presented the above-referenced Proclamation proclaiming the week of February 12-18, 1978 as "Vocational Education Week".

PROCLAMATION NO. 78-14
AGRICULTURE WEEK

Present: Mrs. Jarboe (wife of President of Farm Bureau)

The Commissioners presented the above-referenced Proclamation proclaiming the week of January 28, 1978 through February 4, 1978 as Agriculture Week in St. Mary's County.

TOURISM COUNCIL

Present: Buck Briscoe, Director, EDC
Alex Schust
Elizabeth Harman
Edward Long
Russell Maddox
Michael Olson
Harold Bishop

Commissioner Jarboe explained that the purpose of this meeting was to bring all the newly appointed members together and receive direction from the Board of Commissioners. He stated that an important goal is to try to coordinate all the various tourism activities in the County. The Council should make recommendations to the EDC, who would in turn submit recommendations to the Commissioners.

After discussion of the various aspects of the Council, the Council members agreed to reconvene in another location and select a chairman and review the direction of the Council.

LETTER TO STATE'S ATTORNEY - CID OVERTIME

Commissioner Jarboe presented a letter for the Commissioners' review and signature relative to overtime payment to officers from the Sheriff's Department working in the joint CID Unit. The Commissioners agreed to sign and forward same.

WALDEN ADVISORY COMMISSION

Commissioner Jarboe made a motion seconded by Commissioner Dean, to appoint the following individuals to the Walden Advisory Commission with terms to expire as indicated:

- | | | |
|-----------------------|---|-------------------|
| Mr. K. Andrew Bailey | - | December 31, 1978 |
| Mrs. Betsy Barley | - | December 31, 1978 |
| Mr. Joseph Cipolloni | - | December 31, 1978 |
| Ms. Lisa Diamond | - | December 31, 1979 |
| Ms. Sue Gelrud | - | December 31, 1979 |
| Mr. Jack Kershaw | - | December 31, 1979 |
| Dr. William Marek | - | December 31, 1980 |
| Mr. Kenneth Rossignol | - | December 31, 1980 |
| Ms. Dee Seidenberg | - | December 31, 1980 |

All Commissioners present voted in favor.

RC&D BOARD

Commissioner Dean made a motion to appoint Mr. Robert A. Stevens as member at large and Mr. Ralph Brown as alternate member to the RC&D Board, for three year terms beginning March 1, 1978, seconded by Commissioner Jarboe. All Commissioners present voted in favor.

TRI-COUNTY GROUP HOME BOARD

Commissioner Dean made a motion to appoint Mrs. Louise Gough to the Tri-County Group Home Board, filling an unexpired term to June 30, 1980, seconded by Commissioner Jarboe. All Commissioners present voted in favor.

"WINGS OF THE MORNING"

By memorandum dated January 31, 1978, the Budget Officer advised the Commissioners that the State of Maryland has forwarded the check for \$50,000 to be used to decrease the advance monies to the Outdoor Drama Association, and therefore a decision is needed by the Commissioners as to this account.

After discussion, Commissioner Jarboe made a motion to authorize a Reserve for Contingency transfer in the amount of \$35,412.66 to write-off the accounts receivable for "Wings of the Morning" Outdoor drama Association, seconded by Commissioner Dean. All Commissioners present voted in favor.

HISTORIC DISTRICT COMMISSION

Present: Frank Gerred, Director, LUD
John Blakely
Alfred Dillow
Col. Paul Hayward
Elmer Olson
Polly Barber
Edwin Beitzell

Commissioner Dean explained that the newly appointed Historic Commission was requested to appear before the Commissioners in order to discuss the purpose of the Commission and receive direction. Establishment of the Historic District Commission is provided for in Article 5.8 of the St. Mary's County Zoning Ordinance and there has been an expression of interest and need in the community for such a commission.

After Mr. Gerred explained some of the roles and duties of the Historic District Commission, the members agreed to meet in another location to select a Chairman and discuss other related matters.

In closing, the Commissioners advised that the Office of Land Use and Development will assist the Commission in whatever way possible.

PINEY POINT/AQUIA AQUIFER STUDIES

Present: Kenneth Weaver, Director, Maryland Geological Survey
Harry Hansen, Maryland Geological Survey
James Williams, U.S. Geological Survey
Mike Marlay, Director, Metropolitan Commission
Walter Raum, Health Department

Representatives of the Maryland Geological Survey and U.S. Geological Survey appeared before the Commissioners to review with them the results to this point of the study thus far completed on the Piney Point Aquifer.

Mr. Weaver explained the purpose and advantage of the County's involvement in the proposed Aquia Aquifer Study to complement the study already underway of the Piney Point Aquifer. The Commissioners discussed with Mr. Weaver their endorsement of the Aquia Study, but raised questions as to the funding ratios of the Counties involved.

Mr. Hansen displayed various maps indicating current levels of the aquifers and predicted levels for the future.

The Commissioners thanked the representatives for their informative presentation and requested that a copy of the study be forwarded to the Commissioners upon completion.

ESSEX DRIVE (ESSEX SOUTH, SECTION III)

Present: Ed Dubinok, property owner
John Norris, County Engineer

Mr. Dubinok appeared before the Commissioners to discuss the lack of drainage around his property on Essex Drive in Essex South Subdivision and the flood of his home which has resulted.

Mr. Norris stated that even with the disposition of the court case the County has filed against the developer for the lack of completion of the streets and roads in that subdivision, and even after determining a source of funds for this matter, there was still the added problem of obtaining the necessary easement from the owner of the property where the drainage would be diverted.

The Commissioners requested that the County Attorney discuss the situation with Mr. Hewitt, the property owner, and that the County Engineer would provide any needed assistance.

APPOINTMENTS TO PLANNING COMMISSION

Commissioner Jarboe made a motion to reappoint R. Johns Dixon and J. Frank Raley to the Planning Commission for terms to expire December 31, 1982, seconded by Commissioner Millison. All Commissioners present voted in favor.

STEUART TANK EXPANSION

Present: Joseph Ernest Bell, County Attorney
Interested Citizens

During the discussion of the proposed appeal of the Opinion by the Court of Special Appeals of Maryland on Steuart Petroleum Company's industrial site plan tank expansion application, several citizens spoke in favor of the County seeking an appeal and gave various justifications.

After discussion, Commissioner Jarboe made a motion that the County move forward with a request for an appeal, seconded by Commissioner Millison. All Commissioners present voted in favor.

Commissioners Jarboe and Dean submitted papers setting forth reasons for requesting such an appeal, both of which are on file in the Commissioners' Office.

AICUZ - PROPOSED RESOLUTION

The Commissioners discussed revisions to the proposed Resolution relative to Article 21 of the County's Zoning Ordinance and Aircraft Installation Compatible Use Zones. Commissioner Dean stated that the proposed Resolution is intended to accomplish two things:

1. a clear statement that St. Mary's County will adhere to Article 21;
2. an interpretation of the phrase "No new development" as applied to Article 21, and an admission that certain residential developments have acquired vested rights prior to the adoption of Article 21.

After some discussion, the Commissioners agreed to submit to the County Attorney for review the proposed resolution and the submitted revisions. Pending the County Attorney's review, the resolution will be rediscussed at the Commissioners' meeting of February 8, 1978.

AICUZ - MEETING WITH VARIOUS OFFICIALS

The Commissioners agreed to meet with Senators Sarbanes and Mathias, Congressman Bauman, and various federal and Navy officials at a meeting to be arranged by Mr. Al Bingman during the first week in March.

MASTER PLANNING AGREEMENT - MD. DEPARTMENT OF TRANSPORTATION

Present: John Norris, County Engineer

The County Engineer explained the purpose of the Master Planning Agreement and stated that hence forward only brief amendment agreements will be necessary for specific projects. Commissioner Jarboe made a motion, seconded by Commissioner Millison to authorize the President of the Board to sign the Master Planning Agreement. All Commissioners present voted in favor.

PATUXENT BEACH ROAD - TRAFFIC SIGNAL AT RT. 235 INTERSECTION

Present: John Norris, County Engineer

The County Engineer stated that referenced signal has been planned and will be installed shortly on an interim basis until the construction of the proposed access road to the Governor Thomas Johnson Bridge.

APPROVAL OF VOUCHER

Present: John Norris, County Engineer

Commissioner Dean made a motion, seconded by Commissioner Jarboe, to approve Voucher No. 16094, representing payment for damages to a pump caused by the Golden Beach Road construction. All Commissioners present voted in favor.

LARREDORE ROAD - ACCEPTANCE OF DEEDS

Present: John Norris, County Engineer

The County Engineer presented a Deed dated January 19, 1978 by and between Jane F. Blakeney and the Board of County Commissioners of St. Mary's County for certain property needed for the reconstruction of Larredore Road. Commissioner Jarboe made a motion, seconded by Commissioner Millison to accept said Deed. All Commissioners present voted in favor.

The County Engineer presented a Deed dated January 27, 1978 by and between William Aubrey Adams and Pauline M. Adams, Oscar Howard Hardman and Shirley Hardman and the Board of County Commissioners of St. Mary's County for certain property needed for the reconstruction of Larredore Road. Commissioner Dean made a motion to accept said Deed, seconded by Commissioner Jarboe. All Commissioners present voted in favor.

SIGNING CONTRACT

Present: John Norris, County Engineer

The County Engineer presented for signature the referenced contract which implements the signing project in the County which resulted from the inventory completed in March of 1977. Commissioner Jarboe made a motion, seconded by Commissioner Dean, to authorize Commissioner President McKay to sign said contract. All Commissioners present voted in favor.

COURTHOUSE RENOVATIONS - PHASE II

Present: John Norris, County Engineer

The County Engineer stated that the legal opinion thus far received indicated that the County is not subject to the federal wage rates for Phase II of the Courthouse renovation project in that it can be defined as a new and separate project. Anticipated cost is approximately \$200,000. The Commissioners authorize the County Engineer to advertise the project for bids.

ROAD RESOLUTION NO. R78-15

Present: John Norris, County Engineer

The County Engineer explained the background of the proposed resolution citing that there has been a duplication of street names which will be corrected by this resolution. Accordingly, Commissioner Millison made a motion, seconded by Commissioner Jarboe, to adopt Resolution R78-15 changing Holly Drive in Town Creek Subdivision to Holly Road. All Commissioners present voted in favor.

AWARDING OF BID - PROJECT NO. SM 76-1-9
RECONSTRUCTION OF LAUREL GROVE - MORGANZA ROAD

Present: John Norris, County Engineer

Upon the recommendation of the County Engineer, Commissioner Dean made a motion, seconded by Commissioner Millison, to approve awarding the bid for the above-referenced project to Raymond Woodburn in the amount of \$69,884.25 and further to authorize the Budget Officer to make the necessary account transfers and to authorize the President of the Board to sign appropriate documents. All Commissioners present voted in favor.

GOVERNMENTAL CENTER

Present: John Norris, County Engineer

As recommended by the County Engineer, Commissioner Jarboe made a motion, seconded by Commissioner Dean, to approve Change Order No. 1 in the amount of \$11,479, representing several changes previously approved by the Commissioners. All Commissioners present voted in favor.

In addition, the County Engineer requested advance authorization to effect certain change orders so that the project would not be delayed. Said change orders represent the following items with corresponding maximum expenditures:

- a. \$1,431 - vinyl and painting additional work
- b. \$5,550 - Treasurer Office changes
- c. \$7,270 - cabinet and case work

Commissioner Dean made a motion, seconded by Commissioner Jarboe, to approve the above-mentioned change orders. All Commissioners present voted in favor.

GOVERNMENTAL CENTER - CONFERENCE ROOM TABLE

Present: John Norris, County Engineer

The County Engineer presented the architect's design of the Commissioners conference room table and requested authority to execute a contract for this project in an amount not to exceed \$3,456. Commissioner Dean made a motion to grant this authority, seconded by Commissioner Jarboe. All Commissioners present voted in favor.

GOVERNMENTAL CENTER - MOVING AND BID DATE

Present: John Norris, County Engineer

The County Engineer presented the bid for contracting the move of all affected offices to the Governmental Center and recommended the awarding of the bid to the lowest bidder, Hilldrup Transfer and Storage in the amount of \$3,585.40.

Commissioner Dean made a motion to accept this recommendation, seconded by Commissioner Millison. All Commissioners present voted in favor.

The Commissioners discussed the various aspects of setting a date for the move of County offices to the governmental center and decided that the move should take place at one time on the weekend of March 18 and 19. There will be no Commissioner meeting on March 22, 1978.

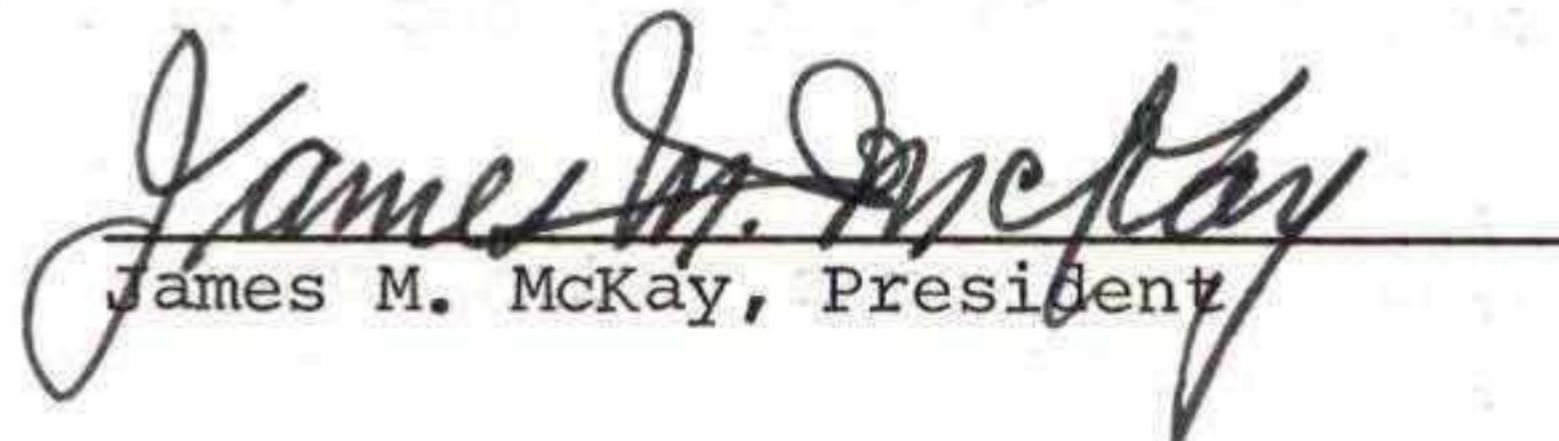
GOVERNMENTAL CENTER - DEDICATION CEREMONY

Present: John Norris, County Engineer

Pending a review for possible conflict, the Commissioners agreed to change the dedication date for the Governmental Center from June 17 to June 11.

The meeting adjourned at 5:55 p.m.

Approved,


James M. McKay, President