

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, May 3, 1978

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

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

READING AND APPROVAL OF MINUTES

The minutes of the Commissioners' meeting of April 26, 1978 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Dean. All Commissioners 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 Parlett. All Commissioners voted in favor.

LETTER OF UNDERSTANDING - COUNTY AUDIT FOR FY '78

The County Administrator presented a Letter of Understanding with the CPA firm of Wooden and Benson to perform the county audit. A letter from the County indicating the maximum cost for this audit will be \$11,700, will accompany the Letter of Understanding to be signed by the President of the Board.

Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign said Letter of Understanding, seconded by Commissioner Dean. All Commissioners voted in favor.

ACCOUNT TRANSFER  
STATE'S ATTORNEY'S OFFICE

The County Administrator presented a request from the State's Attorney requesting a transfer of funds in the amount of \$230 from Account No. 1024-21610 (Printing) to Account No. 1024-31010 (Equipment) in order to cover difference of cost for purchase of a typewriter.

Commissioner Dean made a motion to approve said account transfer, seconded by Commissioner Parlett. All Commissioners voted in favor.

OLD BOOKS AT CHARLOTTE HALL

Present: Edwin Beitzell, County Historian  
Elliott Burch, Sr., Board of Trustees, Charlotte Hall

Mr. Beitzell appeared before the Commissioners to express concerns relative to the books at the whitehouse and main school library at Charlotte Hall, which he had heard the State would be taking possession of and he felt that the St. Mary's Historical Society could use. The Historical Society is also concerned with the school papers and minutes of the debating society which go back approximately 200 years.

Commissioner Parlett stated that he thought these type of items belonged to the Board of Trustees and disposition of them should be decided by that Board.

After discussion, it was agreed that letters would be drafted to appropriate State Officials and State agencies stating the County's position in conjunction with the Charlotte Hall Board of Trustees.

ROAD RESOLUTION NO. 78-19  
ROLLING ACRES SUBDIVISION

On behalf of the County Engineer, the County Administrator presented Road Resolution No. 78-19 designating the following street in Rolling Acres Subdivision: At the intersection of Dudley Road as it intersects with Hunt Road, making Dudley Road the Stop Street.

Commissioner Dean made a motion to accept said Road Resolution, seconded by Commissioner Jarboe. All Commissioners voted in favor.

ROAD RESOLUTION NO. 78-20  
PATUXENT KNOLLS

On behalf of the County Engineer, the County Administrator presented Road Resolution No. 78-20 designating the following streets in Patuxent Knolls as Stop Streets:

1. At the intersection of Oak Court, as it intersects with Oak Drive, making Oak Court a Stop Street;
2. At the intersection of Oak Place, as it intersects with Oak Drive making Oak Place a Stop Street;
3. At the intersection of Oak Drive as it intersects with Golden Beach Road, making Oak Drive a Stop Street.

Commissioner Dean made a motion to accept said Road Resolution, seconded by Commissioner Parlett. All Commissioners voted in favor.

PUBLIC WORKS AGREEMENT AND BONDING  
WILDEWOOD SUBDIVISION

On behalf of the County Engineer, the County Administrator presented the Public Works Agreement dated April 3, 1978, with appropriate bonding, by and between Paragon Builders, Inc. and St. Mary's County guaranteeing the construction of streets and roads in Section 1, Plat 4, Wildewood Subdivision, Eighth Election District.

Commissioner Parlett made a motion to accept said Public Works Agreement and bonding, seconded by Commissioner Dean. All Commissioners voted in favor.

PUBLIC WORKS AGREEMENT AND BONDING  
INDIAN RIVER ESTATES, SECTION II

On behalf of the County Engineer, the County Administrator presented the Public Works Agreement dated April 12, 1978, with appropriate bonding, by and between Golden G. Upole and John T. Daugherty, representatives of the estate of Orval B. Upole, and St. Mary's County, guaranteeing the construction of streets and roads in the Indian River Estates, Section II, Fifth Election District.

Commissioner Parlett made a motion to accept said Public Works Agreement and bonding, seconded by Commissioner Dean. All Commissioners voted in favor.

APPLICATION FOR PARTICIPATION IN MOSQUITO CONTROL PROGRAM

The County Administrator presented the Application for the County's participation in the Mosquito Control Program with the Md. Department of Agriculture. Commissioner Dean made a motion to authorize Commissioner President McKay to sign said Application, seconded by Commissioner Parlett. All Commissioners voted in favor.

(Commissioner Millsion left meeting because of possible conflict regarding the following review of the update of the Zoning Ordinance - 10:30 a.m.)

REVIEW OF UPDATE OF ZONING ORDINANCE

Present: Frank Gerred, Director, Land Use and Development  
Jeff Poley, Zoning/Subdivision Administrator

At this time the Commissioners reviewed the proposed changes to the update of the Zoning Ordinance which will be presented at the public hearing on May 4, 1978 and Mr. Gerred recommended that an announcement be made at the hearing that the newly-formed Agricultural Preservation Advisory Board will study the agricultural zone and make recommendations to the Commissioners.

CERTIFICATE OF OCCUPANCY  
AICUZ ZONE

Present: Frank Gerred, Director, Land Use and Development

Relative to the memorandum from the Office of Land Use and Development requesting that the Commissioners endorse the policy of requiring a Certificate of Occupancy for all residential development in the AICUZ Zone, Mr. Gerred stated that there is authority to do this in the Zoning Ordinance, but it would be easier to enforce if endorsed by the Commissioners.

Therefore, Commissioner Jarboe made a motion that the Commissioners endorse the policy of requiring a Certificate of Occupancy for all residential development in the AICUZ, and that this be added to Article 21 of the Zoning Ordinance, seconded by Commissioner Dean. All Commissioners present voted in favor.

EMERGENCY OPERATIONS CENTER REPORT

Present: Greg Adams, President of Fire Board, Chairman  
Deputy Phil Cooper, Sheriff's representative  
Otis Wood, Director, EOC  
Sgt. Wright, MSP representative  
Thomas Oliver, Dispatcher  
Norman Pilkerton, Dispatcher  
Edward V. Cox, County Administrator

The above members of the Emergency Operations Committee presented their report to the Commissioners setting forth problem areas and recommended solutions. The Commissioners thanked the Committee for the report and indicated they would address the recommendations at an early date. A copy of the report is on file in the Commissioners' Office.

(Commissioner Millison returned to the meeting - 11:20 a.m.)

PROCLAMATION NO. 78-35 - POLICE WEEK AND MEMORIAL DAY

Present: Sheriff Somerville  
Sgt. Wright, MSP

The Commissioners presented the above proclamation proclaiming the week of May 14-20 as Police Week and May 15 as Police Memorial Day.

PRESS CONFERENCE

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

The regular twice-monthly press conference was held at this time. A tape of the conference is on file in the Commissioners' Office.

EMERGENCY TRAINING SESSION - CIVIL DEFENSE

Present: Col. Daniel Still, Deputy Director, Civil Defense  
Col. James O'Brian, Operations Officer, Md. Civil Defense  
Alfred G. Keggins, Md. Civil Defense  
Gen. Van Brunt, Director, Md. Civil Defense  
Major Ellison, Area Coordinator, Civil Defense  
Otis Wood, Director, Emergency Operations Center  
Representatives of emergency related agencies.

At this time the Commissioners participated in a training session along with representatives of emergency-related agencies in preparation for an actual emergency alert, which will be simulated the following day.

BUSHWOOD CITY ROAD

Present: Francis Rogers  
John Norris, County Engineer

Mr. Rogers appeared before the Commissioners to express his concerns over the poor conditions of Bushwood City Road and inquired as to when the rehabilitation of the road that had begun in the Fall would be completed.

The County Engineer explained that the SHA force was pulled off the job in the winter because of the severe weather conditions and that there also existed a right-of-way problem on the first section of the road and this has still not been resolved.

The Commissioners directed Mr. Norris to determine when the SHA will return back to the project in order to make the necessary road improvements and further to request the County Attorney to investigate the right-of-way problem and return to the Commissioners in two weeks time at which time Mr. Rogers will be present.

NURSING HOME/HOSPITAL ACCESS ROAD

Present: John Norris, County Engineer

Mr. Norris presented a letter to the Board of Directors of St. Mary's Hospital for Commissioner McKay's signature stating that the County has

received preliminary indication that Federal Highway funds will be available for the construction of the access road to the Nursing Home and Hospital and recommending that the Hospital deed that portion of the property needed for this access road to the County. The Commissioners agreed to sign and forward said letter.

LETTER TO DEVELOPER OF SPRING VALLEY SUBDIVISION  
ROAD BOND AND SEDIMENT CONTROL ORDINANCE

Present: John Norris, County Engineer

Mr. Norris presented a letter which was prepared by the County Attorney after consultation with the County Engineer for Commissioner McKay's signature addressed to the developer of Spring Valley Subdivision concerning compliance with the County's Road Ordinance and the Sedimentation Control Ordinance.

After discussion, Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign said letter, seconded by Commissioner Dean. All Commissioners voted in favor.

LETTERS TO DEVELOPERS - WITHOLDING ISSUANCE OF BUILDING PERMITS

Present: John Norris, County Engineer

Mr. Norris presented letters for the Commissioners' review and the President of the Board's signature addressed to developers of the following subdivisions: St. Mary's Industrial Park; Knolland, Section II, and Spring Valley. The letter states that because of continuing and unresolved sediment and erosion problem, applications for building permits will be referred to the Commissioners so that they can be specifically addressed.

Commissioner Parlett made a motion to authorize Commissioner President McKay to sign the three letters, seconded by Commissioner Jarboe. All Commissioners voted in favor.

CONCRETE IMPROVEMENTS FOR  
PATUXENT PARK SUBDIVISION  
PROJECT NO. SM 78-1-6

Present: John Norris, County Engineer

Mr. Norris stated that he took the lowest bid for Items 601 and 602 for the above project and that all other items will be deleted from the contract. Specifics are contained in the contract documents. Mr. Norris recommended that the Commissioners reject the bid from Michael Avino and accept the bid from Dean Construction Company's prior proposal for Items 601 and 602 in an amount not to exceed \$40,000.

Commissioner Jarboe made a motion to reject the bid from Michael Avino, seconded by Commissioner Parlett. All Commissioners voted in

favor.

Commissioner Millison made a motion to accept the bid from Dean Construction Company in an amount not to exceed \$40,000, seconded by Commissioner Jarboe. Four Commissioners voted in favor with Commissioner Dean abstaining, but stating for the record that he was 100% in favor of the sidewalk at Patuxent Park being constructed.

BIDS ON 3/4 TON PICKUP TRUCK

Present: John Norris, County Engineer

Mr. Norris presented the bid tally sheet for the purchase of a 3/4 ton Pickup Truck, and recommended that the Commissioners accept the lowest bid from Bell Motor Company (the only bidder) with Options A and B for a net price of \$5,019.52, which includes trade-in. Commissioner Jarboe made a motion to accept the County Engineer's recommendation and further direct the County Engineer to write to other dealers to determine why they did not bid on the truck, seconded by Commissioner Dean. All Commissioners voted in favor.

CONSULTANT AND ENGINEERING SERVICES  
GOLDEN BEACH ROAD PROJECT

Present: John Norris, County Engineer

Mr. Norris stated that the County has a contract with Larry Day Associates to provide a project inspector at the rate of \$12.00 per hour regular time and \$14.00 overtime. The firm has indicated that personnel is leaving their company and they will not be able to complete the contract and are requesting to be released from the contract. The County has received a proposal from John E. Harmes Associates to continue project inspection services at the rate of \$16.50 per hour regular time and \$24.50 overtime.

The Commissioners discussed the legal commitment of Larry Day Associates and the financial ramifications of accepting the higher proposal to complete the job.

The Commissioners agreed to authorize Commissioner President McKay to make the decision in this matter after meeting with the County Attorney and County Engineer in order to determine a course of action.

APPROVAL OF VOUCHER NO. 17272  
INSPECTOR AT ASPHALT PLANT

Present: John Norris, County Engineer

Commissioner Parlett made a motion to approve Voucher No. 17272 payable to Joseph H. Love for inspection at asphalt plant and work on drainage crew for period of April 3 - 28, 1978 at \$4.00 per hour for a total of \$452.00, seconded by Commissioner Jarboe. All Commissioners voted in favor.

PERSONAL SERVICE CONTRACTS

Present: John Norris, County Engineer

Mr. Norris discussed with the Commissioners personal service contracts for Dale Cropper and T. Moore, and the Commissioners requested that the question of liability be resolved and be stated in the contracts along with termination clauses, after which time Commissioner President McKay will sign said Contracts.

STATE HIGHWAY BW ACCOUNTS

Present: John Norris, County Engineer

Mr. Norris indicated that he had been discussing the status of billings received from SHA on Account BW 940-512 and BW 940-001-512. Mr. Norris stated that there has been numerous correspondence, telephone calls and approximately nine months of time has elapsed and still the problem has not been resolved and there has been no justifications for charges contained in the billings. Personnel from SHA, including Regional Lab Director, have visited the county in an effort to explain the charges and even the office that generated the charges is at a loss to explain them. Mr. Norris stated he had not paid the account because of the problems enumerated above and requested the assistance of the Finance Office and Budget Office to immediately become involved in an effort to resolve the problem. The Commissioners gave their concurrence.

ILLEGAL DUMP AND LITTER CLEAN UP

Present: John Norris, County Engineer

Mr. Norris distributed information relative to the illegal dump and litter clean up project, setting forth personnel available (CETA), and equipment and funds available and needed.

After discussion the Commissioners agreed to authorize a maximum of \$8,000 for this project and requested the Budget Officer to determine a source of funds, and further that the County Engineer be authorized to proceed with recruitment if personnel.

QUIT-CLAIM DEED

LARREDORE ROAD RECONSTRUCTION

Present: John Norris, County Engineer

Mr. Norris presented a Quit-Claim Deed dated April 24, 1978 by and between James A. Skunda and Kathleen A. Wassil and the County Commissioners of St. Mary's County, conveying certain land necessary for the reconstruction of Larredore Road. Commissioner Dean made a motion to accept said Deed, seconded by Commissioner Jarboe. All Commissioners voted in favor.



BRETON BAY ESTATES SUBDIVISION  
SHORE EROSION CONTROL DISTRICT

Present: John Norris, County Engineer

Mr. Norris stated that on April 10 the Commissioners received a petition from Breton Bay Estates Subdivision requesting that a Shore Erosion Control District be established. Mr. Norris advised that this should be referred to the Department of Natural Resources for feasibility study, after which there should be a public hearing. The Commissioners gave their concurrence.

MONTHLY ESTIMATE NO. 20  
GOLDEN BEACH ROAD

Present: John Norris, County Engineer

Mr. Norris presented Monthly Estimate No. 20 payable to B.F. Asher in the amount of \$15,801.85 for the Golden Beach Road Project (Project No. SM75-1-7). Commissioner Jarboe made a motion to approve payment of Monthly Estimate No. 20, seconded by Commissioner Parlett. All Commissioners voted in favor.

MONTHLY ESTIMATE NO. 7  
ROADSIDE DRAINAGE WORK

Present: John Norris, County Engineer

Mr. Norris presented Monthly Estimate No. 7, payable to B.F. Asher in the amount of \$17,273 for roadside drainage work for the period of April 15 through April 30. Commissioner Parlett made a motion to approve payment of Estimate No. 7, seconded by Commissioner Millison. All Commissioners voted in favor.

COURTHOUSE RENOVATIONS

Present: John Norris, County Engineer

Mr. Norris indicated that discussion had been held with GSA of the State of Maryland regarding their funding of renovations for their agencies in the Courthouse. Mr. A. Bosley, representative of GSA, has indicated that funding is not available at this time by the State of Maryland. Therefore, the County Engineer showed an alternative office arrangement for the utilization of the space at the Courthouse. The Commissioners directed the County Engineer to review the plan with the affected agencies.

ADVANCE OF FUNDS TO LEXINGTON PARK RESCUE SQUAD

The Commissioners reviewed correspondence from the Lexington Park Rescue Squad dated April 24, 1978, in which a request was made for \$12,000 to defray costs of renovating an ambulance.

Commissioner Millison made a motion to advance the Lexington Park Rescue Squad an amount of \$12,000 under the same terms and conditions as previously done for the Seventh District Rescue Squad, seconded by Commissioner Parlett. All Commissioners voted in favor.

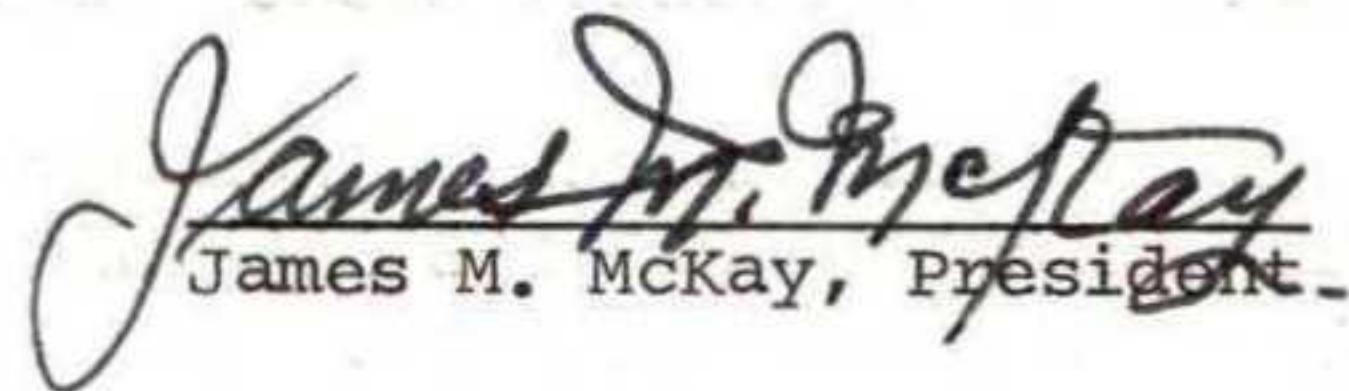
LOAN POLICY TO FIRE DEPARTMENTS AND RESCUE SQUADS

Present: Joseph O'Dell, Budget Officer

Relative to the above-referenced Loan Policy which had been reviewed and discussed with the various rescue squads and fire departments in the County, Commissioner Dean made a motion to abide by this policy and grant these loans to the fire departments and rescue squads in the County at an aggregate amount not to exceed 1.4 Million Dollars and not to exceed \$100,000 per individual unit for captial improvement and that the Budget Officer and County Administrator be directed to investigate the appropriate method of providing these funds, seconded by Commissioner Millison. All Commissioners voted in favor.

The meeting adjourned at 5:30 p.m.

Approved,

  
James M. McKay, President.