

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, January 17, 1979

Present: Commissioner George R. Aud, President
Commissioner Richard D. Arnold
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Judith A. Mullins, Recording Secretary
(Commissioners Dean and Millison were not present.)

The meeting was called to order at 8:55 a.m.

READING AND APPROVAL OF MINUTES

The minutes of the County Commissioners meeting of January 10, 1979 were read. Commissioner Sayre moved, seconded by Commissioner Arnold, to approve the minutes as read. 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 Arnold moved, seconded by Commissioner Sayre, to approve payment of the bills as submitted. All Commissioners present voted in favor.

EXCEPTION TO RAILROAD RIGHT-OF-WAY ORDINANCE

The County Administrator advised that a request was received by Mr. Paul Yorkshire for an exception to St. Mary's County Ordinance No. 78-17 which governs the usage of the railroad right-of-way for the purpose of going to and from his property to transport cut timber. The Commissioners agreed to sign and forward a letter to Mr. Yorkshire granting this exception.

COMMITTEE TO STUDY FUTURE OF GREAT MILLS ELEMENTARY SCHOOL

The County Administrator presented correspondence from Superintendent of Schools advising that the Board of Education is forming a committee to study the future of Great Mills Elementary School and requested the County Commissioners to name a member of their staff to this committee. Commissioner Arnold moved, seconded by Commissioner Sayre to appoint Joseph O'Dell, Budget Officer, to the referenced committee. All Commissioners present voted in favor.

LEAVE AND ANNIVERSARY DATES - CETA EMPLOYEES ENTERING MERIT SYSTEM

The County Administrator explained to the Commissioners that a policy was adopted in March of 1978 whereby CETA employees entering the County Merit System from that date were credited with leave and the retention of the original anniversary date. However, it was learned that several employees who were transferred to County jobs prior to that date were not given these benefits. Therefore, Commissioner Aud moved, seconded by Commissioner Arnold, to make this policy retroactive from the date of the inception of the CETA Program. All Commissioners present voted in favor.

CLEARINGHOUSE PROJECT NO. 79-1-713
BURNING OAKS SUBDIVISION - VA HOUSING FEASIBILITY

The County Administrator presented the referenced clearinghouse project, which has been reviewed by the Director of Land Use and Development and recommended that it be forwarded to the State with the comment that it is not inconsistent with this agency's plans, programs or objectives. The Commissioners gave their concurrence.

CLEARINGHOUSE PROJECT NO. 79-12-702
SOUTHERN COUNTY HEALTH PLAN

The County Administrator presented the referenced 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 or objectives. The Commissioners gave their concurrence.

SETTLEMENT - HICKS SUBDIVISION

The County Administrator presented correspondence from John E. Pleisse, attorney representing the County in Board of County Commissioners of St. Mary's County vs. James E. Hicks, Jr., and Fidelity and Deposit Company of Maryland; District Court Case No. 4378CV796, bringing two matters to the Commissioners attention. In that a check in the amount of \$1600 representing settlement on this case was received, Mr. Pleisse requested a signed release. Secondly, Mr. Pleisse inquired whether the County wished to pursue this matter further with Mr. Hicks.

The Commissioners requested that a meeting be arranged with Mr. Pleisse to discuss this matter further.

SCHOOL BUS TRANSPORTATION COMMITTEE

The County Administrator explained that some time ago the Commissioners decided to form a committee to look into school bus transportation in the County and to determine whether to continue with separate transportation system for private and parochial schools or whether combine them into one system. The Committee, consisting of: Eleanor Ritchie, Board of Education member; Stanley Schrader, Supervisor of Transportation; Wilfred Hines, Assistant Supervisor of Transportation; Joe O'Dell, County Budget Officer; Paul Raley, Director, Purchasing and Logistics; and Rev. Peter Alliata, Supervisor, Parochial School System, are now ready to begin their work. The Commissioners gave their concurrence for the Committee to proceed.

LEGISLATIVE PACKAGE

The County Administrator recommended that the Commissioners, for informational purposes, forward the Legislative Package to our legislators for their review, with no comments from the Commissioners at this time. The Commissioners should then proceed to schedule a public hearing on February 15, with the legislators attending, after which time a position could be taken on each item and recommendations then forwarded to the legislators. The Commissioners gave their concurrence.

AICUZ CONSTRUCTION GUIDELINES COMMITTEE

Commissioner Aud moved, seconded by Commissioner Arnold, to appoint Ralph H. Guenther to the AICUZ Construction Guidelines Committee. All Commissioners present voted in favor.

RC&D BOARD

Present: Richard Ireland, Chairman
 Dave Benner, Coordinator
 John Hall, Soil Conservation Service

Mr. Ireland explained that the purpose of this meeting was to acquaint the Commissioners with the RC&D Program and to explain the various activities of the Program affecting St. Mary's County. A brochure setting forth the organization, operating policy, goals and objectives and the three-year plan with indicated funding was distributed and discussed. Mr. Benner reviewed and answered questions relating to certain projects in the three year plan of interest to the Commissioners.

In closing, Mr. Benner offered any assistance to the Commissioners in the future.

RESIDENT MAINTENANCE ENGINEER - SHA

Present: John D. Raley, Jr.
 John Norris, County Engineer

Mr. Raley came in for the first of continuing monthly meetings to update the Commissioners on various State Highway projects and maintenance of county roads. After discussion of several items, the Commissioners expressed their appreciation for the progress being made and their hope for continued cooperation and assistance.

MATTAPANY ROAD

Present: Mike Marlay, Director, Metropolitan Commission
 Harry Knight, Metropolitan Commission
 Steve King, " "
 John Norris, County Engineer
 Dan Ichniowski, Highway Engineer
 Burt Kummerow, St. Mary's City

Mr. Knight reviewed with the Commissioners the plans for the reconstruction of Mattapany Road, indicating the location of the sewer line. He stated that a 40-foot wide right-of-way has been acquired for the entire length that will be reconstructed.

Mr. Kummerow spoke of St. Mary's City Commission's concern for maintaining the road in its rural nature and at the same time making it a safe road to travel.

Mr. Norris brought the Commissioners up to date regarding previous meetings concerning this matter and that the decision before the Board today is to either give direction to proceed with the reconstruction of the road or resurface the road (minimum repairs). A decision is also needed whether to authorize the project under the contract bid by the Metropolitan Commission or to authorize the County Engineer to bid the project under a county contract to try to obtain a lower bid.

Because of the time element in letting the Metropolitan Commission's contractor know of the County's decision, the Commissioners authorized the County Engineer's Office to bid the reconstruction of Mattapan Road in order for the Commissioners to obtain sufficient information to make a determination which way to proceed.

INVESTMENT PURCHASE

Present: Harris Sterling, Director of Finance

Mr. Sterling requested the Commissioners' approval of the investment purchase of \$358,000 from Alex Brown and Sons, Investment Bankers at 10.10% for a period of 35 days. The Commissioners gave their approval of this purchase.

ALLOTMENT TO VOLUNTEER FIRE DEPARTMENTS
RETIREMENT PROGRAM FOR FIRE DEPARTMENTS AND RESCUE SQUADS

Present: Greg Adams, Fire Board
Joe Cooper, Chairman Retirement Program
George McWilliams, Fire Board
Joseph O'Dell, Budget Officer

The above representatives of the Fire Board appeared before the Commissioners to request an increase in allotments by the County to the volunteer fire departments from the current \$12,500 each year by \$1,000 a year for the next five years to each of the seven departments.

The Commissioners advised that they would give consideration to this request and take action when there is a full board present.

With regard to the Retirement Program, Mr. Cooper submitted a package of information to each of the Commissioners regarding same. He stated that consideration for a Retirement Program was submitted to the Commissioners approximately a year ago and several questions were raised at that time. In response to these questions, he stated that all fire departments and rescue squads are in agreement and further they did not feel that the Program would diminish the volunteer spirit of the departments and squads. Relative to the question concerning costs of the program, Mr. Cooper referred to an enclosure in the submitted package setting forth cost figures.

The Commissioners advised that they would give consideration to this matter when the full Board was present and advise them of their decision.

EXECUTIVE SESSION

Present: Jim Kenney, Attorney
 Mike Marlay, Metropolitan Commission
 Frank Gerred, Director, Land Use and Development

The Commissioners agreed to meet in Executive Session in order to discuss a matter of pending litigation (Willows Woods). The Session was held from 1:52 p.m. to 2:40 p.m.

COMMISSION ON AGING TITLE VII BUDGET

Present: Agnes C. McGaharn, Senior Services Coordinator
 Bob Gerber, Government Accounting Office
 Neal Curtin, " " " "

Mrs. McGaharn appeared before the Commissioners to advise them on the progress and various programs of the Title VII Commission on Aging Program. She stated that due to increased cost of food, there will be an increase in her budget and the total budget will be approximately \$100,000 and that she will be attempting to obtain \$76,000 from the Federal Government, with the county matching 11.8%. Mrs. McGaharn advised that the budget will be presented to the Commissioners in the near future for approval and in closing invited the Commissioners to the various nutrition centers in the County.

ORDINANCE NO. 79-08SEDIMENTATION CONTROL ORDINANCE

Present: John Norris, County Engineer

Having conducted a public hearing on January 3, 1979, Commissioner Arnold moved, seconded by Commissioner Sayre, to adopt the amended Sedimentation Control Ordinance in its entirety. All Commissioners present voted in favor.

ADDENDUM TO PUBLIC WORKS AGREEMENTBUNKER HILL DRIVE

Present: John Norris, County Engineer

Mr. Norris presented an Addendum to the Public Works Agreement by and between C & P Telephone Company and St. Mary's County Commissioners extending the completion of Bunker Hill Drive in Patuxent Park Subdivision from December 1978 to June 15, 1979. Commissioner Aud moved, seconded by Commissioner Arnold to approve said Addendum. All Commissioners present voted in favor.

ROAD BOND STATUS LIST

Present: John Norris, County Engineer

Mr. Norris presented to the Commissioners for review an updated list of all road bonds for subdivision roads in the county, indicating principal

surety, amount of bond and expiration date. The Commissioners agreed to review this list and present any questions they may have to Mr. Norris.

EXPIRED ROAD BONDS

Present: John Norris, County Engineer

Mr. Norris submitted a Status Report of Expired Road Bonds in certain subdivisions in the County, setting forth the bond amount, type of bond, expiration date and action taken by the County Commissioners. Mr. Norris reviewed the list with the Commissioners and inquired if the Commissioners wanted to give the developers a timetable to complete the road work without having to rebond or give them a date by which to obtain acceptable surety and rebond the work.

The Commissioners advised they would review the list further and make a decision when the full Board was present.

EXPIRED ROAD BOND

BIRCH MANOR SUBDIVISION (SECTION 3)

Present: John Norris, County Engineer

Mr. Norris requested the Commissioners to issue a Stop Work Order on the referenced project unless the developer submits to the County a Public Works Addendum with consent of surety.

After discussion, Commissioner Arnold moved, seconded by Commissioner Sayre, to issue a Stop Work Order on January 31, 1979 for Birch Manor Section 3, unless the developer submits appropriate Public Works Agreement extending the deadline for completion of work, with consent of surety. All Commissioners present voted in favor.

MARINE PROJECT STATUS REPORT

Present: John Norris, County Engineer

Mr. Norris submitted for the Commissioners review the Marine Project Status Report. After review, Mr. Norris suggested that a representative from the Corps of Engineers and Department of Natural Resources come to the County to review these projects with the Commissioners and answer any questions they may have. The Commissioners gave their concurrence.

OBSERVATION WELL AT CHARLOTTE HALL SCHOOL PROPERTY

Present: John Norris, County Engineer

Mr. Norris advised that the Department of Interior is requesting authority to place an observation well at the Charlotte Hall School property in cooperation with Geological Survey and Federal Government, and the County will have to designate a site for this well. The Commissioners directed the County Engineer to work with these agencies to locate an appropriate site that will not interfere with future plans for the property.

INSPECTOR FOR OBTAINING RIGHTS-OF-WAY

Present: John Norris, County Engineer

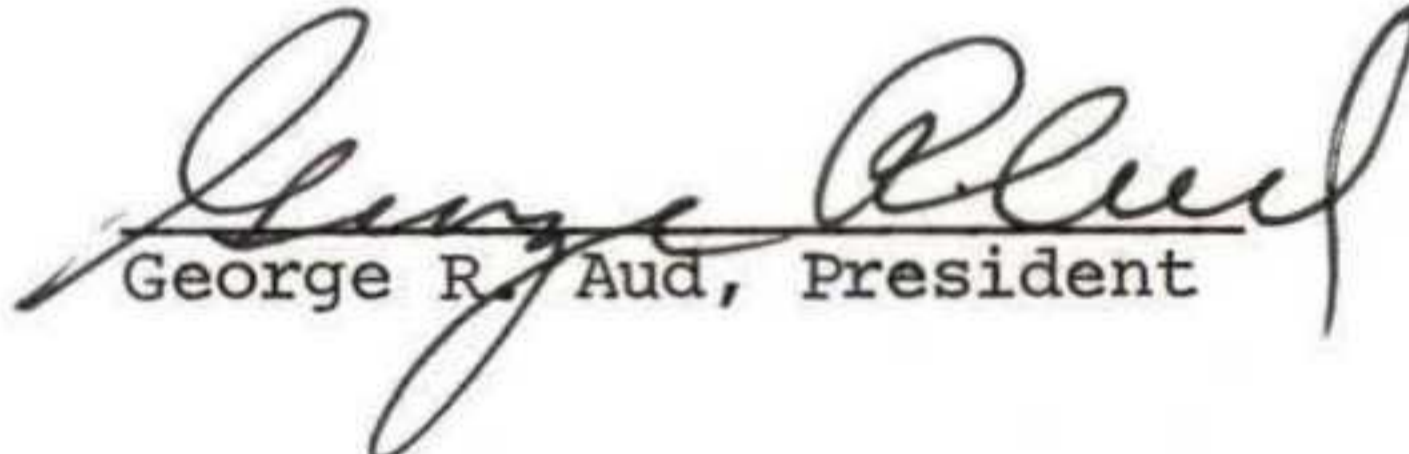
Mr. Norris stated there are several projects in the County that will be necessary to acquire rights-of-way such as Spring Valley Road, St. John's Road, etc., and recommended preparing a personal service contract with Dale Cropper who has done this in the past. After discussion, the Commissioners gave their concurrence and requested Mr. Norris to prepare the necessary document for action by the Board.

REQUEST FOR TAX EXEMPTION - DISABLED VETERAN

Documentation was presented by the County Administrator justifying the exemption of a 100% disabled veteran, in accordance with Article 81, Section 9 of the State Code. After review of the appropriate documents, Commissioner Aud moved, seconded by Commissioner Arnold, to authorize the Treasurer's Office to exempt taxes in this case. All Commissioners present voted in favor.

The meeting adjourned at 4:45 p.m.

Approved,


George R. Aud, President

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