

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, January 29, 1980

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.

METROPOLITAN COMMISSION
BOND ANTICIPATION NOTES

Present: Mike Marlay, Director, Metropolitan Commission
Charles Mander, Attorney, Metropolitan Commission
Ed Clark, Piper and Marbury
Stewart Diana, Piper and Marbury

The referenced representatives of the Metropolitan Commission appeared before the Commissioners to obtain approval that the Metropolitan Commission obtain \$675,000 in bond anticipation notes. These bonds would be used to finance many projects either in the primary stage of development or projects planned for the future as listed in the Metropolitan Commission Resolution which is on file in the County Commissioners' Office.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, that the Board of County Commissioners approve the Resolution adopted by the Metropolitan Commission authorizing the issuance and sale of Bond Anticipation Notes in the amount of \$675,000. Four Commissioners voted in favor with Commissioner Millison abstaining because of possible conflict of interest.

Because the St. Mary's County Code authorizing the Metropolitan Commission to issue bonds requires that the bonds or notes be signed by the Chief Clerk of the Board of County Commissioners or a person who has been lawfully assigned the functions of the Chief Clerk, and because there is now no Chief Clerk to the Board of County Commissioners, Commissioner Dean moved, seconded by Commissioner Sayre, that Edward V. Cox as County Administrator functions as clerk to the Board of County Commissioners of St. Mary's County. All Commissioners voted in favor.

ENCUMBRANCE VOUCHERS

Commissioner Millison moved, seconded by Commissioner Sayre, to approve payment of the bills as submitted by the Director of Finance, with the exception of Voucher No. 29672, payable to Van Hoozier Motors. All Commissioners voted in favor.

Commissioner Millison moved, seconded by Commissioner Dean, to approve payment of Voucher No. 29672, payable to Van Hoozier Motors in the amount of \$25. Four Commissioners voted in favor, with Commissioner Aud abstaining.

APPOINTMENTS
BOARDS, COMMITTEES AND COMMISSIONS

Commissioner Arnold moved, seconded by Commissioner Sayre, and unanimously approved, to make the following appointments:

<u>Tri-County Youth Services Bureau</u>	<u>Term to Expire</u>
Serita McFarling	December 31, 1981
<u>Tourism Council</u>	
Frank Toth	June 30, 1981
<u>Tri-County Community Action Committee</u>	
Leslie Vandivere	June 30, 1982
<u>Human Relations Commission</u>	
Jonathan Nelson	June 30, 1983

CLEARINGHOUSE PROJECT NO. 80-CHU-6
STATE-OWNED REAL PROPERTY (CHANGE IN USE)
(RIGHT-OF-WAY OR EASEMENT)
PROPOSAL BY THE MILITARY DEPARTMENT TO GRANT JOINT USE
OF THE LEONARDTOWN ARMORY ACCESS ROAD TO THE STATE
POLICE POST, LEONARDTOWN, MARYLAND

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.

OYSTER SEED AREA

The County Administrator presented correspondence dated January 11, 1980, from the Potomac River Fisheries Commission in response to the Commissioners' letter and advising of a PRFC meeting to be held February 8, 1980, at 9:30 a.m. in

Colonial Beach, Virginia and that the oyster seed area for the Lower Potomac will be an agenda item. Commissioners Sayre and Arnold advised that they would attend this meeting.

AQUIFER STUDY

The Commissioners reviewed correspondence from Maryland Geological Survey responding to the County Commissioners' letter dated January 2, 1980, relative to aquifer studies and advising they would continue to look for grant sources for the study. The Commissioners agreed to respond that they be requested to explore the alternate funding sources prior to the County's budget process so that consideration can be given at that time whether to allocate funds for the study.

MARYLAND HISTORICAL SOCIETY

The County Administrator presented correspondence from Maryland Historical Society requesting the County's participation in an NEH Challenge Grant in the amount of \$500. The Commissioners agreed to respond that the County's fiscal resources are limited and therefore cannot participate in this grant.

METROPOLITAN COMMISSION MEMBERS

In accordance with Section 113 1D of Public Local Laws, the Metropolitan Commission requested of the County Commissioners a \$300 increase in the compensation paid the members of the Commission. The Commissioners discussed the request and directed the County Administrator to prepare correspondence for the Commissioners' signatures in response to the Metropolitan Commission's request which should reflect the sentiments that the request would be denied because it conflicts with the generally applicable policy that appointed members of advisory and administrative groups serve without compensation.

CORRESPONDENCE TO FAIRBOARD

The Commissioners agreed to sign and forward correspondence to the Fairboard regarding their request for a new lease for the Fairgrounds property and stating that the following organizations will be requested to appoint two of their members to serve on a task force to address specific terms of the lease: Fairboard, Rotary Club, Watermen's Association, Farm Bureau, Chamber of Commerce, Economic Development Commission.

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RE-EXAMINATION OF LEXINGTON PARK
FOR INSURANCE RATING

The County Administrator discussed with the Commissioners correspondence from Insurance Service Office of Maryland regarding a resurvey of Lexington Park, which may result in reduced insurance rates for that area. The Commissioners agreed that correspondence be forwarded to Insurance Services of Maryland making a formal request for a survey of Lexington Park for the purpose of rerating and insurance rate reduction.

RELOCATION OF PERMITS OFFICE

The County Administrator presented the proposed plans for the relocation of the Permits Office to the second floor and the Economic Development Commission to the first floor. After review, the Commissioners approved the concept and the County Administrator advised that the Budget Officer would submit the financial aspect of this move.

SECURITY LIGHT
SEVENTH DAY ADVENTIST CHURCH (WHIRLWIND ROAD)

The Commissioners unanimously agreed to request that a security light be installed at the location of the Seventh Day Adventist Church on Whirlwind Road.

BAY INTERCEPTOR SEWER COMMITTEE

The Commissioners unanimously agreed to appoint Walter Raum of the Health Department to the Committee for Development of Policy for Utilization of the Bay Interceptor Sewer Line.

GASOLINE DISTRIBUTION SYSTEM REPORT

Present: Stewart White, Energy Monitor

Mr. White appeared before the Commissioners to explain in detail the cost effectiveness of a proposal for the installation of a key-controlled gasoline facility. In a written report, which is on file in the County Commissioners' Office, Mr. White covered such items as quantity, location, type of facility, etc.

The Commissioners agreed with the concept as presented and directed that the proposal be included in the FY 1980-1981 budget submission for final decision.

COMMISSION ON AGING
AREA PLAN (TITLE III GRANT)

Present: Billye McGaharn, Senior Services Coordinator

Mrs. McGaharn presented a Grant Application for FY 1980 Support for Title III Area Plan in the total amount of \$161,519.

The Commissioners advised that they would like to have the opportunity to review the Grant Application and in addition that the Budget Officer review the grant and offer his recommendations prior to a decision being made.

PROCLAMATION NO. 80-10
FAMILY WEEK

Present: Phebe Barth
Suzie Camp

The Commissioners presented the referenced proclamation proclaiming the week of February 10, 1980, as Family Week in St. Mary's County.

Ms. Barth and Ms. Camp discussed with the Commissioners the background for the Whitehouse Conference on Families and stated that \$200 is being requested from each of the Boards of County Commissioners in the tri-county area to cover printing costs of the flyers that will be distributed to school age children.

The Commissioners gave their approval of this request for the expenditure of \$200.

ACCEPTANCE OF DEEDS
ST. MARY'S INDUSTRIAL PARK

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that their decision of August 15, 1979, to accept two Deeds accepting certain roads of the St. Mary's Industrial Park into the County Highway Maintenance System would have to be rescinded and that the following Deeds be accepted in their place:

Deed dated January 7, 1980, by and between St. Mary's Industrial Park, Inc. and the Board of County Commissioners of St. Mary's County accepting the following constructed roads into the County Highway Maintenance System; Parcel One (Airport View Drive - 50 foot right-of-way); Parcel Two (Commerce Avenue - 50 foot right-of-way);

Parcel Three; Parcel Four; and Parcel Five.

Deed dated January 7, 1980, by and between St. Mary's Industrial Park and the Board of County Commissioners of St. Mary's County accepting the following right-of-way of non-constructed future road beds: Parcel One (Commerce Avenue Extended); Parcel Two (Future road - 50 foot right-of-way); and Parcel Three (Commerce Avenue Extended).

Commissioner Dean moved, seconded by Commissioner Arnold, to rescind the County Commissioners' motion of August 15, 1979, and further to accept the two Deeds dated January 7, 1980, as presented by the County Engineer and as set forth above. All Commissioners voted in favor.

IRREVOCABLE LETTER OF CREDIT
BIRCH MANOR SUBDIVISION, SECTION III

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the Letter of Credit for the referenced project will be due soon and that there is approximately \$5,000 of work yet to be done. The developer has submitted a check in the amount of \$5,000 and requested that it be held by the County until a replacement bond is presented. The Commissioners agreed to accept a Certified Check in the amount of \$5,000 to be held until a replacement bond is received in like amount.

SURPLUS PROPERTY
MD. RT. 5 - SOUTH OF LEONARDTOWN

Present: John Norris, County Engineer

With regard to correspondence from State Highway Administration which was discussed at the Commissioners' meeting of January 22, 1980, relative to surplus property containing 0.64 acres located on the east side of Md. Rte. 5 approximately 2.2 miles south of Leonardtown, Mr. Norris advised that the right-of-way of the current access road to the Fairgrounds property is 30 feet. Therefore, it was the concurrence of the Board that the current access road to the Fairgrounds was adequate and there was no need for the surplus property.

AIRPORT TAXIWAY PROJECT

Present: John Norris, County Engineer

Mr. Norris stated that the project has been bid and contract awarded. He stated that there are a number of projects being handled by his office that will be utilizing their current inspectors and therefore requested that the Commissioners accept the proposal from the firm that designed the project, Bourne, Gibson, and Shamma, to do the inspection for the Airport Taxiway project. Mr. Norris added that 90% of the costs will be paid by the project.

After discussion, the Commissioners agreed to accept the proposal dated January 25, 1980, from Bourne, Gibson, and Shamma at a maximum amount of \$250 per day including travel and expenses to do the inspection of the Airport Taxiway Project.

REGULATIONS AFFECTING LANDFILLS

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that legislation is proposed that will affect landfills and current regulations that are affecting them financially and operationally. He referred to proposed legislation (Senate Bill 186) which deals with adjoining property owners to a landfill and their right to recover damages of decrease in property value and further that the Health Department will not allow validation of a current permit to open up one of the cells of the St. Andrews Landfills without going through a process of topography plans and public hearing.

The Commissioners request Mr. Norris to obtain more details and return to the Commissioners for discussion.

OAKVILLE LANDFILL

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners of the condition of the Oakville Landfill in that it is sandy soil, with a leaching problem and the current area being landfilled is reaching capacity. Mr. Norris stated that there are four alternatives; extend the landfill and cross the stream, convert it to a transfer station, or create another landfill or transfer station in the Mechanicsville area. Mr. Norris requested authority to have Tri-County Council assist him in studying the most economical way to proceed. The Commissioners gave their concurrence.

CHANCELLORS RUN ROAD

Present: John Norris, County Engineer

Mr. Norris stated that traffic counts have recently been conducted on Chancellors Run Road and there is a 30% increase in traffic in two years. He stated that a decision needs to be made as to how to proceed with the project. Mr. Norris advised that it was his recommendation to utilize state aid funding (70%-30%) and reconstruct the portion from Md. Rt. 235 to Hewitt Road, the most heavily trafficked portion. Commissioner Dean suggested that this project be looked at during the budget process of the overall road program and considered at that time.

After discussion of this matter and the property's owners' feelings on the reconstruction, the Commissioners agreed to defer a decision until after investigating further as to the opinion of the majority of the property owners. The Commissioners agreed to discuss the matter in two weeks.

RECLASSIFICATION
LAW CLERK'S POSITION

The County Administrator advised the Commissioners that Judge Mattingly has requested an increase of the salary for David Jenny, Law Clerk, from Grade 10 Base to Grade 12, Base. Funds are available in the Judge's salary account.

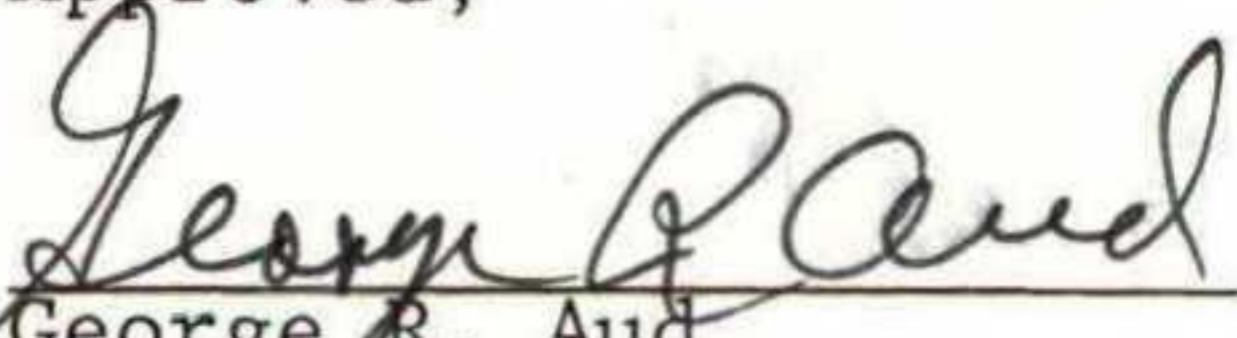
Commissioners Dean moved, seconded by Commissioner Sayre, to approve the reclassification of the Law Clerk position from Grade 10 Base to Grade 12 Base effective February 1, 1980. All Commissioners voted in favor.

EXECUTIVE SESSION

The Commissioners agreed to discuss a matter of Personnel (litigation) in Executive Session. The Session was held from 12:30 p.m. to 2:15 p.m.

The meeting adjourned at 2:15 p.m.

Approved,


George R. Aud
President