

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, June 20, 1979

Present: Commissioner George R. Aud, President  
Commissioner Richard D. Arnold  
Commissioner Ford L. Dean  
Commissioner Larry Millison  
Commissioner David F. Sayre  
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 County Commissioners' meeting of June 13, 1979 were read. The Commissioners approved the minutes as read.

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 voted in favor.

MATTAPANY ROAD

Present: Richard Voorhar  
Father Goetz

The referenced individuals appeared before the Commissioners to discuss the situation involving the improvement of Mattapany Road. A letter was presented to the Board signed by "The People of Mattapany Road" requesting the Commissioners to attend a meeting next week in order to explain what the County's plans are for this road.

It was agreed that as many Commissioners as possible would attend a meeting on Thursday, June 28 at St. Cecelia's Church and that the Metropolitan Commission and County Engineer would be requested to attend.



ST. JOSEPH'S RECREATIONAL CENTER

Present: John Wooten

Commissioner Dean referred to the Commissioners' decision on June 6 whereby the County agreed to fund up to a maximum of \$2800 for the nutrition program at the St. Joseph's Recreational Center, upon submission of documentation at the end of the program. He stated that the Center does not have any means of refrigeration and in order to operate the nutrition center, a refrigerator/freezer is necessary. Therefore, Commissioner Dean moved, seconded by Commissioner Arnold, to amend the correspondence to the St. Joseph's Recreational Center and authorize the purchase of a refrigerator/freezer from the funds allocated, which the county will pay for now rather than at the end of the program. All Commissioners voted in favor.

AMERICAN LEGION LEASE PROPOSAL

With regard to the American Legion's proposal for a long term lease for property owned by the County behind the Leonardtown Armory, the County Administrator presented a response from the County Attorney regarding the legal aspects of this request. It was the County Attorney's opinion that it would be appropriate for the County to enter into such a lease, and if the Commissioners concurred to do so, details would be developed for their review.

The question was raised whether other civic organizations would make similar requests and therefore agreed to defer the matter until further review.

EDUCATIONAL ASSISTANCE POLICY

The County Administrator advised that on September 20, 1978 the County Commissioners provided educational assistance for Mr. Glenn Gass in the County Engineer's Office and the first voucher was presented in January and approved. He stated that recently a second voucher was submitted and withheld because of questions raised by the Budget Officer concerning reimbursement by the County for per credit hours, and should there be other requests of this nature, it would have a financial impact on the County.

The County Administrator was of the opinion that this was a policy adopted by the Board and therefore should be honored.



June 20, 1979

Page 206

After discussion the Commissioners agreed to process the second voucher in the amount of \$330 for reimbursement to Mr. Glenn Gass, and further that the County Administrator and Budget Officer formulate a policy for the future for this particular employee as well as any subsequent requests of this nature.

LANGLEY MINOR SUBDIVISION  
ECONOMIC IMPACT FEE AGREEMENT AND  
MONEY IN LIEU OF LAND DEDICATION FOR PARK SITES

The County Administrator presented an Agreement dated June 7, 1979 by and between Nina E. Langley and the Board of County Commissioners of St. Mary's County setting forth the method of payment of the economic impact fee and money in lieu of land dedication for park sites for three lots in Langley Minor Subdivision, Eighth Election District.

Commissioner Dean moved, seconded by Commissioner Millison, to accept said Agreement. All Commissioners voted in favor.

CRIMINAL JUSTICE SYSTEM

Present: Secretary Gordon Kamka, Dept of Public Safety and Correctional Services  
Everett Miller, Division of Corrections  
Edwin Goodlander, Commissioner, Division of Corrections  
Joe Egberg, State Jail Inspector  
Judge Mattingly, Circuit Court  
Sheriff Somerville  
Andrew Miller, Criminal Justice Planner

Representatives of the Department of Public Safety and Correctional Services appeared before the Commissioners to discuss the Criminal Justice modifications and to answer any questions the Commissioners may have regarding this system.

Areas discussed were the "Scared Straight" Program, conditions and rehabilitating of Jessup, work-release program, location of community correction center and the rehabilitation of people back into the community.

With regard to the interim report submitted by the County's Jail Review Task Force concerning the renovation of the jail construction or a new facility, the Commissioners requested, and the State officials agreed, the provision of assistance regarding an evaluation of county jail needs.

After the discussion, the Commissioners thanked the State representatives for coming to the County to explain the correctional system.



EXECUTIVE SESSION

The Commissioners agreed to meet in Executive Session in order to discuss matters of personnel (appointments to Boards, Committees and Commissions). The Session was held from 11:10 a.m. to 1:30 p.m.

PUBLIC HEARING  
TEXT AMENDMENTS TO ZONING ORDINANCE

Present: Frank Gerred, Director, Planning and Zoning  
Anita Meredith, Recording Secretary  
H.R. Leighton  
Thomas G. Spalding  
Ann Richards  
Edward L. Swecker  
James C. Gardner  
Charles A. Joseph  
Al Repar  
Kim Miller

The Commissioners conducted a public hearing on the proposed text changes to the Zoning Ordinance which are intended to provide clearer public understanding and simplification.

The complete record, file and tape are on file in the Office of Planning and Zoning.

EXECUTIVE SESSION

Present: Joseph E. Bell, II, County Attorney  
Frank Gerred, Director, Planning and Zoning

The Commissioners agreed to meet in Executive Session in order to discuss a matter of litigation (Cedar Cove). The Session was held from 2:00 p.m. to 2:45 p.m.

INDUSTRIAL SITE PLAN NO. 79-37  
SOUTHAMPTON INDUSTRIAL PARK (LOT 1)

Present: Frank Gerred, Director, Planning and Zoning  
Bob Combs

Mr. Gerred reviewed the referenced site plan with the Commissioners which has been approved by all affected agencies and recommended for approval by the Planning Commission. He stated that Mr. Allston, the



developer, needs the Commissioners' approval of this site plan and to an amendment to the Development Plan of the Southampton PD-IP which is the reduction of the right-of-way width for Thames Ave. from 60 feet to 50 feet.

Commissioner Millison moved, seconded by Commissioner Arnold, to approve said site plan and amendment. All Commissioners voted in favor.

PERMITS FACILITATOR POSITION  
OFFICE OF PLANNING AND ZONING

Present: Frank Gerred, Director, Planning and Zoning  
Edwin Peregoy, Chairman, Board of Appeals

Relative to the matter of the position of Permits Facilitator in the Office of Planning and Zoning which was initially presented to the County Commissioners on July 26, 1978, Mr. Gerred requested consideration by the Board for authorization of this position.

Commissioner Dean explained the specifics as to how the proposed position came about, explaining the formation of the Building Permit Review Committee to review and evaluate procedures in obtaining a building permit and their recommendation for the creation of a Permit Facilitator.

Each of the Commissioners expressed their opinions on this matter and after discussion, Commissioner Dean moved, seconded by Commissioner Sayre, to authorize the Director of Planning and Zoning to prepare a job description and salary scale, said job description including duties and qualifications needed to fill the position and to bring this information back to the Board for review and consideration of authorization of filling that position. Three Commissioners voted in favor, with Commissioners Millison and Arnold voting against. Commissioner Millison stated that he felt that the Office of Planning and Zoning was already adequately staffed to handle this process and Commissioner Arnold stated he was in favor of alleviating the prospective homebuilder of the burden of going from agency to agency to obtain proper permits; however, he wanted more information as to salary and type of position before he voted on the matter and also suggested using the CETA Program in filling the position.

ACCEPTANCE OF DEED  
BUNKER HILL DRIVE (PATUXENT PARK SUBDIVISION)

Present: John Norris, County Engineer

The County Engineer presented a Deed dated June 26, 1978 by and between S.M.P.I., Inc. and the Board of County Commissioners of St. Mary's County, whereby the County accepts Bunker Hill Drive in the Patuxent Park Subdivision into the County Highway Maintenance System.



Commissioner Dean moved, seconded by Commissioner Arnold, to accept said Deed. All Commissioners voted in favor.

ADDENDUM NO. 1  
PROJECT NO. SM-78-1-8  
ASPHALT PROJECT - ST. JOHN'S ROAD AND  
ESPERANZA SUBDIVISION

Present: John Norris, County Engineer

The County Engineer presented Addendum No. 1 changing the prices for the asphalt work that was carried over from last year which is the paving of St. John's Road and the roads in Esperanza Subdivision.

After discussion, the Commissioners agreed to accept Addendum No. 1 and Contract Modification No. 1 for the

CORPS OF ENGINEERS PERMIT

Present: John Norris, County Engineer

Mr. Norris presented, for Commissioner President Aud's signature, the permit from the Corps of Engineers for the construction of a 150 foot timber bulkhead in St. George's Creek in the Piney Point area. The Commissioners agreed to authorize Commissioner President Aud to sign same.

PROJECT NO. SM 79-1-3  
DRAINAGE IMPROVEMENTS FOR PATUXENT BEACH ROAD

Present: John Norris, County Engineer

The County Engineer presented an Agreement dated June 19 by and between Raymond Woodburn and the Board of County Commissioners of St. Mary's County in the amount of \$11,800 for drainage improvements on Patuxent Beach Road. The Commissioners agreed to accept the contract, with sources of funds to be determined by the Budget Officer.

COOPERS CREEK DREDGING PROJECT

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the County will be able to obtain spoil easement area from adjoining property for the Coopers Creek dredging project and therefore presented the proposal from J.R. McCrone in the amount of \$3500 for the engineering/surveying for this



project, which will be reimbursed by the Department of Natural Resources. The Commissioners gave their concurrence to accept the proposal from J.R. McCrone.

EASEMENT AGREEMENT - ST. JOHN'S ROAD

Present: John Norris, County Engineer

The County Engineer presented an Easement Agreement dated June 16, 1979 by and between John N. and Queenie N. Johnson for the construction of St. John's Road and requested authorization by the Board for the President of the Board to sign same. The Commissioners gave their concurrence.

RENTAL OF PAN FOR LANDFILL

Present: John Norris, County

The County Engineer advised that his office is experiencing a problem with the removal of dirt and material from the St. Andrews Landfill and requested authorization for the expenditure of \$5,000 for the rental of a pan for this purpose. The Commissioners gave their concurrence, with source of funds to be determined by Budget Officer.

RIGHT-OF-WAY EASEMENTS  
MILLSTONE LANDING ROAD

Present: John Norris, County Engineer

Mr. Norris recommended that Mr. Joe Harris be authorized to obtain the right-of-way easements for the reconstruction of Millstone Landing Road inasmuch as the design is 90% complete. The Commissioners gave their concurrence to expend an amount not to exceed \$800 for this purpose.

NORTH INDIAN CREEK ESTATES

Present: John Norris, County Engineer

Mr. Norris advised that he has received the Public Works Agreement for the referenced subdivision and Mr. Guyther is in the process of obtaining a replacement bond. The Commissioners reviewed the items that were to be done on this project and to be included in the Public Works Agreement. Mr. Norris was requested to amend the Public Works Agreement to include monthly maintenance and grading of the roads in this subdivision and return to the Commissioners for approval.



WHISKEY CREEK ROAD - SOTTERLY MANOR

Present: John Norris, County Engineer

Commissioner Dean advised that he has received a call from resident on Whiskey Creek Road in Sotterly Manor regarding the poor condition of the road. The subdivision had been approved by the County under a public works agreement and there is a provision in the Road Ordinance whereby the County can require the developer to bring the road up to standards.

After discussion, the Commissioners directed the County Engineer to contact the developer of Sotterly Manor Subdivision, cite the appropriate section of the Ordinance and request that the developer meet with Mr. Norris to determine specifics as to what level of construction needs to be done in order to bring the road up to standards at this point, and report back to the Commissioners with the developer's response.

MANUFACTURING OF ALCOHOL PROPOSAL FOR USE IN VEHICLES

Present: Garland Smith  
John William Quade  
Jerry McKinney

The referenced individuals appeared before the Commissioners to discuss a proposal regarding the manufacture of alcohol to be used in vehicles in lieu of gasoline and would require only minor adjustments.

Mr. Smith advised the idea came about from an article in "Mother Earth News" and explained the research that is being done on this subject. A solar-heated distiller is used to distill corn and other organic material in order to produce ethanol fuel. He stated that the process is in the experimental stage and inquired if the County was interested in pursuing this project in light of the gasoline shortage problem.

The Commissioners agreed to advertise requesting people in the community having knowledge and expertise in this field to contact the Commissioners' Office to assist in this effort and a committee would be formed to develop information as to what needs to be done to move ahead with the experimental stage and what problems would be encountered. The Commissioners requested Mr. McKinney to investigate what federal permits may be needed and Mr. Quade to investigate what state permits may be needed.



The Commissioners agreed to meet on Saturday, June 30 at 9:00 a.m. with the above individuals to review what information has been gathered, and decide what should next be done.

ROCKFISH HATCHERY

Present: Delegate John William Quade

Delegate Quade appeared before the Commissioners to inquire as to whether the County could be a part of an effort to replenish the diminishing supply of rockfish in our waters. He stated that the situation with the rockfish in Maryland is very critical, and referred to proposed bills to investigate the decline of rockfish on the East Coast. Delegate Quade mentioned the fact that the St. Mary's River Watershed project would be an ideal location for the rockfish hatchery, and stated that this could be the beginning of a potential project that could possibly enhance the economic developemnt of St. Mary's County.

Delegate Quade presented a proposed Resolution whereby St. Mary's County would endorse "the formation of a Rockfish Hatchery Committee to study the feasibility of using the St, Mary's River Watershed project, or any other suitable tributary or location within the county, as a rockfish hatchery in support of the state and federal programs, and this important seafood industry resources."

The Commissioners agreed to sign the proposed resolution once it is prepared in final form.

CEDAR LANE APARTMENTS

The County Administrator advised that the Board of Directors of the Home for the Elderly has requested release of reserved funds in the amount of \$25,000 for the expansion of the parking lot at Cedar Lane Apartments. The Commissioners gave their concurrence to request the Budget Officer to encumber \$25,000 of funds that had been budgeted for Cedar Lane Apartments so that the bid documents can be prepared.

MEETING OF THREE BOARDS OF COMMISSIONERS

The County Administrator advised that Charles County Commissioners will be host of the next meeting of the three boards of Commissioners which is scheduled for August 15.



FIRE INSURANCE RE-RATING FOR LEXINGTON PARK

Commissioner Dean advised that Charles Donaldson, Fire Marshal has been working to get Lexington Park re-rated with regard to fire insurance and if it is re-rated, it could mean improved fire insurance rates and represent savings to the business and homes in the Lexington Park area. Commissioner Dean recommended, and the other Board members concurred, to prepare a letter to Mr. Donaldson and the Metropolitan Commission offering the County's assistance in order to accomplish the re-rating with regard to fire insurance.

ZONING DECISION RESOLUTION NO. Z-79-03

CASE NO. ZA 76-5 - OLIVER R. GUYTHER AND ROBERT O. GUYTHER

Commissioner Dean moved, seconded by Commissioner Sayre to authorize the President of the Board to sign Zoning Decision Resolution No. Z 79-03 granting approval to Zoning Application No. 76-5 by Oliver R. Guyther and Robert O. Guyther, for land identified as Parcels 33 and 37, Tax Map 1, per plats filed with said application, requesting a change in classification from AR-2, Agricultural-Residential, to C-2, Commercial. Four Commissioners voted in favor, with Commissioner Millison abstaining.

EMS COORDINATOR POSITION

Commissioner Dean advised that he had requested a week's time to re-evaluate the Commissioners' decision regarding the placement of the duties and responsibilities of the referenced position in the Emergency Operation Center on a trial basis. After discussion the Commissioners agreed to remain with their previous decision that the responsibilities for this position be placed in the EOC office.

AIRPORT COMMITTEE

In light of the fact that legislation was passed to repeal the Public Local Law establishing the Airport Committee and that the creation of the Airport Commission has not been accomplished, Commissioner Dean moved, seconded by Commissioner Arnold to continue on an ad hoc basis the current membership assignment of responsibilities of the St. Mary's Airport Committee until such time as the Airport Commission proposal is acted upon. All Commissioners voted in favor.



OVERTIME FOR SHERIFF'S DEPARTMENT

The County Administrator presented a request for overtime for deputies in the Sheriff's Department and CID Unit for the period April 28 to May 25, 1979 as follows: \$291.53 for Sheriff's Deputies and \$375.75 for CID Deputies.

In view of the fact that funds are available in the salary account to cover the above amounts, the Commissioners agreed to approve payment of overtime.

DEVELOPMENT PLANS - SCOTLAND/POINT LOOKOUT AREA

By correspondence dated April 26, the Metropolitan Commission informed the County Commissioners that a facilities plan is about to be initiated for the sewage treatment facilities at Point Lookout State Park and requested from the County Commissioners a policy statement as to the county's development plans for the area. Commissioner Dean suggested that the Commissioners respond to this correspondence that the county's policy for development in that area is as the present zoning categories indicated.

The meeting adjourned at 5:50

Approved,

  
George R. Aud, President



June 20, 1979  
Page 215