

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, May 6, 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 9:15 a.m.

RESIDENT MAINTENANCE ENGINEER'S REPORT

Present: John D. Raley, Resident Maintenance Engineer  
John Norris, County Engineer

Mr. Raley presented his twice-monthly report to the Commissioners and received input from the Board as to additional areas of concern relative to road and drainage problems.

FORMAL ACCEPTANCE OF ROADS  
WILLIE CHESELDINE ROAD  
OLD BEACH ROAD

Present: John D. Raley, Resident Maintenance Engineer  
John Norris, County Engineer

As recommended by Mr. Raley, Commissioner Millison moved, seconded by Commissioner Sayre, to formally acknowledge the existence of Willie Cheseldine Road, Seventh Election District, and Old Beach Road in Breton Bay, Third Election District, inasmuch as these roads have been maintained by the County and therefore are to be placed on record so that the County can receive tax revenues. All Commissioners voted in favor.

CORRECTION OF DITCH PROBLEM  
SIMPSON PROPERTY - GOLDEN BEACH

Present: John D. Raley, Resident Maintenance Engineer  
John Norris, County Engineer

Mr. Raley requested authorization from the Board of County Commissioners for the expenditure of \$8,000 to correct the ditch problem in front of the Simpson property. Commissioner Millison moved, seconded by Commissioner Sayre, to complete this roadwork as she had been promised previously. Four Commissioners voted in favor, with Commissioner Dean voting against.

HOLDING TANK FACILITY

Present: Walter Raum, Health Department  
Mike Marlay, Metropolitan Commission  
Harry Knight, Metropolitan Commission

The referenced individuals appeared before the Commissioners to report on the use of holding tanks in other jurisdictions in the State of Maryland to demonstrate the possible positive benefits; namely, the development of subdivisions in smaller lots anticipating the arrival of public sewage systems and the development of subdivisions earlier than would normally be allowed in anticipation of the arrival of public sewage systems. Various other issues were discussed relating to holding tanks and the positive and negative aspects, especially the cost factors. Also discussed was the use of the Mound System as an alternative and the fact that four systems are in existence and operating successfully.

The Commissioners requested the Health Department and Metropolitan Commission to develop a report that would detail the cost factors of holding tanks in St. Mary's County.

TAXPAYERS' ASSOCIATION  
COMMENTS ON FY '81 COUNTY BUDGET

Present: Ed Curley, President  
Murray Jackson  
Claude Jarboe  
Elizabeth Jarboe  
Robert Jarboe  
Mr. and Mrs. Webster Bell  
Tony Brooks  
Charles Mattingly

The referenced members of the Taxpayers' Association appeared before the Commissioners to offer their comments with regard to various categories of the FY '81 Budget. Areas discussed were the following: Board of Education, Sheriff's Department, Walden Counseling Center, Roads, and Commission on Aging.

In closing, representatives of the Taxpayers' Association requested the Commissioners to continue their conservative approach to the Budget and that there be no increase in the budget.

PROCLAMATION NO. 80-40  
RESPECT FOR LAW WEEK

Present: "Bo" Bailey  
James Beavan

The Commissioners presented the referenced proclamation proclaiming the week of May 1 through May 7, 1980 as "Respect for Law Week."

PROCLAMATION NO. 80-38  
POLICE WEEK - POLICE MEMORIAL DAY

Present: Lt. Meidzinski, MSP  
Sheriff Joseph L. Somerville

The Commissioners presented the referenced proclamation proclaiming the week of May 12-18, 1980 as Police Week in St. Mary's County and further that May 15, 1980 be Police Memorial Day.

PROCLAMATION NO. 80-42  
SOIL STEWARDSHIP WEEK

Present: Timothy Frank  
James Beavan

The Commissioners presented the referenced proclamation proclaiming the week of May 12-18, 1980 as Soil Stewardship Week.

PROCLAMATION NO. 80-41  
OLDER ST. MARY'S COUNTIAN MONTH

Present: Representatives of Commission on Aging

The Commissioners presented the referenced proclamation proclaiming the Month of May as Older St. Mary's Countian Month.

VOUCHER APPROVAL - COUNTY ENGINEER'S OFFICE

Present: John Norris, County Engineer

Mr. Norris presented Encumbrance Voucher No. 031204 in the amount of \$18,219 payable to Raymond Woodburn for contract rental services for the period of 4/8/80 through 5/1/80 (Hollywood Shores, Spring Valley, St. John's Road and Asphalt Project 80-1-5)

May 6, 1980  
Page 158

Commissioner Millison moved, seconded by Commissioner Arnold, to approve the referenced Voucher as presented by the County Engineer. All Commissioners voted in favor.

VOUCHER APPROVAL - COUNTY ENGINEER  
PROJECT NO. SM 78-1-8

Present: John Norris, County Engineer

Mr. Norris presented Voucher No. 031025 payable to Southern Maryland Electric in the amount of \$22,647.49 for utility relocation cost for Asphalt Project No. 78-1-8 (St. John's Road).

Commissioner Millison moved, seconded by Commissioner Dean, to approve payment of said Voucher. All Commissioners voted in favor.

RAILROAD RIGHT-OF-WAY ADDENDUM  
KAPLAN PROPERTY

Present: John Norris, County Engineer

Mr. Norris presented an addendum to the Railroad Right-of-Way Easement Agreement which gave Dr. Kaplan permission for two gravel accesses to his property. Dr. Kaplan is now requesting that he be allowed to pave those two entrances, which would connect one parking lot to another.

Commissioner Dean moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign the Easement Agreement granting Dr. Kaplan permission to asphalt the two entrances, subject to approval by the County Attorney and the Addendum being signed by Southern Maryland Electric. All Commissioners voted in favor.

ACCEPTANCE OF DEED  
INDIAN RIVER ESTATES, SECTION TWO

Present: John Norris, County Engineer

Mr. Norris presented a Deed dated February 20, 1980 by and between The Winston Corporation and St. Mary's County guaranteeing the completion of the following roads in Indian River Estates Subdivision, Section Two: Commanche Lane, Pocohantas Drive, Tomahawk Court, Moccasin Court, Bow Court, Hiawatha Circle.

Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign said Deed. All Commissioners voted in favor.

DEED OF EASEMENT AND AGREEMENT  
RAILROAD RIGHT-OF-WAY

Present: John Norris, County Engineer

Mr. Norris presented correspondence from the Metropolitan Commission dated April 22, 1980 enclosing a Deed of Easement and Agreement for extension of a sewer line (Three Notch Interceptor) and related appurtenances along the abandoned railroad right-of-way, beginning 1200 feet northwest of Old Rolling Road and extending to a point 1900 feet northwest of St. Andrews Church Road. This will provide a temporary force main to serve the multi-family section of the Wildewood Subdivision PUD.

Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign the Deed of Easement and Agreement by and between St. Mary's County, SMECO and Metropolitan Commission pertaining to the Three Notch Interceptor. All Commissioners voted in favor.

ST. ANDREWS LANDFILL

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that he has encountered difficulties with the State Health Department relative to permit requirements for the new landfill site at St. Andrews. He stated that they are requiring soil analyses which would cost approximately \$40,000 to \$50,000 and would have to adhere to the new regulations with the exception of a public hearing. Mr. Norris was of the opinion that this is not necessary inasmuch as the new landfill is located on the same soils as the current landfill. In addition, he requested permission to write a letter to the Health Department stating the County's position on the matter on monitoring wells and let the Health Department respond with specifics. The Commissioners gave their concurrence.

PUBLIC WORKS AGREEMENT  
RE-SUBDIVISION OF CEDAR COVE, SECTION I

Present: John Norris, County Engineer

Mr. Norris presented a Public Works Agreement dated May 6, 1980 by and between Westinghouse Electric Corporation and St. Mary's

County guaranteeing completion of the roads in the Re-subdivision of Cedar Cove, Section I by May 1, 1981.

As recommended by the County Engineer, the Commissioners unanimously approved accepting and authorizing Commissioner President Aud to sign said Public Works Agreement and further to release the "Stop Work Order" that was issued for this subdivision.

PUBLIC HEARING  
SPECIAL TAXING DISTRICT FOR ROAD IMPROVEMENTS  
GOLDEN BEACH SUBDIVISION

Present: John Norris, County Engineer  
Bradley Dorf, Property Owner  
Mrs. Olson, Property Owner  
Kathy Olson

The Commissioners conducted a Public Hearing on the Special Taxing District for the Construction of Streets and Roads in a portion of Golden Beach Subdivision. Lots included in the proposed Taxing District are shown on Plat 1, Section 3, and Plat 2, Section 3 recorded among the land records of St. Mary's County.

Mr. Norris advised that the maximum assessment would be \$136.17 per contiguous lot in common ownership. He stated that there are 36 contiguous lots, with 21 favorable signatures and 15 negative or no response, which is a 58% majority. If it was based just on lots there were 25 favorable signatures - 58% majority also. If based on property owners (35) 20 were favorable, 15 did not, giving a 57% majority.

Commissioner President Aud inquired if anyone present wished to speak for or against the Special Taxing District; hearing none, the public hearing was closed.

The record will remain open for a period of ten days prior to signing of the Ordinance establishing the Special Taxing District. The proceedings of the hearing were taped and the complete record and tape are on file in the County Engineer's Office.

CRIME PREVENTION PROGRAM

Present: Lt. Miedzinski, MSP  
Sgt. Dammann, MSP

Lt. Meidzinski and Sgt. Dammann appeared before the Commissioners to apprise them of the Crime Prevention Bus being proposed by the Maryland State Police. Sgt. Dammann stated that the bus will provide a means of reaching the citizens in a more

attractive manner and will be a permanent display of materials related to crime prevention which can be taken to various county activities such as the Fair and Blessing of the Fleet. The vehicle will be equipped with a complete communications system and can serve as a mobile unit during crisis situations.

Sgt. Dammann stated that contributions have been received from throughout the community to assist in the renovation of the bus and the bus should be completed by early fall. He pointed out that the bus will be available for use by the Sheriff's Department and any other agency if needed. The State Police will maintain the bus and provide fuel; however, the contents will belong to the citizens of the County.

In conclusion, the Commissioners advised that the Crime Prevention Bus is a commendable project and that the County would like to make a contribution; however, this decision as well as a specific amount, will be made prior to the finalization of the FY '81 Budget.

(Commissioner Sayre left the meeting.)

BASHFORD MANOR SUBDIVISION  
(CHAPTICO BAY ESTATES)

Present: Alberta Hayden  
Joseph Dufresne  
Frank Gerred, Director, Planning and Zoning

Mrs. Hayden appeared before the Commissioners to request assistance in having the developer of Bashford Manor Subdivision relocate the access road which currently runs through her property.

Mr. Gerred explained the history of the subdivision stating that when the original subdivision, Chaptico Bay Estates, was approved, two lots were inadvertently not recorded. (Mr. Dufresne owns one of these lots.) He further explained that the Office of Planning and Zoning missed an opportunity to clear up the matter when Mr. Imbres changed the name of the subdivision to Bashford Manor, and two additional lots were approved at that time. Mr. Gerred stated that in order to correct the problem concerning Mrs. Hayden, an Agreement has been prepared by the Planning Commission requiring that prior to approval of any additional lots, the developer would have to construct another road so that traffic would be removed from Mrs. Hayden's farm. He stated that Mr. Imbres has agreed to this but has not signed the Agreement to date.

May 6, 1980  
Page 162

Mrs. Hayden expressed concern if the developer were to sell the entire land would the same problem occur. Mr. Gerred responded that the same requirement as set forth in the Agreement would apply.

In conclusion, the Commissioners directed Mr. Gerred to wait no longer than 15 days for Mr. Imbres to sign the Agreement, and if it is not signed by them, to return for discussion of other alternatives.

#### SHERIFF'S OVERTIME

The County Administrator presented a request for overtime by the Sheriff's Department for the period beginning March 1, 1980 through April 25, 1980 as follows: \$434.59 for regular deputies and \$188.60 for CID deputies.

Commissioner Millison moved, seconded by Commissioner Aud to approve this overtime request. All Commissioners present voted in favor.

#### LETTER OF INTENT PUBLIC TRANSPORTATION PROJECT

The County Administrator presented correspondence for the Board's signatures giving notice of intent to apply for transportation funding the committing a local business to provide the local share of the grant.

The Commissioners agreed to sign and forward said letter.

#### MOUND SYSTEM AGREEMENT

The County Administrator presented a Mound System Agreement by and between James R. Payne and the Board of County Commissioners and the Department of Health for a test site for a mound system in the Fifth Election District.

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

(Commissioner Millison left the meeting.)



KEYLOCK GASOLINE PUMP AT ST. ANDREWS LANDFILL

The County Administrator advised the Commissioners that both Recreation and Parks and the County Engineer's Office use the gas pumps at St. Andrews Landfill and in order to resolve problems that have arisen, they have requested a keylock system at a cost of \$3300. If approved by the Board, an account transfer will be necessary.

The Commissioners approved the installation of the keylock system and further to approve the transfer of \$1650 from Recreation and Parks Account No. 1812-1110.

SCAVENGER LICENSES AND SEPTIC LICENSES

The County Administrator presented correspondence from the Director of Planning and Zoning recommending that the issuance of Scavenger Licenses and Septic Licenses be turned over to the Health Department inasmuch as they have the responsibility of overseeing this work and testing. The Commissioners gave their concurrence.

TOURIST INFORMATION CENTER

The Commissioners reviewed correspondence dated May 1, 1980 from the Chamber of Commerce stating unwillingness to use a mobile unit for a Tourist Information Center. After some discussion, Commissioner Dean agreed to discuss this matter with Chamber of Commerce representatives.

ROAD RESOLUTION NO. R80-20

On behalf of the County Engineer, the County Administrator presented the referenced Resolution designating the following streets in Knolland I Subdivision as Stop Streets:

1. Walter Court as it intersects with Vinessa Court;
2. William Court as it intersects with Vinessa Court;
3. Vinessa Court as it intersects with Oask Cooksey Swamp Road.

Commissioner Arnold moved, seconded by Commissioner Dean, to authorized Commissioner President Aud to sign said Road Resolution. All Commissioners voted in favor.

ST. MARY'S JAIL LOAN OF 1978

The County Administrator discussed with the Commissioners correspondence from the Board of Public Works requesting the County's position with regard to the St. Mary's Jail Loan of 1978 for the purpose of bond issuance in the construction of equipping a county jail facility.

Commissioner Dean moved, seconded by Commissioner Arnold, to complete the enclosed form indicating that St. Mary's County will not be submitting an application for matching funds for the Jail Loan of 1978. All Commissioners present voted in favor.

COOPERATIVE REIMBURSEMENT GRANT  
(STATE'S ATTORNEY'S OFFICE)

The Commissioners reviewed the Grant Application for the Cooperative Reimbursement Program which has been reviewed by the Budget Officer and agreed to forward it to the State with the provision that the salary level of the Assistant State's Attorney funded in the grant be discussed next week with the State's Attorney.

COMMISSION ON AGING  
NOTIFICATION OF GRANT AWARD - TITLE III-B

The County Administrator presented a Notification of Grant Award for the revised Title III-B Commission on Aging grant in the amount of \$48,292, which has been reviewed by the Budget Officer.

The Commissioners gave their concurrence.

MARGARET BRENT GYMNASIUM RENOVATIONS

Present: John Norris, County Engineer

The County Administrator reviewed correspondence from the Director of Recreation and Parks requesting a transfer of funds in the amount of \$6,000 for the completion of the renovation of the Margaret Brent gymnasium. Mr. Norris indicated that the work that needs to be done is to finish the floors, sanding, putting up doors and generally making it useable by the public.

The Commissioners gave their concurrence.

MARGARET BRENT MEMORABILIA

Commissioner Arnold suggested that since the old Margaret Brent School has been torn down that the school memorabilia such as trophies, ribbons, flags, etc., should be placed at the gymnasium or the new school in glass cases to be enjoyed by the students. The County Administrator agreed to talk to the principal of the school and look into this.

MARYLAND VETERANS HOME

Commissioner Dean advised the Commissioners that the State General Services Administration is in the process of designing the water tower for the water system for the Veterans Home which is to be located at Charlotte Hall. The tower is being designed for the 500-bed facility only. He stated that the County has a 60-day time frame in which to make any input as to this design, and we should give consideration whether the County anticipates any future need and may want to utilize or hook into that system. If the County should determine there is a future need, and to what extent, then we would have to participate in the funding on a pro-rated basis. Therefore, Commissioner Dean suggested that the County Administrator contact the various planning agencies to determine if the County should have any involvement in this. The Commissioners gave their concurrence.

SOTTERLY MANOR, SECTION II

Present: George Sparling, Attorney for Developer  
John Norris, County Engineer

As a follow up to last week's discussion relative to the Public Works Agreement that will be expiring June 30, Mr. Sparling appeared before the Commissioners to report on what work needs to be done in order to complete the roads.

Discussion ensued as to the length of time needed to complete the work and at the recommendation of the County Engineer, the Commissioners agreed to set a paving schedule for the end of July and stabilization by end of October. Mr. Sparling agreed to this and Mr. Norris was directed to present a modified Public Works Agreement for the Commissioners' review and approval.

REVENUE SHARING BILL

Commissioner Dean referred to correspondence from Howard County Government to Senator Sarbanes relative to General Revenue

May 6, 1980  
Page 166

Sharing and recommended that correspondence be prepared for the Board's signatures requesting the passage of the Revenue Sharing Legislation. The Commissioners concurred.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioner's meeting of April 22, 1980. All Commissioners voted in favor.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioner's meeting of April 29, 1980 as amended. All Commissioners voted in favor.

The meeting adjourned at 3:00 p.m.

Approved,

  
George R. Aud  
President