

BOARD OF COUNTY COMMISSIONERS MEETINGTuesday, September 23, 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 9:05 a.m.

ENCUMBRANCE VOUCHERS

Commissioner Millison moved, seconded by Commissioner Dean, to approve payment of the bills as submitted by the Director of Finance, with the exception of Voucher No. 033256. All Commissioners voted in favor.

Commissioner Aud moved, seconded by Commissioner Dean, to approve payment of Voucher No. 033256. Four Commissioners voted in favor, with Commissioner Millison abstaining. Motion carried.

DETENTION OF JUVENILES

Present: Sheriff Somerville
Marvin Kaminetz

The referenced individuals appeared before the Commissioners to discuss the situation of detaining juveniles once they are picked up and are waiting to go to Court or waiting to be taken to detention. Mr. Kaminetz explained that it was against State Law to incarcerate a juvenile in an adult jail or detention center. He stated that the biggest problem in St. Mary's is detaining a juvenile while waiting to go to Court. He further stated that Judge Mattingly has given permission on a temporary basis for use of the Petit Jury Room. However, that use will require a deputy or security to stay with the juvenile until the court appearance.

After discussion of whether the old Sheriff's Office or other location could be used and the Sheriff stating that this could be used and the Sheriff stating this would not be adequate, the Commissioners agreed that improvements should be made to the Petit Jury Room (bars on windows and glass door) so that it can be used for juvenile detention.

REGIONAL RESOURCE CENTER

The County Administrator presented correspondence for the Commissioners' signatures to Mr. Lance Finney, Specialist Library Planning and Facilities stating the County's recommitment of donation of land for the Regional Resource Center, and that the County reserves the right to place a future branch library at the same site. Mr. Cox advised that the State has a problem with a County library at that location as they feel it would set a precedent, and would like for the County to reconsider other alternatives, none of which are favorable to the County. The Commissioners agreed to sign and forward said letter.

TREASURER'S OFFICE/COURTHOUSE

Present: Joseph E. Bell, County Attorney

The County Administrator recommended, with the County Treasurer's concurrence, that the Treasurer's Office at the Courthouse be closed because the original reasons for the establishment of this office no longer justify the continued expenditure of funds. The County Attorney explained to the Commissioners that public local law requires that a Treasurer's Office be located in the Courthouse and that until such time as that legal requirement is removed from public local law, an arrangement should be made on at least a minimum basis to have the County Treasurer provide service from the Courthouse; i.e., one or two hours a day on one or two days a week. The Commissioners agreed that the office should be closed as it now exists, but that public local law should be complied with by providing at least minimal service as the County Attorney suggested.

TRANSPORTATION BOND ISSUE

The County Administrator presented correspondence dated September 17, 1980 from the Maryland Department of Transportation concerning the County's participation in the forthcoming County Transportation bond issue. Because of change of the level of interest rates, the Department of Transportation will contact the County on October 3 to inquire if we still wanted to participate. The County Administrator recommended that the Budget Officer, Joe O'Dell be the contact person with the State. The Commissioners gave their concurrence.

REQUEST FOR WAIVER OF FEES

The County Administrator presented correspondence from Attorney Bailey representing the Amish Parochial School requesting a waiver of subdivision plat fee and building permit fee for the school to be built off of Md. Rte. 236 in the Fifth Election District. The Commissioners agreed to waive the fees as requested.

LOT 905, GOLDEN BEACH

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

As a follow up to last week's meeting with the owner of Lot 905 of Golden Beach, Mr. Edward Gardiner, the County Attorney presented correspondence to the bonding company relating the sequence of events concerning this property and recommending that a draft in the amount of \$10,000 (the amount of the bond guaranteeing the completion of work) be issued to the County. The County will then contract to have the necessary work done. The Commissioners agreed to sign and forward said letter.

LOCAL LEGISLATION RESTRICTING THE SALE
OF DRUG PARAPHENALIA

Present: Joseph E. Bell, II, County Attorney

Commissioner Millison asked the County Attorney for his opinion concerning the enactment of local legislation restricting the sale of drug paraphenalia in St. Mary's County since there is reported success with such legislation in other counties, particularly Anne Arundel. The County Attorney stated that such legislation is being challenged in other jurisdictions and the issue will be settled by the Courts. However, he suggested that the County Commissioners should include this item in their upcoming legislative package.

DISCUSSION OF POSSIBLE LEGISLATION
PROHIBITING TRANSFER OF HAZARDOUS WASTE

Present: Joseph E. Bell, II, County Attorney

During discussion of transporting of hazardous waste, the County Attorney was asked for comment concerning the authority of the County Commissioners to regulate the

transfer and disposal of hazardous waste in St. Mary's County. Mr. Bell explained that in his opinion the Commissioners did not have legislative authority as the local Board of Health, but administrative authority under laws and regulations already passed. Therefore, in his opinion the Commissioners did not have the authority at this time to adopt an Ordinance regulating the transfer and disposal of hazardous waste. He recommended that the Commissioners submit to the 1981 General Assembly a request for enactment of a public local law regulating the transfer and disposal of hazardous waste. The Commissioners agreed and requested that he continue to investigate their authority in this matter.

Later in the meeting Frank Gerred, Director of Planning and Zoning appeared before the Commissioners to discuss this matter and the arrangements for a public informational meeting. Mr. Gerred was requested to work with the County Attorney in possible adoption of a local Ordinance regulating the transfer and disposal of hazardous waste.

ST. MARY'S COUNCIL ON CHILDREN AND YOUTH

Present: Phebe Barth, Youth Services Coordinator
Joan Marsh, Chairman, Council on Children and Youth

The referenced individuals appeared before the Commissioners to present an Annual Report of the activities of the Office and Council on Children and Youth. Included in the report was an evaluation of the youth programs and services and a report on this year's Youth Employment Program. During discussion of the Employment Program the Commissioners recommended that the Council on Children and Youth contact the Chamber of Commerce to see if their members would commit themselves to a certain amount of jobs per year for the youth. Also, the Commissioners suggested that the Employment Security Office be contacted to determine what services they perform for the Youth Employment Program.

The Commissioners expressed their appreciation for the accomplishments of the Office and Council on Children and Youth.

A copy of the Annual Report is on file in the Commissioners' Office.

FUEL DISTRIBUTION FACILITY - GOVERNMENTAL CENTER

Present: John Norris, County Engineer

Mr. Norris presented the plans for the Fuel Distribution Facility to be located at the Governmental Center and requested the Commissioners' concurrence as to the location and configuration. The Commissioners' gave their concurrence.

ST. MARY'S COUNTY AIRPORT SEEDING

Present: John Norris, County Engineer

Mr. Norris stated that the five acres of land at the Airport was cleared with grant funds from FAA, however it was not seeded. He stated that funds are available in the project and recommended a contract modification to include the seeding with the existing contractor, Dean Construction Company. The Commissioners gave their concurrence pending concurrence from FAA.

POLICY ON FRONTAGE IMPROVEMENTS
COUNTY ROAD ORDINANCE

Present: John Norris, County Engineer

As directed by the Board of County Commissioners the County Engineer presented a Policy on Frontage Improvements for the County Road Ordinance based on 1500 vehicles per day.

The Commissioner gave their concurrence to the recommended policy.

MATTAPANY ROAD - COST COMPARISONS

Present: John Norris, County Engineer

For the Commissioners' information, Mr. Norris presented Cost Comparisons on Mattapany Road which demonstrated that the project was accomplished for less than the estimated cost and that the County realized a savings on the project.

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CHAPTICO WHARF ROAD

Present: John Norris, County Engineer

Mr. Norris advised that there will be funds remaining in the Asphalt Overlay Account and the Commissioners directed that Chaptico Wharf Road (1 1/10 of a mile) be included in the Asphalt Overlay projects using these funds.

APPROVAL OF VOUCHER
MATTAPANY ROAD

Present: John Norris, County Engineer

Mr. Norris presented Voucher no. 033197 payable to Raymond Woodburn in the amount of \$25,081 for Estimate Nos. 8 and 9 for work on Mattapany Road. Commissioner Dean moved, seconded by Commissioner Arnold, to approve payment of said voucher. All Commissioners voted in favor.

WALDEN COUNSELING CENTER

Present: John Norris, County Engineer

Mr. Norris presented the plans for the construction of the 60' by 28' building for the Walden Counseling Center which is being advertised for bids.

Commissioner Dean moved, seconded by Commissioner Millison to authorize Commissioner President Aud to sign the plans as submitted by the County Engineer. All Commissioners voted in favor.

COMMISSION ONAGING
INTERIM NOTIFICATION OF GRANT AWARD
TITLES III-B, III-C 1, III-C 2

Present: Billye McGaharn, Senior Services Coordinator

Mrs. McGaharn explained the reasons for the Interim Modifications of Grant Award for Titles III-B (\$25,507), III-C-1 (\$23,555) and III-C-2 (\$2,118) and the funding involved. Because of illness the Budget Officer had not had the opportunity to review the NGA's. Therefore, the

Commissioners stated that their final approval would await the review and comment of the Budget Officer.

RETIRED SENIOR VOLUNTEER PROGRAM

Present: Billye McGaharn, Senior Services Coordinator

Mrs. McGaharn explained the modifications in the funding amounts (Federal - \$29,012, Local \$3,223 - Total \$32,235).

Commissioner Dean moved, seconded by Commissioner Millison, to authorize the President of the Board to sign the Revised Application for the RSVP Program, and that if awarded, the local share will come from a Reserve for Contingency transfer. All Commissioners voted in favor.

TITLE IV-A TRAINING FUNDS

Present: Billye McGaharn, Senior Services Coordinator

Mrs. McGaharn presented the contract by and between the State Health and Education Council and St. Mary's County for a council training program for employees and volunteers of the Office on Aging in the amount of \$650. No county funds are involved. Commissioner Dean moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign said Agreement. All Commissioners voted in favor.

SENIOR CITIZEN POPULATION

Present: Billye McGaharn, Senior Services Coordinator

Mrs. McGaharn distributed information describing the growing senior citizen population in the United States and its predicted impact upon this country's future social programs.

PUBLIC HEARING
COUNTY TRANSPORTATION BONDS

The Commissioners conducted a public hearing to consider a proposed Ordinance which has as its purpose the participation of St. Mary's County in the Fiscal Year 1980-81 State Road Bond Program to the extent of One Million Five Hundred and Seventy Thousand (\$1,570,000) Dollars. The County's participation in the State Road Bond Program will provide funds for needed road projects.

No one present expressed comments either for or against the bond issue. The record will remain open for at least ten days prior to consideration of adoption of the Ordinance.

A tape of the proceedings is one file in the Commissioners' Office.

FISCAL CLERK II
DIRECTOR OF FINANCE OFFICE

By memorandum dated September 23, 1980 the Personnel Officer recommended that the County Commissioners appoint Mrs. Lillian Buckler to the position of Fiscal Clerk II, Grade 7, in the Office of Finance, effective September 26, 1980.


Commissioner Millison moved, seconded by Commissioner Arnold, to accept this recommendation. All Commissioners voted in favor.

EMPLOYMENT CONTRACT
EDWARD V. COX - COUNTY ADMINISTRATOR

After review of the referenced Employment Contract, Commissioner Millison moved, seconded by Commissioner Dean, to approve and sign the Employment Contract for Edward V. Cox, County Administrator. All Commissioners voted in favor.

The meeting adjourned at 2:45 p.m.

Approved,


George R. Aud
President