

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, August 23, 1978

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

(Commissioner Millison was not present at the beginning of the meeting.)

The meeting was called to order at 12:15 p.m.

READING AND APPROVAL OF MINUTES

The minutes of the County Commissioners' meeting of August 16, 1978 were read and corrected. Commissioner Jarboe moved, seconded by Commissioner Dean, to approve the minutes as read. 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 moved, seconded by Commissioner Dean to approve payment of the bills, as submitted. All Commissioners voted in favor.

COUNTY COUNCIL ON CHILDREN AND YOUTH

The 1978 Maryland General Assembly created by law a State Advisory Committee for Children and Youth and a requirement that in each county there be created a Council on Children and Youth having a designated representative to serve on the State Advisory Committee. It was recommended that the county's Youth Commission be requested to review the correspondence and explanatory material in order to submit for Commissioner approval an implementation plan with the hope that the Youth Commission can serve as the County Council on Children and Youth and designate one of its members as the county's representative on the State Advisory Committee.

AUTHORITY TO HIRE

By memorandum dated August 22, 1978 the Personnel Officer requested authority to hire Ms. Dorothea McConnell in the position of Communications Clerk I, Grade 7-0, effective September 4, 1978, to fill the vacancy created by the resignation of Sharon Gatton.

Commissioner Jarboe moved, seconded by Commissioner Dean, to hire Dorothea McConnell as stated above. All Commissioners voted in favor.

APPROVAL OF RECLASSIFICATIONS

Relative to approval given by the County Commissioners at their meeting of June 21, 1978 for the reclassification of the positions of Senior Service Coordinator from Grade 12 to Grade 13 and Motor Equipment Operator Foreman from Grade 8 to Grade 9, the following motions were made:

Commissioner Parlett moved, seconded by Commissioner Jarboe, to promote Billye McGaharn in the position of Senior Services Coordinator from Grade 12-3 to Grade 13-3. All Commissioners present voted in favor.

Commissioner Parlett moved, seconded by Commissioner Jarboe, to promote Tony Adams in the position of Motor Equipment Operator Foreman from Grade 8-6 to Grade 9-6. All Commissioners present voted in favor.

LEASE FOR BARNS AT CLEMENTS LANDFILL

The County Administrator presented the lease by and between the County Commissioners of St. Mary's County and Raymond F. Tennyson for his use of the two barns located on the Clements landfill property. Commissioner Parlett moved, seconded by Commissioner Dean, to approve said lease. All Commissioners voted in favor.

ADDENDUM TO PUBLIC WORKS AGREEMENT
INDIAN RIVER ESTATES - SECTION I

The County Administrator presented Addendum No. 2 to the Public Works Agreement by and between the Winston Corporation and Board of County Commissioners of St. Mary's County extending date for completion of roads in Indian River Estates Section I from July 1, 1978 to June 30, 1979. Commissioner Parlett moved seconded by Commissioner Dean, to authorize Commissioner President McKay to sign said Addendum No. 2 to the Public Works Agreement. All Commissioners voted in favor.

RUSTIC HILL ESTATES, INC.

The Commissioners reviewed correspondence from County Attorney dated August 18, 1978 in which the above-referenced case was discussed and directed the County Administrator to inform the County Attorney to proceed to a cash settlement if all else fails.

COMMISSION ON AGING
TITLE IV-A TRAINING GRANT APPLICATION

The County Administrator presented the referenced Grant Application in the amount of \$1500, which is totally federally funded. After discussion Commissioner Jarboe moved, seconded by Commissioner Parlett, to authorize Commissioner President McKay to sign said Grant Application. All Commissioners voted in favor.

LAND USE AND DEVELOPMENT OFFICE SPACE

The County Administrator informed the Commissioners of certain space

problems related to the Land Use and Development Office and requested approval to place the clerical staff of LUD in the existing second floor conference room and to move the Assistant Planner in to the LUD work area. As a result, the conference room in the EDC office will become a more general usage conference room. After some discussion, the Commissioners approved the request.

REZONING CASE NO. ZA 78-128
JAMES C. LANHAM

Present: Mr. Lanham, applicant

The rezoning hearing for the above reference case was advertised and scheduled for this time; however, Mr. Lanham appeared before the Commissioners and stated that he had not sent notices to the adjacent property owners in that he was unsure whether to continue with the hearing process. After some discussion, the Commissioners advised Mr. Lanham that in order for the Commissioners to make a determination on the matter, he should go through the hearing process, to which Mr. Lanham agreed.

PROJECT NO. 78-3-1
CONTRACT FOR TALL TIMBERS BULKHEAD

Present: John Norris, County Engineer

Mr. Norris presented the contract with Edwin and John O. Crandell for the bulkheading at Tall Timbers in the amount of \$53,865. After discussion Commissioner Dean moved, seconded by Commissioner Jarboe to authorize Commissioner President McKay to sign said contract. All Commissioners present voted in favor.

PROJECT NO. 75-1-7
GOLDEN BEACH ROAD RECONSTRUCTION

Present: John Norris, County Engineer

The County Engineer presented correspondence from John E. Harms Associates outlining items that have to be increased in the referenced project because of storm damage. After discussion, Commissioner Jarboe moved, seconded by Commissioner Parlett, to approve Extra Work Authorization No. 7 in the amount of \$19,117.51 for reseeding, retopsoiling, etc. due to storm damage, and further to approve the transfer of funds, source to be determined by the Budget Officer. Three Commissioners voted in favor, with Commissioner McKay abstaining.

Further, Commissioner Jarboe moved, seconded by Commissioner Parlett to approve Voucher No. 19315 in the amount of \$2048.51 payable to B.F. Asher for Force Account work for storm damage on Golden Beach Road. Three Commissioners voted in favor, with Commissioner McKay abstaining.

PLANS FOR ADDITION TO ST. ANDREWS LANDFILL MAINTENANCE BUILDING

Present: John Norris, County Engineer

The County Engineer presented the plans for the addition to the maintenance building at the St. Andrews Landfill. Commissioner Dean moved, seconded by Commissioner Jarboe, to authorize Commissioner McKay to sign said plans. Three Commissioners voted in favor, with Commissioner Parlett abstaining.

GUARDRAIL INSTALLATION PROJECT

Present: John Norris, County Engineer

Mr. Norris stated that he has made several contacts with the State Highway Administration concerning the request for payment of invoice by SHA on the above reference matter. Mr. Norris stated that the county has been charged with overhead costs when in fact the County provided inspection with its own personnel and recommended that the Finance and Budget Office handle the matter from this point. The Commissioners concurred and stated that if this did not resolve the matter it should be turned over to the County Attorney.

REQUEST FOR WAIVER OF GRADING PERMIT FEE
CHERRY COVE DREDGING PROJECT

Present: John Norris, County Engineer

Mr. Norris stated that correspondence was received from Murray Jackson, Chairman of the ad hoc committee for Dredging of Cherry Cove Inlet stating that he has applied for a grading permit for the dredging of the inlet of Cherry Cove. The spoils from this project will be dumped in an abandoned gravel pit and since the project is within a planned erosion control district, Mr. Jackson requested that the fees connected with this project be waived. After discussion the Commissioners agreed not to grant this request in that they could not do this for one organization and not others and also that the resolution by the County only grants waivers for building permit fees.

PROPOSED SPECIAL TAXING DISTRICT FOR ROAD IMPROVEMENTS
ROAD OFF OF HOLLYWOOD LEONARDTOWN ROAD

Present: John Norris, County Engineer

As suggested by the County Engineer, the Commissioners agreed to schedule a public informational meeting on September 27, 1978 at 7:30 p.m. in the County Commissioners' Conference Room with the residents of the above reference road in order to discuss the possibility of a Special Taxing District for road improvements.

PROPOSED POLICY - EXPIRING ROAD BONDS

Present: John Norris, County Engineer

Mr. Norris suggested for the Commissioners' consideration a policy whereby the developer and bonding company would be notified 60 to 90 days in advance that their road bond will be expiring and if we do not get a response by a certain date that the President of the Board be authorized to sign whatever documents necessary to cease its operation (Stop Work Order). The Commissioners requested Mr. Norris to put this proposal in writing for their consideration next week.

REZONING HEARING - NO. ZA 78-149
KING KENNEDY PUD

Present: Stephen R. L. Young, applicant
 Michael McCauley, SATAV Corp.
 Mrs. Frances Brooks, proponent
 Mrs. Helen Shade, "
 Mr. Don Curtis, "
 Mrs. Mary L. Barnes
 Mrs. Roosevelt Dickerson"
 Mr. Pat Jeffers, "
 Frank Gerred, Director, Land Use and Development
 Joyce Nelson, Recording Secretary

Application was made by Stephen R. L. Young, on behalf of King-Kennedy Estates to have approximately 92 acres of property located off of Md. Rt. 247, Sixth Election District, rezoned from AR-2, Agricultural Residential, to PDR-1.0, Planned Development Residential.

The complete tape and record of the referenced Zoning Application hearing is on file in the Office of Land Use and Development.

EXPIRED ROAD BONDINGTOWN CREEK MANOR (SECTIONS 1C and 3)

Present: John Norris, County Engineer
 J. Alfred Dillow, developer

Relative to the Commissioners' request that developers appear before them to discuss expired personal road bonds, Mr. Dillow stated that he had hoped to have the roads completed in the referenced subdivision in June, but work is not complete because of heavy rains this construction season; however, they should be done in approximately 15 to 30 days. During discussion it was noted that Mr. Dillow has a corporate bond which had been extended and he was inadvertently placed on the expired personal bond list.

In view of the fact that a certain portion of one of the roads was not going to be completed and not become a county road, as requested by Mr. Dillow, Mr. Norris presented two deeds conveying two parcels of the road to adjacent property owners.

Therefore, Commissioner Parlett moved, seconded by Commissioner Jarboe to authorize Commissioner President McKay to sign the following deeds, pending review by the County Attorney: Deed by and between Joseph Alfred Dillow, Betty D. Dillow, his wife, A. Leola Dean and the County Commissioners of St. Mary's County and Edward S. Tincher and Pamela P. Tincher, for Parcel B in Town Creek Manor, and Deed by and between Joseph Alfred Dillow, Betty D. Dillow, his wife, A. Leola Dean and the County Commissioners of St. Mary's County and Marvin S. Kaminetz and Marlene K. Kaminetz. All Commissioners present voted in favor.

(Commissioner Millison entered meeting - 3:15 p.m.)

TENN-WOOD ACRES, SECTIONS II AND III
EXPIRED ROAD BONDING

Present: John Norris, County Engineer
James T. Tennyson, developer

With regard to the expired personal road bond for the referenced subdivision, Mr. Norris indicated that the construction of the roads are substantially complete. Mr. Tennyson felt that the work could easily be completed this construction season. After discussion, Commissioner Parlett moved, seconded by Commissioner Millison, to grant an extension to Mr. Tennyson until November 1, 1978 for Sections II and III in Tenn Wood Acres. All Commissioners voted in favor.

CONGRESSMAN BAUMAN

Congressman Bauman paid a visit to the Commissioners and during discussion he advised the Commissioners that there appeared to be no funds available for the purchase of land within the AICUZ this budget year. The Commissioners also discussed correspondence from Captain Klien, Commanding Officer, NAS, regarding the possibility of the AICUZ boundary line being changed.

The Commissioners presented a letter to Congressman Bauman regarding Mrs. McGaharn's (Senior Services Coordinator) candidacy for the Senate of the State of Maryland and applicability to the Federal Hatch Act.

ST. MARY'S CITY SEWAGE PROJECT
MATTAPANY ROAD

Present: Mike Marlay, Director, Metropolitan Commission
Harry Knight, Metropolitan Commission
John Norris, County Engineer
Frank Gerred, Director, Land Use and Development

Regarding discussion at last week's meeting concerning the St. Mary's City Sewage Project, Mr. Marlay stated that EPA requires that the entire project be awarded; i.e., sewer line and road work and subsequent to that a change order can be issued taking the road work out of the contract and do that portion separately.

After discussion it was agreed that the Metropolitan Commission should determine whether to award the bid for the installation of the sewer line to Southern Maryland Contractors, the lowest bidder. Additionally, the Metropolitan Commission will prepare language to be inserted in the contract to be awarded which would allow the option to delete, at a subsequent date, the road work from the contract from Southern Maryland Contractors; said language to be approved by the County Commissioners, contractor, Metropolitan Commission and EPA.

ENFORCEMENT OF SEDIMENTATION CONTROL

Present: John Norris, County Engineer
John Hall, Soil Conservation Service

Mr. Norris brought to the Commissioners' attention that there are certain areas of development that have not had proper sediment control and that measures should be taken to insure that some type of permanent or temporary stabilization is done. In this regard, Mr. Hall presented a policy adopted by the St. Mary's Soil Conservation District supporting and promoting the efforts of appropriate inspecting and enforcing agencies in getting proper sediment control on the grounds of areas being developed.

The Commissioners concurred with this policy and requested that individual cases be brought before the Commissioners for appropriate action.

CHANCELLORS RUN ESTATES
REQUEST FOR WAIVER TO COUNTY ROAD ORDINANCE

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that Hoe Horton, developer of Chancellors Run Estates, has submitted a revised plan for this subdivision based on reports, from the various county agencies and is requesting a waiver of certain sections in the County Road Ordinance so that the development could have rural streets rather than urban streets. Mr. Norris indicated that the plans for this project had been initiated around 1974 prior to the adoption of the County Road Ordinance in April 1976, and therefore would have no difficulty in processing it as a rural section. After discussion, the Commissioners gave their concurrence that the County Engineer process this development as a rural section as long as this would not create any storm water management problems.

MOUND SEWER DISPOSAL SYSTEM

Present: Walter Raum, Chairman, Environmental Committee
Oran Wilkerson, Environmental Committee Member

Mr. Raum stated that the Environmental Committee had been requested by the Commissioners in 1977 to look into various methods of alternate on-site sewage disposal systems. Two mound systems have been in operation for the past 36 months in the County and appear to be working successfully. Costs for this system was a drawback in that the only experts in this field were engineering firms who did this as a sideline and would not publicize the design

factors. Since that time Mr. Raum stated he has obtained a source of impartial information, the University of Wisconsin, and explained to the Commissioners the studies that University has conducted and that he has visited the area to see it firsthand, and has obtained information the county would need to proceed with trial systems. Therefore Mr. Raum recommended that the county release monies for the trial of five systems for three years in areas where there are existing problems and cannot be solved through conventional means and not be allowed for any new construction. The Commissioners concurred that Mr. Raum proceed and that the Environmental Committee proceed to select the five sites, ascertain the cost factor and return to the Commissioners for final approval of the selection of sites. In the meantime, Commissioner Millsion requested that Mr. Raum look into an evaporation system that he had learned about.

ST. MARY'S PUBLIC SCHOOLS REORGANIZATION

Present: Marvin Joy, Superintendent of Schools

Mr. Joy appeared before the Commissioners to discuss and explain the recent reorganizational changes within the Public School System. With regard to the elimination of the two Corrective/Remedial Reading positions, Mr. Joy stated that subsequently he had learned that during the budget process, school staff members had requested from the Commissioners salaries for these positions and \$28,000 was added to the budget for that purpose. Therefore, in light of this information, Mr. Joy advised that he would be reinstating those positions back into the system.

Additionally, in order to clarify other reorganizational changes, Mr. Joy stated that the eight positions that were eliminated (Supervisor of Guidance, six helping teachers and Coordinator for Career Information) were not in the classrooms. They worked with the teachers and not with the students. Mr. Joy stated that his basic objective was to have a good supervisory force to assure adequate supervision and assistance for principals and classroom teachers. All of the above personnel have been placed in other positions, with the exception of one who has retired.

In closing Mr. Joy stated that he and his staff will be available to the Commissioners if they have any questions.

SIMPLIFIED SITE PLAN NO. 78-103

JOSEPH ABELL CLARKE (PORTABLE BATCH PLANT)

Present: Frank Gerred, Director, Land Use and Development

Mr. Gerred reviewed with the Commissioners the referenced site plan and stated that it has received all agency approvals. Planning Commission recommended approval on July 24, 1978. After review, Commissioner Dean moved that in view of the fact that the site plan is in accordance with the county's Zoning Ordinance and regulations and in view of agency approvals, that the Commissioners approve Site Plan No. 78-103, seconded by Commissioner Jarboe. All Commissioners voted in favor.

SIMPLIFIED SITE PLAN NO. 78-199IRVIN K. JONES (CERTIFICATE OF OCCUPANCY FOR CHANGE IN USE IN INDUSTRIAL DISTRICT)

Present: Irvin K. Jones, applicant
Frank Gerred, Director, Land Use and Development

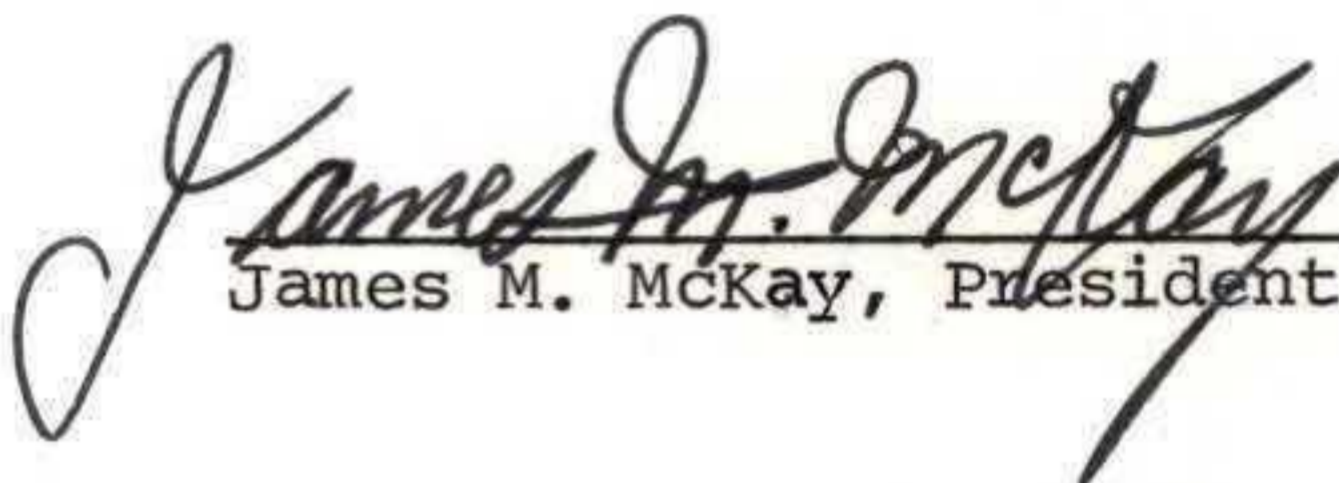
Mr. Gerred reviewed with the Commissioners the referenced site plan. In view of the fact that said plan has received all agency approvals and it was recommended by the Office of Land Use and Development for approval, Commissioner Dean moved, seconded by Commissioner Millison, to approve Simplified Site Plan No. 78-199. All Commissioners voted in favor.

DISCUSSION SESSIONZONING AMENDMENT NO. 78-125LEONARD S. REBARCHICK

Having conducted a Public hearing on August 2, 1978, the Commissioners commenced discussion on the referenced zoning case. Since questions concerning the buffer area and protection of the integrity of the residential area required further review, the Commissioners agreed to resume discussion next week.

The meeting adjourned at 6:36 p.m.

Approved,


James M. McKay, President

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