

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, May 10, 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 calling to order at 9:00 a.m.

READING AND APPROVAL OF MINUTES

The minutes of the Commissioners' meeting of May 3, 1978 were read. Commissioner Parlett made a motion to approve the minutes as read, seconded by Commissioner Jarboe. 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 Parlett made a motion to approve payment of the bills, as submitted, seconded by Commissioner Dean. All Commissioners voted in favor.

CETA FREEZE

The Commissioners reviewed a memorandum dated May 8 from the Personnel Officer regarding the current status of the CETA Freeze, which outlines the conditions for refilling vacant CETA positions for Title II and VI.

JANITORIAL VACANCY

The Commissioners reviewed a memorandum dated May 8, 1978 from the Personnel Officer requesting authority to fill an existing janitorial position vacancy and to upgrade that position to provide for a working supervisor of the janitorial staff.

Commissioner Jarboe made a motion to authorize the Personnel Officer to proceed with the hiring process to upgrade the existing janitorial vacancy from Grade 6 to Grade 7 with the understanding that the person selected will be a working supervisor.

OVERTIME FOR SHERIFF'S DEPUTIES IN CID UNIT

The County Administrator presented a request from the State's Attorney Office for overtime for two Sheriff's Department Patrolmen First Class in

the CID Unit.

Commissioner Parlett made a motion to authorize payment of over-time for a total of 33 hours, seconded by Commissioner Jarboe. All Commissioners voted in favor.

CLEARINGHOUSE PROJECT NO. 78-X-6
POINT LOOKOUT LIGHT STATION

The County Administrator presented the above-reference clearinghouse project and recommended that it be forwarded to the State with the comment that it is not inconsistent with this agency's plans, programs and objectives. The Commissioners gave their concurrence.

BIG BROTHER/BIG SISTER PROGRAM
YOUTH DIVERSION PROJECT

Present: Joe Anderson, Director, Big Brother/Big Sister

Mr. Anderson appeared before the Commissioners to present an update of the Big Brother/Big Sister program and outlined the status of the participants, the grant and upcoming events.

In closing Mr. Anderson advised the Commissioners that upon completion of preparation of the grant for this program, he will present it to the Commissioners for their approval and signature.

ST. MARY'S COUNTY DEVELOPMENTAL CENTER

Present: Ed Guthrie
Dr. Marek
Helene Hautzenroder
Jean Brylawski
Paul Ludwig

Representatives of the St. Mary's County Association for Retarded Citizens appeared before the Commissioners to discuss difficulties encountered in trying to obtain 12-month funding for FY '79 for the St. Mary's County Developmental Center from the State Mental Retardation Administration rather than for a ten-month program. The Commissioners' assistance was solicited in attempting to obtain full funding for the Center, and also that a representative from the MRA should be requested to appear before the Commissioners to explain their present budget.

The Commissioners expressed their support and stated they would draft a letter to the State MRA requesting information as to their funding practices and also the decision-making officials from the State meet with the Commissioners. The County Administrator was directed to draft this letter for the Commissioners' signatures.

DRAINAGE PROBLEM AT ESSEX SOUTH

Present: Mr. and Mrs. Michael Sholtis (Morris Drive)
Mrs. Jerry Groenert (Morris Drive)
Marv Franzen
John Norris, County Engineer

The above residents of Essex South appeared before the Commissioners to discuss the drainage problems in the low areas of Essex South which have created flooding of certain properties and the infestation of mosquitos.

Mr. Franzen, builder of the two above-referenced residences, felt that cleaning out of the drainage ditch which is full of debris could help alleviate the situation somewhat. He stated that he had spoken with the owner of the adjacent property, Mr. Hewitt, who has indicated willingness to clear out the ditch.

Discussion ensued as to sharing of the responsibility and it was agreed that the County Engineer's Office would visit the site with those involved to make a determination as to what the solution to this problem may be and return to the Commissioners with a recommendation.

In addition, the County Administrator was directed to look into the mosquito control program for the area.

A copy of a petition which was presented by the residents is on file in Commissioners' Office.

PROCLAMATION NO. 78-36
OLDER AMERICANS MONTH

Present: Billye McGaharn, Senior Services Coordinator
Mildred Arrison
Joe Goode
Eloise Pickrell
Leroy Thompson
Clearence Dodge

The above representatives of the Commission on Aging presented to the Commissioners various aspects of the Commission on Aging program, after which time the Commissioners presented the above-referenced Proclamation designating the month of May 1978 as Older St. Mary Countians Month.

PUBLIC HEARING
COMMUNITY DEVELOPMENT BLOCK GRANT

Present: Don Curtis, Housing Coordinator

At this time the Commissioners conducted a public hearing on the Pre-application for Federal Assistance under Title I of the Housing and Urban Development Act of 1974 for a Community Development Block Grant Program. Mr. Curtis reviewed the seven activities to benefit primarily low and moderate

income persons.

Commissioner McKay inquired if anyone present wished to speak for or against this preapplication; hearing none, the hearing was closed.

A tape of the hearing is on file in the Commissioners' office.

Mr. Curtis advised the Commissioners that a similar public hearing will be held at the same time tomorrow.

Because of the time element involved, Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign the above-referenced Preapplication, pending no adverse comments from tomorrow's public hearing, seconded by Commissioner Parlett. All Commissioners voted in favor.

STATUS REPORT ON EXPIRED ROAD BONDS

Present: John Norris, County Engineer

Mr. Norris presented to the Commissioners the Status Report of Expired Road Bonds which was reviewed item by item. After discussion, it was agreed that a letter would be forwarded to the developers of the following subdivisions giving a 90-day extension for completion of the roads to August 1, 1978:

Developers with personal road bonds - Beverly Estates, Section I; Big Oak Subdivision; Birch Manor, Sections I and II; Country Lakes, Section I; Fenwick Manor; Gillens Grove; Land O'Lakes, Section I; Town Creek and Ten Wood.

Developers with corporate bonds - Deer Run Subdivision and Helen Estates.

Said letter will set forth three alternatives to the developers:

1. That they obtain acceptable surety;
2. Acceptable completion of roads;
3. Appropriate court action or collection on surety or voiding of the plat.

With regard to other bonding, Commissioner Dean made a motion that the County take possession of the \$15,000 Passbook Savings posted as surety in the case of Maple Run Subdivision, with the understanding that funds will be released to the developer upon satisfactory completion of the roads and setting a deadline as of July 1, 1978, and further to notify the bonding company for Knolland Subdivision, Section II, that it is the County's intent to call that bond inasmuch as there has been no response from the developer, seconded by Commissioner Jarboe. All Commissioners voted in favor.

SPRING VALLEY SUBDIVISION (CORONADO VILLAGE)

Present: Timothy Casey, developer
Robert Smith (Mrs. Casey's attorney)
John Norris, County Engineer

The above-referenced individuals appeared before the Commissioners to discuss Commissioners' correspondence dated May 3, 1978 to Mr. Casey concerning Spring Valley (Coronado Village) and certain construction items not in compliance with county regulations; especially the Road Ordinance and Sedimentation Control Ordinance.

A lengthy discussion ensued in which the following points were raised:

1. The Commissioners were requested to reconsider the Stop Work Order based on explanations submitted by Mr. Casey and his attorney;

2. Mr. Casey and his attorney stated that they believed the project was in compliance with county regulations and that the issue revolves around the interpretation of said regulations.

3. Mr. Casey stated that he was willing to correct immediately the deficiencies and was willing to comply with County Regulations.

4. The County Engineer indicated that there is non-compliance with county regulations, especially in the area of sedimentation control where there is failure to meet established schedules;

5. Mr. Casey stated that he is willing to meet on site with the County Engineer, identify the problems, and work out an acceptable schedule to bring the project into compliance with the county regulations.

EXECUTIVE SESSION - SPRING VALLEY SUBDIVISION (CORONADO VILLAGE)

Present: Joseph E. Bell, County Attorney
John Norris, County Engineer
Dan Raley, Chief, Permits and Inspection

At this time the Commissioners agreed to meet in Executive Session in order to consider the issues discussed. The Session was held from 3:20 p.m. to 3:45 p.m.

Upon completion of the Executive Session, the Commissioners resumed the regular meeting with the principals involved.

Commissioner Dean made a motion, seconded by Commissioner Parlett that:

1. Effective immediately, the Stop Work Order on any street construction and any sediment work be lifted;

2. The Stop Work Order on eight (8) houses will remain and tomorrow those houses will be posted with a Stop Work Order;

3. Mr. Casey should meet with the County Engineer on the site at a mutually arranged time to ascertain the level of corrective work that needs to be done;

4. We would ask that the sedimentation problems which are alleged, to be corrected to the County Engineer's satisfaction and in conformance with the County Sedimentation Control Ordinance; and

5. That Mr. Casey either complete the streets to the Engineer's satisfaction or provide to the County in an amount determined by the Engineer acceptable surety to guarantee their completion and what would be acceptable surety could be worked out with the County Attorney.

When each of the above have been accomplished, the Stop Work Order will be lifted on the eight (8) houses and the moratorium on the nine (9) building permits will be lifted.

All Commissioners voted in favor.

The County Administrator was directed to prepare a letter to Mr. Casey setting forth the above action.

CHARLOTTE HALL PROPERTY

The County Administrator requested the Board to authorize Commissioner President McKay to sign a letter to the General Services Administration recommending that the County accept managerial responsibility of the Charlotte Hall property under the same terms and conditions of the Option Agreement until the State goes to settlement on the property.

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

METROPOLITAN COMMISSION TREASURER'S BOND

The County Administrator presented correspondence from the Metropolitan Commission advising that Mr. Myron Marlay, Director, will be appointed Commission Treasurer at the regular Metropolitan Commission meeting on May 11, 1978, and therefore are requesting that the County Commissioners approve the Continental Insurance Company as surety for a Treasurer's Bond in the amount of \$25,000. The County Administrator explained that this appointment is only an interim measure until a replacement is found for the Financial Officer.

Commissioner Jarboe made a motion to approve said bonding, seconded by Commissioner Parlett. Four Commissioners voted in favor, with Commissioner Millison voting against, stating he felt it was not a good practice that the Director hold the position of Treasurer.

ZONING INSPECTOR POSITION

Present: Frank Gerred, Director, Land Use and Development
Dan Raley, Chief, Permits and Inspection

The Commissioners reviewed correspondence from the Personnel Officer dated May 3, 1978 concerning the inspectors positions and discussed the combining of certain duties from the County Inspector's position into the current Zoning Inspector Position.

After discussion, Commissioner Jarboe made a motion to combine the current County Inspector and Zoning Inspector positions into one position in the Office of Land Use and Development and further to authorize the Personnel Officer to proceed to fill the newly formed vacant Inspector position, seconded by Commissioner Parlett. Four Commissioners voted in favor with Commissioner Millison voting against.

INSPECTIONS FOR ALCOHOLIC BEVERAGE BOARD

After discussion, Commissioner Dean made a motion to authorize the expenditure of up to \$2,000 per year to provide inspections for the Alcoholic Beverage Board, seconded by Commissioner Parlett. All Commissioners voted in favor.

KNOLLAND SUBDIVISION, SECTION II - RELEASE OF PERMITS

Present: John Norris, County Engineer

The Commissioners reviewed two memoranda dated May 8, 1978 and May 9, 1978, from the Chief of Permits and Inspections presenting requests from the owners of certain lots in the Knolland Subdivision, Section II. The County Engineer explained the impact of the release of the permits for the lots indicated in the memoranda and recommended that same be released in that the requesting parties have not caused the violations and are innocent third parties.

Commissioner Dean made a motion that the Commissioners authorize the issuance of building permits in Section II of Knolland Subdivision for Lot 40, 33, 32, 4, 6, and 49 and Lot 19 upon acceptable meeting of the appropriate county building permit regulations, seconded by Commissioner Jarboe. All Commissioners voted in favor.

SUWANNEE PLACE (PATUXENT PARK) CUL DE SAC

Present: John Norris, County Engineer

Relative to correspondence received by property owners on Suwanee Place in Patuxent Park requesting that the cul-de-sac not be removed, Commissioner Dean made a motion that the cul-de-sac not be removed, seconded by Commissioner Millison. All Commissioners voted in favor.

INSPECTION SERVICES CONTRACT ON GOLDEN BEACH ROAD

Present: John Norris, County Engineer

With reference to the discussion at last week's meeting concerning the firm of Larry Day Associates' request to be released from the contract for inspection services on Golden Beach Road, the County Engineer recommended that John E. Harmes proposal dated April 20 be accepted to carry out the inspection services. Mr. Norris stated that payment is due Larry Day Associates for the months of April and May; however, payment will be held until determination of final disposition of this matter.

Commissioner Parlett made a motion to accept the proposal dated April 20, 1978 from John E. Harmes Associates for inspection services on Golden Beach Road, seconded by Commissioner Jarboe. All Commissioners voted in favor.

REQUEST FOR TREES ON COUNTY RIGHT-OF-WAY
NURSING HOME/HOSPITAL ACCESS ROAD

Present: John Norris, County Engineer

Mr. Norris stated that Mr. Long is a resident adjacent to the right-of-way to the Nursing Home and hospital and has granted the necessary easements for construction. Mr. Long would like to have three large trees that are on the right-of-way in order to build a gunstock. The Commissioners gave their concurrence.

ASPHALT HARDCOURT AT WALDEN

Present: John Norris, County Engineer

Mr. Norris stated that the ex-chairman of Walden, Jack Kershaw has requested that the County place an asphalt surface at the Walden tract to be used as a recreational area (hardcourt) for the residents.

The Commissioners gave their concurrence.

RUE PURCHASE ROAD

Present: John Norris, County Engineer

Commissioner Jarboe stated that the SAYSF Church has requested that the name of Rue Purchase Road be changed to SAYSF Chapel Road. In that the name of the road is Rue Purchase and because SHA did not want to replace the SAYSF Chapel sign on Rt. 235 after the dualization, Commissioner Jarboe recommended that the name remain Rue Purchase and that the Chapel should resolve the sign problem with SHA. The Commissioners gave their concurrence.

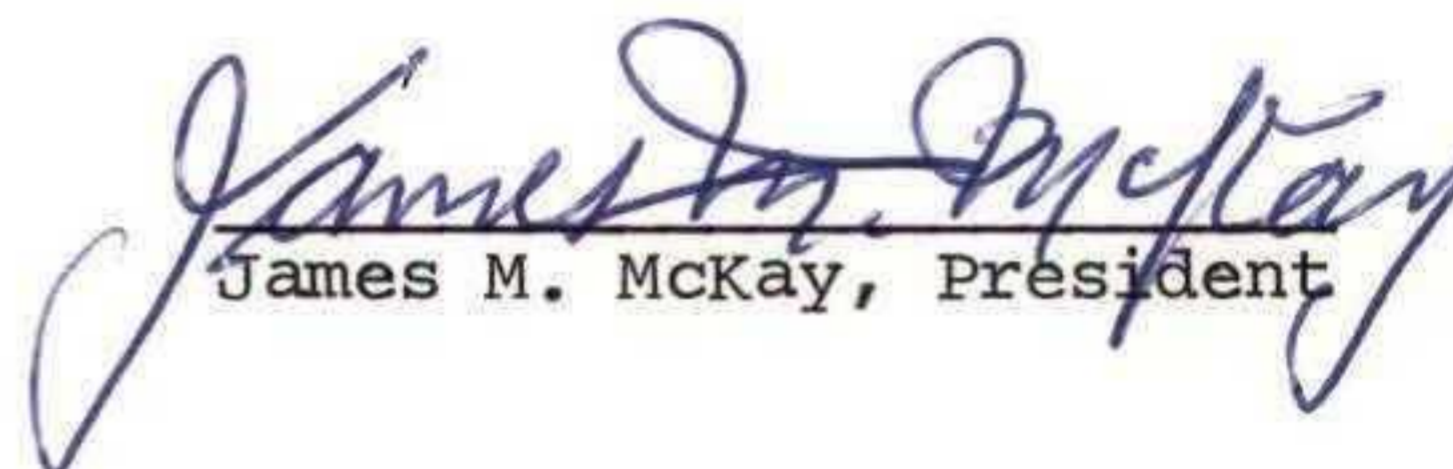
COUNTY'S PARTICIPATION IN CAPITAL IMPROVEMENT LOANS TO VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS

Commissioner Dean distributed a proposed memorandum dated May 10, 1978 to the Volunteer Fire Departments and Volunteer Rescue Squads in St. Mary's County setting forth the County's loan policy in assisting individual units in obtaining capital improvement loans.

After review and discussion, Commissioner Dean made a motion to rescind the Commissioners' action of last week regarding the loan policy and to adopt the above-referenced policy, seconded by Commissioner Parlett. All Commissioners voted in favor.

The meeting adjourned at 5:30 p.m.

Approved,


James M. McKay, President