

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, March 21, 1979

Present: Commissioner George R. Aud, President
Commissioner Richard D. Arnold
Commissioner Ford L. Dean
Commissioner David F. Sayre
Commissioner Larry Millison
Edward V. Cox, County Administrator
Judith A. Mullins, Recording Secretary

The meeting was called to order at 8:50 a.m.

READING AND APPROVAL OF MINUTES

The minutes of the County Commissioners' meeting of March 14, 1979 were read. Commissioner Dean moved, seconded by Commissioner Arnold 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 Arnold moved, seconded by Commissioner Dean, to approve payment of the bills as submitted. All Commissioners voted in favor.

COURT REPORTER'S SALARY

The Commissioners discussed the request by Judge Mattingly of the Circuit Court for a \$1,000 increase in salary for his Court Reporter, Rita Henning. The Commissioners agreed to defer a decision on this matter until they have had an opportunity to review certain information.

CID UNIT

Present: Neal Myerberg, State's Attorney
Sheriff Joe Lee Somerville

The referenced individuals requested an Executive Session with the Commissioners in order to discuss a matter of personnel. The Session was held from 9:35 a.m. to 9:45 a.m.

After the Executive Session, Sheriff Somerville discussed with the Commissioners the negotiations for drawing up of a renewal agreement for the CID Unit between the Maryland State Police and the Sheriff's Department. The current agreement has been in effect since September 1977.

Mr. Myerberg stated that the Maryland State Police did not want to enter into a contractual arrangement unless they had supervisory control over personnel. He stated that correspondence was exchanged between his office and the State Police concerning this matter, and it was the State's Attorney's recommendation that his office be coordinator in order to bring the two law enforcement agencies together. This was not acceptable to the State Police, and it was then suggested that a professional police officer not affiliated with either the Sheriff's Department or State Police, perhaps a retired FBI policeman be coordinator. Mr. Myerberg stated that the Md. State Police has not responded to this suggestion.

It was the consensus of the Board of County Commissioners that the protection of the community was foremost important and whatever problems there may be should be worked out.

The Commissioners thanked them for their report and advised that the State Police could make an appointment in order to present their views, if they wish.

EXECUTIVE SESSION

Present: Joseph E. Bell, II, County Attorney
John Norris, County Engineer

The Commissioners agreed to meet in Executive Session in order to discuss a matter of litigation (Essex South). The session was held from 10:25 a.m. to 10:55 a.m.

COASTAL ENERGY IMPACT PROGRAM AGREEMENT

Present: Frank Gerred, Director, Planning and Zoning Office

Mr. Gerred reviewed with the Commissioners the Agreement by and between the Department of Natural Resources, Energy and Coastal Zone Administration and the County Commissioners of St. Mary's County for the Coastal Energy Program grant in the amount of \$20,000, providing technical assistance in the monitoring of environmental conditions surrounding Steuart Petroleum Company's operation at Piney Point. Mr. Gerred is the project coordinator.

Commissioner Dean moved, seconded by Commissioner Arnold, to authorize the President of the Board to sign said Agreement. All Commissioners voted in favor.

MOBILE HOME OCCUPANCY TAX

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred presented correspondence that has been sent to the owners of the mobile home parks having past due occupancy tax and recommended forwarding another letter that the record of the

delinquent tax matter is being turned over to the County Attorney. Mr. Gerred stated that the County Attorney has suggested assigning his assistant, Paul Johnson, to do some research to determine by what legal means the County can collect these delinquent taxes. The Commissioners gave their concurrence on the forwarding of the letters to the owners of the parks and for Mr. Johnson to do the necessary research.

MOBILE HOME HARDSHIP EVALUATION COMMITTEE

Present: Jeff Poley, Zoning/Subdivision Administrator
Joseph Carter, Chairman
William Butler

The referenced individuals appeared before the Commissioners to present a briefing on Resolution No. 78-03 setting forth the criteria for waiver of mobile home regulations for hardship cases and the establishment of the Mobile Home Hardship Evaluation Committee. The application process was discussed, and Mr. Poley stated that during the evaluation process sometimes another solution may be found.

In addition, Commissioner Dean gave the background as to how the Resolution came about, explaining that the requirement for an individual well or septic system to serve the mobile home placed a hardship on certain people and this was a means of assisting them.

AGRICULTURAL LAND PRESERVATION BOARD

Present: Frank Gerred, Director, Planning and Zoning
William Dixon, Agricultural Preservation Board
Robert Jarboe, " " "
Floyd Raley, " " "
Al Guy, " " "

The referenced members of the Agricultural Preservation Board appeared before the Commissioners to brief them on the progress and activities of the Board and advised that they will be submitting a Resolution for the Commissioners' review and approval which would give greater protection from harrassment to farmers.

The Agricultural Preservation Board also recommended that the County Commissioners forward to the State a letter of intent to establish a county fund to implement the easement purchasing program.

The commissioners unanimously agreed that the Agricultural Preservation Board draft the letter of intent for review by the Commissioners.

OPEN AIR MARKET

Present: Dudley Lindsley, EDC
Carol Kenney, Chamber of Commerce

Mrs. Lindsley stated that the Economic Development Commission is not only interested in encouraging new industry to come into the County, but also to support industry already here. The EDC is proposing an open air market for locally produced seafood and agricultural products at the Courthouse parking lot on Saturdays. She said that LaPlata has had a successful market and Prince Frederick is in the process of starting one this year. Tentative approval has been given by the Leonardtown Commissioners and the EDC would like to have the support of the County Commissioners.

After discussion, the Commissioners gave their approval for the use of the Courthouse parking lot for the Open Air Market and wished them success in their endeavors.

LETTER TO COL. SMITH, MARYLAND STATE POLICE
CENTRALIZED COMMUNICATIONS SYSTEM

The Commissioners reviewed correspondence to Col. Smith Superintendent of Maryland State Police stating it was the Commissioners' opinion that the communications system remain centralized at the Emergency Operations Center rather than a separate dispatching system for the Maryland State Police. The Commissioners agreed to sign and forward said letter.

OVERTIME FOR SHERIFF'S DEPARTMENT

The County Administrator presented a request for overtime for the period from February 3, 1979 ending March 2, 1979 as follows: \$712.04 - Sheriff's Deputies; \$200.40 - CID deputies. Commissioner Dean moved, seconded by Commissioner Aud, to approve overtime payments as requested. All Commissioners voted in favor.

ROAD RESOLUTIONS R-79-18 and R-79-22

On behalf of the County Engineer, the County Administrator presented the following Road Resolutions:

R-79-18 - changing the name of Hog Farm Road to Triangle Drive in the Fifth Election District. Commissioner Dean moved, seconded by Commissioner Arnold, to adopt said Road Resolution. All Commissioners voted in favor.

R-79-22 - designating Library Place as a Stop Street where it intersects with East Key Way in the Third Election District. Commissioner Dean moved, seconded by Commissioner Arnold, to adopt said Road Resolution. All Commissioners voted in favor.

PERMANENT STATUS - LINDA DELOZIER
OFFICE OF RECREATION AND PARKS

The County Administrator presented a memorandum from the Personnel Officer stating that Linda Delozier, Secretary II in the Office of Recreation and Parks has satisfactorily completed her six month probationary period and it was the recommendation of her supervisor that she be given permanent status. Commissioner Dean moved, seconded by Commissioner Arnold to grant permanent status to Linda Delozier. All Commissioners voted in favor.

APPOINTMENT
WALDEN ADVISORY COMMISSION

Commissioner Millison moved, seconded by Commissioner Sayre, to appoint Jack Arnold, as the Navy representative to the Walden Advisory Commission. All Commissioners voted in favor.

LETTER TO ASSESSMENT OFFICE - OFFICE SPACE

The Commissioners reviewed correspondence addressed to the County Supervisor of Assessments stating that since a new lease was not effected by the State Department of Assessments and Taxation, he was to vacate a designated portion of the newly renovated space to approximate the space occupied under the current lease. The Commissioners agreed to sign and forward said letter.

MOTOR VEHICLE ADMINISTRATION LEASE

Upon review of a memorandum from the Director of Purchasing and Logistics regarding the above, the Commissioners agreed to accept his recommendation to amend the existing lease with the Motor Vehicle Administration to indicate change of location with the understanding that at the expiration of the current lease, the lease payment will be negotiated upwards.

PATUXENT BEACH ROAD SPEED LIMIT

The County Commissioners were advised that informally the District Highway Safety Engineer, County Engineer, and Commander of the Maryland State Police have indicated that 40 miles per hour is a safe speed limit for the length of Patuxent Beach Road as presently posted.

Later in the meeting, the Commissioners discussed the establishment of the speed limit and the safety conditions existing on said roadway with the County Engineer. Commissioner Millison moved, seconded by Commissioner Aud, that the County Engineer be directed to relay to the State Highway Administration the County's wishes to convey by fee simple deed the roadway presently owned by St. Mary's County and named Patuxent Beach Road. All Commissioners voted in favor.

LETTER TO DIRECTOR OF PARK SERVICE

Commissioner Millison moved, seconded by Commissioner Arnold, to sign and forward a letter to the State Director of Park Service expressing concern relative to the acquisition of land in St. Mary's County by the State of Maryland Park System. Four Commissioners voted in favor, with Commissioner Dean voting against stating he was not opposed to the project at Point Lookout State Park and the Great Mills Watershed project.

PERSONAL ROAD BONDS

Present: John Norris, County Engineer

Relative to action taken by the Commissioners at their February 28 meeting concerning the above, the County Engineer explained to the Commissioners that he had been contacted by the developer of Fenwick Manor, who was unable to secure VA financing for his construction as the status of the bonding of the subdivision roads is in question. After discussion, Commissioner Millison moved, seconded by Commissioner Dean, to extend the personal road bonds through June 1, 1979 for: Beverly Estates, Section 1; Big Oak Subdivision; Birch Manor, Sections 1 & 2; Cal Acres, Section 2, Country Lakes, Section 1; Fenwick Manor; Friendship Estates; Gillens Grove, Section 3 and 4; and Tenn-Wood Acres, Sections 2 & 3. The purpose of said extension is to enable the owners of the development to secure VA financing and give adequate time to obtain adequate surety. All Commissioners voted in favor.

APPROVAL OF VOUCHER
REIMBURSEMENT TO TOM'S ELECTRIC

Present: John Norris, County Engineer

Mr. Norris requested approval by the Commissioners for payment of a voucher payable to Tom's Electric for reimbursement for repairs to that firm's truck damaged by a CETA employee in the County Engineer's Office in January, since the County's insurance deductible was above the repair amount.

Commissioner Millison moved, seconded by Commissioner Aud, to approve payment in the amount of \$912.83 to Tom's Electric and to authorize the Budget Officer to determine source of funds. All Commissioners voted in favor.

RAILROAD RIGHT-OF-WAY - LAUREL GROVE TO HILLVILLE

Present: John Norris, County Engineer

Mr. Norris indicated that the State Highway District Engineer has agreed to an increase in the contract value in the amount of \$18,840 in accordance with the schedule provided by the consulting engineering firm of John Harms Associates; said increases being based

on the unit price per property to be appraised and acquired and a number of properties increased over the amount contained in the proposal. All expenditures will be reimbursed by State Highway Administration.

Commissioner Dean moved, seconded by Commissioner Aud to approve said increase. All Commissioners voted in favor of the motion.

NURSING HOME ACCESS ROAD

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the referenced project was advertised and bid, with the lowest bidder being Dean Construction Company in the amount of \$110,545 and recommended awarding the bid in that amount pending concurrence of the award by Federal Highway Administration and State Highway Administration.

Commissioner Aud moved, seconded by Commissioner Arnold to request the Budget Officer to make the necessary transfer of funds in an amount not to exceed \$40,000 (representing county share - 30%). All Commissioners voted in favor.

Further, Commissioner Aud moved, seconded by Commissioner Sayre to award the contract to Dean Construction Company in the amount of \$110,545, pending concurrence from FHA and SHA. Four Commissioners voted in favor with Commissioner Dean abstaining.

TANNERS CREEK SHORE EROSION PROTECTION PROJECT

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the County is involved in litigation in the amount of \$400,000 with the Department of Natural Resources by Williams Enterprises, Inc. for construction at Tanners Creek and he wanted to make the Commissioners aware of the fact that a considerable amount of the County Engineer's Office's time will be involved for the next several months.

FLOODING PROBLEM AT SHANGRI-LA DRIVE

Present: John Norris, County Engineer

Mr. Norris brought to the Commissioners' attention the problem of flooding at Shangri-La Drive in Lexington Park and it appeared that the only means of alleviating the problem is an underground storm drainage system. Mr. Norris requested the Commissioners consideration in allowing The Wilson T. Ballard Company to draw up the planning and designing documents.

The Commissioners advised that this would be considered during the budget review process since a decision to design the project depends on the decision to construct.

HISTORIC DISTRICT COMMISSION PROPOSAL
(ST. MARY'S CITY HISTORIC DISTRICT

Present: Roger Chandler, Taxpayers' Assoc.
Al Kessler, " "
Charles Young, " "
Ed Curley, " "

The referenced individuals appeared before the Commissioners to again express their opposition to the proposal by the St. Mary's Historic District Commission to designate 8,000 acres surrounding St. Mary's City as an historic district. They requested the Commissioners to ask the Historic District Commission to terminate any further efforts to establish such an historic district at St. Mary's City.

The Commissioners advised that they had not to date received a recommendation from the Historic District Commission, but would ask for a written progress report as to this matter.

RECORDING SECRETARY
PLANNING AND ZONING OFFICE

Having advertised the referenced position and interviews conducted, it was the recommendation of the Director of the Planning and Zoning Office to hire Mrs. Anita Meredith to the position of Recording Secretary, Grade 8, in the Office of Planning and Zoning, effective two weeks after notification to her present employer. The Commissioners unanimously concurred with this recommendation. All Commissioners voted in favor.

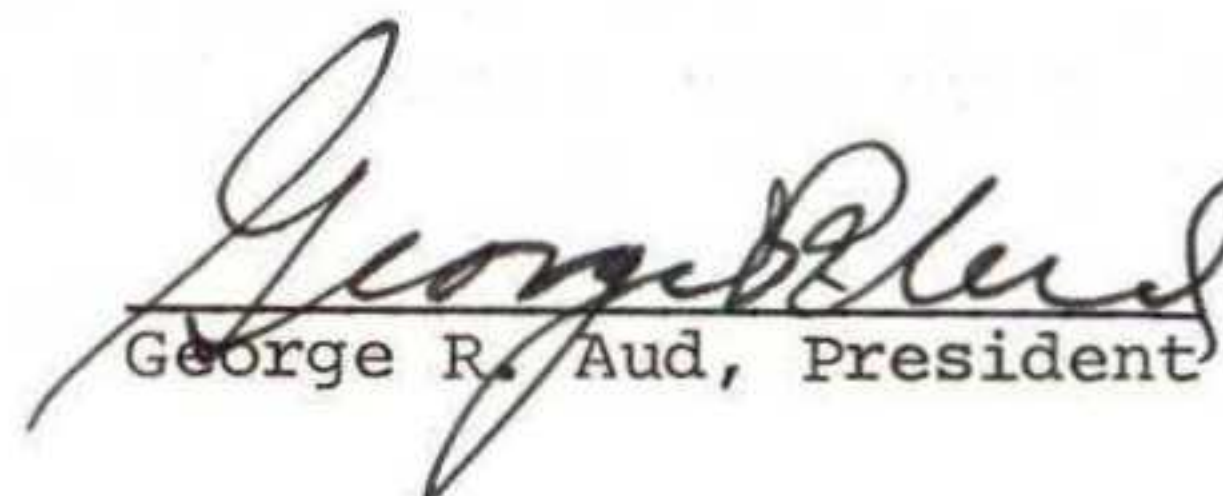
BUDGET REVIEW PROCESS

Present: Joseph O'Dell, Budget Officer

At this time the Budget Officer reviewed with the Commissioners the Operating Budget.

The meeting adjourned at 4:00 p.m.

Approved,


George R. Aud, President