

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, December 12, 1979

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

The meeting was called to order at 9:10 a.m.

HEADMASTER'S HOUSE - CHARLOTTE HALL SCHOOL PROPERTY

The County Administrator advised the Commissioners that bids were solicited for the digging of the well at the Headmaster's House at the Charlotte Hall School property with bids received as follows:

Patuxent Pump and Well	\$5,200 for galvanized pipe
Patuxent Pump and Well	\$4,200 for plastic pipe
J.J. Payne and Sons	\$4,550 for steel pipe

Commissioner Millison moved, seconded by Commissioner Arnold, to accept the lowest bid from Patuxent Pump and Well for plastic pipe in the amount of \$4,200. All Commissioners voted in favor.

Mr. Cox advised the Commissioners that he would return at a later date with recommendations for the interior renovations.

REQUEST TO FILL UPCOMING VACANCY  
ZONING/SUBDIVISION ADMINISTRATOR  
OFFICE OF PLANNING AND ZONING

The County Administrator presented a memorandum from the Personnel Officer requesting authority to begin the hiring process for the position of Zoning/Subdivision Administrator, which will be vacated by Jeff Poley as of January 18, 1980. After discussion the Commissioners agreed to table the matter until after the first of the year.

CLEARINGHOUSE PROJECT NO. 80-11-591  
CECIL'S STORE, CECIL'S MILL HISTORIC DISTRICT

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.

CLEARINGHOUSE PROJECT NO. 80-12-625  
OCEAN HALL RESTORATION - PHASE I

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.

LETTER TO JUDGE WILLIAM O.E. STERLING

The Commissioners agreed to sign and forward a letter to Judge William O.E. Sterling requesting consideration for the placement of a District Court Commissioner in Lexington Park to be accommodated in the Lexington Park Sheriff's Office.

LETTER TO SUPERINTENDENT OF SCHOOLS

The Commissioners agreed to sign and forward a letter to the Superintendent of Schools requesting the unrestricted funds in the amount of \$166,957 which represents FY 78-79 unexpended funds be transmitted to the County to assist in the Lettie Marshall Dent School and the Special Education School.

LETTER TO POTOMAC RIVER FISHERIES

The Commissioners agreed to sign and forward correspondence to the Potomac River Fisheries Commission requesting the establishment of an oyster seed area for the tributaries of Southern Maryland.

TRAFFIC SAFETY GRANT APPLICATION - SHERIFF'S DEPARTMENT

With regard to the Traffic Safety Grant Application presented by the Sheriff at last week's meeting, the County Administrator explained that the grant is 90% (Department of Transportation) - 10% (County) for the first year; 50% - 50% for the second year; and for the third year the County would have to make the decision to continue the project for full county cost or eliminate it.

Commissioner Dean moved, seconded by Commissioner Millison, to authorize Commissioner President Aud to sign said Grant Application. All Commissioners voted in favor.

ECONOMIC IMPACT FEE AGREEMENT  
WILDEWOOD SUBDIVISION

Present: Frank Gerred, Director, Planning and Zoning

The County Administrator presented the Economic Impact Fee Agreement by and between Paragon Builders, Inc., and the Board of County Commissioners of St. Mary's County setting forth the method of payment of the economic impact fee for Wildewood, Neighborhood Two, Cluster Number One, Plat One. Mr. Gerred explained by memorandum of December that this Agreement is being presented to the Commissioners because it states that the Economic Impact fee is to be paid at the time of issuance of the Certificate of Use and Occupancy or transfer, whichever occurs first, which is not in agreement with present county policy.

The Commissioners agreed to defer a decision on this Agreement until next week.

RESOLUTION NO. 79-81  
1979 UPDATE - COMPREHENSIVE WATER AND SEWER PLAN

Having conducted a public hearing on November 28, 1979, on the 1979 Update of the Comprehensive Water and Sewer Plan for St. Mary's County, Commissioner Millison moved, seconded by Commissioner Sayre, to adopt and sign said Resolution No. 79-81 and further that the Plan be submitted to the Maryland State Department of Health and Mental Hygiene. All Commissioners voted in favor.

ENCUMBRANCE VOUCHERS

Commissioner Millison moved, seconded by Commissioner Arnold, to approve payment of the encumbrance vouchers as submitted by the Director of Finance. All Commissioners voted in favor.

APPROVAL OF MINUTES

The Commissioners unanimously approved the minutes of the Commissioners' meeting of November 28, 1979, as submitted.

PRIVATE PARKING LOTS IN TOWNHOUSE DISTRICTS

Present: Frank Gerred, Director, Planning and Zoning  
John Norris, County Engineer  
Eddie Wettengel, Developer, Wildewood

Mr. Gerred advised the Commissioners that the purpose of this meeting was to obtain clarification and direction from the Commissioners with regard to interpretation of the application of our regulations as to whether or not the

County should be involved, and if so, to what extent, in the private facilities in a PUD. With regard to a particular application which is before the Planning Commission, Wildewood Town House Project, Mr. Gerred inquired whether the County wanted to set standards for paving parking lots in townhouse developments or commercial shopping centers.

Mr. Gerred went on to explain that in his interpretation, the County has not specifically adopted regulations that pertain to this and court cases indicate that unless the County has adopted standards for application to certain items, the Court would not uphold the County getting involved.

Mr. Norris stated that he agreed with most of Mr. Gerred's points; however, the Zoning Ordinance states that all site plans, including PUD's, are to be constructed and designed to the standards of the county and that the county must inspect and certify that they are to be built according to standards. Mr. Norris advised that without county involvement, there would be no inspection of materials or work.

Commissioner Dean stated that it was agreed that the Zoning Ordinance allows for the development of private entrances and private parking lots; however, the question remains as to the county's involvement.

A lengthy discussion ensued as to the pros and cons of the county's involvement in such projects; whether the county should approve or inspect standards for the private parking lots and driveways and if the county should get involved, the extent of that involvement.

Later in the day, with the Zoning/Subdivision Administrator being present, and after further discussion of the above, Commissioner Dean suggested and the other Board members concurred, that the Commissioners indicate to the County Engineer's Office and the Planning and Zoning Office in response to their question earlier today, that the County approve the sedimentation and storm drainage; and further that the County Engineer does not have to inspect or approve the plans for the parking lots and driveway entrances and that in lieu of that we will require a Registered Professional Engineer's Certification on plans of the design and standards for private parking lots and driveway entrances in townhouse developments and certification of construction accordingly.

Commissioner Dean added that the above comments are directed only to one particular condition; a townhouse development and specifically the parking lot and entrance to that development when it is retained in private ownership as opposed to County ownership.

ECONOMIC DEVELOPMENT COMMISSION  
MODULAR DISPLAY SYSTEM

Present: Arthur "Buck" Briscoe, Director, EDC  
Mary Salisbury, Chairman, EDC  
James Somerville, EDC Member  
Ed Long, EDC Member  
William Curtis, EDC Member

The referenced members of the Economic Development Commission appeared before the Commissioners to present a recommendation for a modular display unit which could be taken to various events throughout the State. The EDC recommended that Kit No. 19 be purchased from the Giltspur Exposystems Company and that funds for this purchase are available in their budget.

Commissioner Dean moved seconded by Commissioner Millison, to indicate the Commissioners' approval of purchasing the display system as recommended by EDC, if funds are in the budget and further that the Budget Officer determine the source of funds within the EDC budget. All Commissioners voted in favor.

CERTIFIED COUNTIES PROGRAM (PRIME)

Present: "Buck" Briscoe  
Mary Salisbury  
William Curtis  
Ed Long  
James Somerville

Mrs. Salisbury presented a brochure to the Commissioners concerning the Certified Counties Program which is a cooperative program with the State for the attraction of new industry and the development of existing businesses.

The Commissioners requested the EDC to look into this program and what it offers and advise the Commissioners at a later date.

MARYLAND GEOLOGICAL SURVEY

Present: Kenneth Weaver, Director, Md. Geological Survey  
Harry Hansen, Md. Geological Survey  
Frank Chapelle, Md. Geological Survey  
Mike Marlay, Metropolitan Commission  
Harry Knight, Metropolitan Commission  
Steve King, Metropolitan Commission  
Hope Swann, Planning Commission  
G. Bradford Reeves, Planning Commission  
Jack Witten  
Fred Pumphrey  
Other interested citizens

At the request of the Commissioners, representatives of Maryland Geological Survey appeared before the Commissioners to discuss the Piney Point Aquifer and Aquia Aquifer studies. The objective of these studies is to develop information in order to construct a digital model of the aquifer system, which would be used to predict responses of the aquifer system to future pumping.

Mr. Chapelle presented his progress report on the Aquia-Piney Point-Nanjemoy project in Southern Maryland and displayed charts depicting the aquifers through St. Mary's County and their depth.

Mr. Weaver explained to the Commissioners that there is a deeper aquifer in St. Mary's County, which has not been tested and they do not know how much water it will yield, but feel that it will be fresh water.

Discussion ensued as to whether St. Mary's County should participate in a program for the investigation of the deeper aquifer. Mr. Hansen stated that it would be beneficial to have knowledge of the deeper aquifer and recommended one deep boring which would provide information as to potential water supply and water quality. Mr. Hansen advised that if St. Mary's County did participate in the initial phase of the study of the deeper aquifer, the County's cost would be approximately \$30,000. He stated that a multi-county study could be conducted and administered through the RC&D, which would involve a well in each county. The cost would still be approximately the same.

The Commissioners thanked the Maryland Geological Survey representatives for their presentation and advised that they would get back with them as to whether the County would participate in a deeper aquifer study.

CHAMBER OF COMMERCE

Present: Carol Kenney, Director, Chamber of Commerce  
Wayne Swann, President, Chamber of Commerce

The referenced representatives of the Chamber of Commerce presented each of the Commissioners with a ribbon from the Chamber stating "Thank you for shopping St. Mary's County".

LEASE FOR ST. CLEMENT'S ISLAND POTOMAC MUSEUM

Present: Delegate John William Quade

Delegate Quade appeared before the Commissioners and suggested that an interpretation be obtained from the County Attorney by reviewing the lease as to what agreements had been made by the County and by the State and try to arrive at a proposal as to whose is responsible for the heating and air conditioning of the Museum. He stated that major repairs are necessary for the building and it was his interpretation that the State is responsible for major items. The Commissioners concurred that Delegate Quade obtain the County Attorney's opinion that this information be provided to the other delegates.

HEALTH DEPARTMENT PROPOSED LEGISLATION

Present: Delegate John William Quade

As a result of the meeting with State Health Department officials last summer at the County Commissioners' meeting with regard to Health Department Regulations, Delegate Quade stated that several recommendations had been offered. These recommendations deal with the following:

1. Shortening the length of time for the appeals process with regard to perc tests;
2. Uniformity of Health Department Regulations throughout the State;
3. Where lots are approved and regulations subsequently changed. Delegate Quade stated he is introducing proposed legislation to deal with this particular problem.

Delegate Quade recommended to the Commissioners that a two-day conference be held, with County Commissioners, State and local Health Department officials, elected officials and other interested parties such as developers to review the problems of the Health Department and to discuss the following: (1) Personnel problems in the Health Department; (2) Available expertise of the Health Department; and (3) Regulations identification.

Other problem areas were discussed and the Commissioners advised Delegate Quade that they would get back with him at a later date with regard to a conference.

MARYLAND VETERANS HOME COMMISSION

Commissioner Dean advised the Commissioners that with regard to the Maryland Veterans Home Commission's request to purchase additional land at the Charlotte Hall School site, he has had conversations with Senator McNulty.

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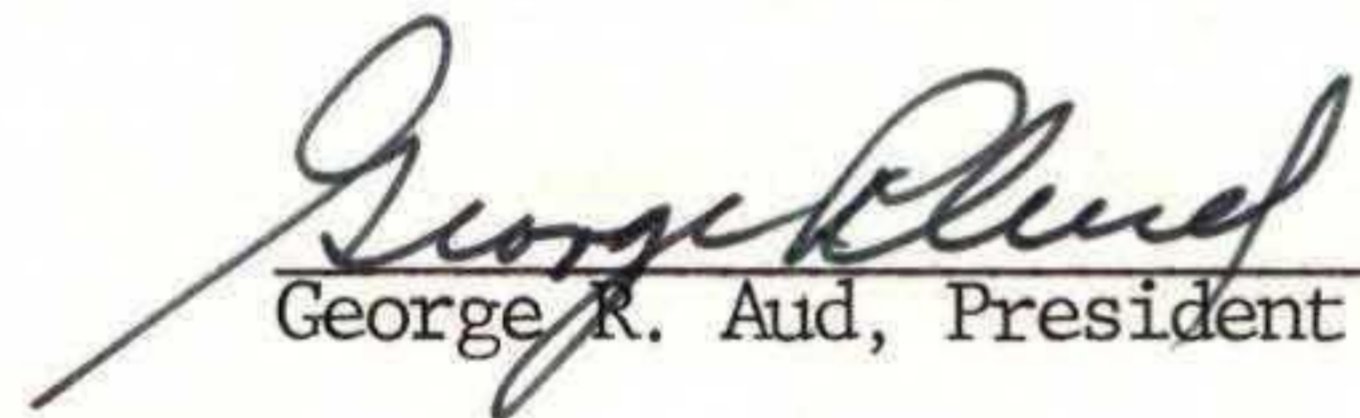
He stated that Senator McNulty indicated that the needs of the Veterans Home Commission now differ from what was originally proposed and agreed upon.

The Commissioners reviewed the plat of the Charlotte Hall School property and Commissioner Dean pointed out the area needed by the Commission which would better fit their needs in order to plan for the Home, which is all of Parcel 8-A and a portion of 8-E.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, that the Board authorize the County Administrator to draft a letter indicating the portion of land that the County is willing to sell for the needs of the Maryland Veterans Home and pointing out that the County will retain an easement for the future widening of Whalen Road. All Commissioners voted in favor.

The meeting adjourned at 2:30 p.m.

Approved,

  
George R. Aud, President