

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, October 28, 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.

ENCUMBRANCE VOUCHERS

Commissioner Millison moved, seconded by Commissioner Arnold, to approve payment of the bills, with the understanding that the Commissioners will thoroughly review the Sheriff's Department travel expenses during the next budget process. All Commissioners voted in favor.

FIREARMS RANGE
SHERIFF'S DEPARTMENT

The County Administrator presented correspondence dated October 21, 1980 from the Sheriff requesting approval to lease a site at the watershed property on Indian Bridge Road, Great Mills, for a firearms range. There will be no cost involved other than having the land graded on occasion. Mr. Cox stated that the County Attorney will negotiate with the State and will return to the Commissioners for final approval.

The Commissioners gave their concurrence for the County Attorney to proceed with negotiations with the State.

ZONING RESOLUTION NO. Z-80-6
RONALD R. PAYNE AND JOHN STONE, JR.
ZONE NO. 80-1933

Commissioner Dean moved, seconded by Commissioner Arnold, to adopt and sign the referenced Zoning Resolution No. Z-80-6 granting the zoning request from R-15, Residential, to C-2, Commercial, for property containing approximately 2.40 acres (Tax Map 51, Parcels 20 and 327) located in the Eighth Election District.

REQUEST FOR ESTABLISHMENT OF PART TIME POSITION - PORTER
OFFICE OF PURCHASING AND LOGISTICS

The County Administrator stated Mr. James Miller, Custodian in the Office of Purchasing and Logistics, who had retired, had been responsible for the opening of various county buildings in the morning. It was recommended that Mr. Miller be hired on a part-time basis in the position of Porter in the Office of Purchasing and Logistics to continue the opening of county building process.

Commissioner Sayre moved, seconded by Commissioner Arnold, to approve the establishment of the Part-time Porter position and hire Mr. Miller in that position. All Commissioners voted in favor.

ADDENDUM TO PUBLIC WORKS AGREEMENT
ESPERANZA FARMS, Section 2-F, 3-B, and 5-B

On behalf of the County Engineer, the County Administrator presented an Addendum to the Public Works Agreement by and between Robert G., Margaret C., Franklin W., and Mary G. Dean, extending the deadline for the completion of the roads in Esperanza Farms Subdivision, Sections 2-F, 3-B, and 5-B, from October 31, 1980 to December 31, 1980.

Commissioner Sayre moved, seconded by Commissioner Aud, to accept and authorize Commissioner President Aud to sign said Addendum. Four Commissioners voted in favor, with Commissioner Dean abstaining. Motion carried.

ROAD RESOLUTION NOS. 81-4 and 81-5

On behalf of the County Engineer, the County Administrator presented the referenced Road Resolutions as follows:

Road Resolution 81-4 - Setting the speed on the following roads at 25 miles per hour:

Cedar Cove Subdivision (Resubdivision of Section I)

Long Lane, Defender Street, Constellation Street
and Columbia Street.

Park Hall Estates

Manor Drive

Greens Rest Manor

Governor's Court and Delegates Court

Chickasaw Run

Chickasaw Place

Widow Woods

Jessie Drive, Widow Lane and Talmadge Court

Friendly Pines

Nancy Lane, Lee Drive and Circle Drive

Maple Run, Section Two

Park Drive, Magnolia Drive, Peters Court, Andrew Court and Daniel Court.

Road Resolutions NO. 81-5 - designating the following streets as Stop Streets:

Cedar Cove

Long Lane as it intersects with Hermanville Road;
Defender Street as it intersects with Long Lane;
Constellation Street as it intersects with Long Lane;
Columbia Street as it intersects with Long Lane.

Park Hall Estates

Manor Drive as it intersects with Md. St. Route 5.

Greens Rest Manor

Governor's Court as it intersects with Flat Iron Road;
Delegates Court as it intersects with Flat Iron Road.

Chickasaw Run

Chickasaw Place as it intersects with Golden Beach Rd.

Widow Woods

Jessie Drive as it intersects with Queen Tree Road;
Widow Lane as it intersects with Queen Tree Road;
Talmadge Court as it intersects with Widow Lane.

Friendly Pines

Nancy Lane is a thru street.
Lee Drive as it intersects with Nancy Lane;
Circle Drive as it intersects with Lee Drive.

Maple Run Subdivision, Section Two

Park Drive as it intersects with Indian Bridge Rd.;
Magnolia Drive as it intersects with Park Drive;
Peters Court as it intersects with Magnolia Drive;
Andrew Court as it intersects with Park Drive;
Daniel Court as it intersects with Park Drive.

Commissioner Millison moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign said Road Resolution Nos. 81-4 and 81-5. All Commissioners voted in favor.

CORRESPONDENCE TO CHAMBER OF COMMERCE

The County Administrator presented correspondence addressed to the Chamber of Commerce for the Commissioners' signature as a follow up to the meeting between the Chamber and the Commissioners in answer to questions raised at that meeting.

The Commissioners agreed to sign and forward said letter.

RESOLUTION NO. 80-81

CHANGE NO. 3 TO THE MANUAL OF PERSONNEL POLICIES AND PROCEDURES

Having conducted a public hearing on the update of the Personnel Manual and having reviewed the proposed amendments, Commissioner Dean moved, seconded by Commissioner Sayre, to adopt and sign Resolution No. 80-81 (Change No. 3 to the Manual of Personnel Policies and Procedures) and further to sign the cover letter to be placed in front of the Manual. All Commissioners voted in favor.

BUDGET AMENDMENT NO. 81-14

BOARD OF ELECTION SUPERVISORS

Commissioner Aud moved, seconded by Commissioner Arnold and unanimously agreed to by the Board to approve the referenced Budget Amendment which was recommended for approval by the Budget Officer as follows:

Increase Account No. 1041-3101 (Office Equipment) by \$175 and decrease Account No. 1041-2101 (Office Supplies) by like amount.

AGREEMENT WITH SOUTHERN MARYLAND COMMUNICATIONS
MAINTENANCE OF RADIO UNITS

The County Administrator presented an Agreement by and between St. Mary's County Commissioners and St. Mary's County Sheriff's Department and Lawrence T. Harrison, trading as Southern Maryland Communications for the provision of maintenance and service for St. Mary's County Sheriff's Department radio network.

Commissioner Sayre moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign said Agreement. All Commissioners voted in favor.

RESIDENT MAINTENANCE ENGINEER STATUS REPORT

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

Mr. Raley gave his twice-monthly status report on various road projects and received items from the Commissioners as to additional areas of concern.

SPRING VALLEY BONDING - ADDENDUM NO. 7

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

Mr. Norris discussed the background of the referenced matter and requested the Commissioners' concurred to accept Addendum No. 7 to the Public Works Agreement with Maryland National Bank extending the deadline to January 1, 1981 for the completion of the streets in Coronado Village (Spring Valley) - Stoney Brook Drive and Stoney Brook Court. Also Mr. Norris requested the Commissioners' concurrence to execute a Letter of Agreement whereby the County would take the responsibility for completion of all the streets in Coronado Village with the exception of Stoney Brook Drive and Stoney Brook Court and in consideration for this, Maryland National Bank would deliver \$10,000 to St. Mary's County. Mr. Norris stated that the County will investigate the need for a closed drainage system between Stoney Brook Court and Rosewood Terrace. Cost for this work is estimated to be between \$12,000 and \$14,000.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign Addendum No. 7 and further to approve the President of the Board to sign the Letter of Agreement. All Commissioners voted in favor.

TANNERS CREEK

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

The County Attorney advised the Commissioners that the referenced matter is before the United States Court of Appeals in Richmond, Virginia. He stated that Williams Enterprises, the losing party, has submitted a proposed settlement, which will be submitted to the Commissioners. Before the Commissioners take any action on the settlement, Mr. Bell stated that the Board of Public Works of the State of Maryland should be given an opportunity to review and make comments on the settlement.

EXECUTIVE SESSION

Present: John Norris, County Engineer

The Commissioners agreed to meet in Executive Session in order to discuss a matter of property acquisition (right-of-way for Millstone Landing Road). The Session was held from 10:15 a.m. to 10:50 a.m.

PROJECT NO. SM 81-4-2
FUEL DISTRIBUTION FACILITY

Present: John Norris, County Engineer

Mr. Norris presented the bids for the construction of the Fuel Distribution Facility and stated that Custom Metals, Inc. was the lowest bidder in the amount of \$52,593.

Commissioner Dean moved, seconded by Commissioner Sayre, to award the bid for the referenced project to the lowest bidder, Custom Metals, Inc. All Commissioners voted in favor.

PROJECT NOS. 81-4-3, 81-4-4, and 81-4-5
WALDEN COUNSELING CENTER
ELECTRICAL, PLUMBING AND HEATING AND AIR CONDITIONING

Present: John Norris, County Engineer

Mr. Norris presented the bid tally sheets for the referenced projects and recommended awarding the bids to the lowest bidders as follows:

Electrical - Ownes Electric in the amount of \$4,540;

Plumbing and Heating - Steve Lacey in the amount of \$12,193.00

Air Conditioning - Winter's Sheet Metal in the amount of \$6,150; (Mr. Norris stated that he was informed by Taylor Plumbing & Heating that their bid of \$4,870 was incorrect in that they did not take into consideration air conditioning for the second floor.

Commissioner Dean moved, seconded by Commissioner Millison to accept bids as recommended by the County Engineer and award the electrical work to Owens Electric; plumbing to Steve Lacey and the air conditioning work to Winters Sheet Metal if there is evidence that Taylor Plumbing and Heating did in fact make a mistake on their bid. All Commissioners voted in favor.

PROJECT NO. 81-3-1
EXTRA WORK AUTHORIZATION
FOX HARBOR

Present: John Norris, County Engineer

Mr. Norris presented Extra Work Authorization No. 1 for the referenced project for Colliflower and Peterson in the amount of \$7,816.

Commissioner Sayre moved, seconded by Commissioner Millison, to authorize Commissioner President Aud to sign said Authorization. All Commissioners voted in favor.

ADDENDUM TO PUBLIC WORKS AGREEMENT
PINE HILL INDUSTRIAL PARK

Present: John Norris, County Engineer

Mr. Norris presented an Addendum to the Public Works Agreement by and between Pine Hill Corporation and St. Mary's County, Maryland, extending the deadline for the completion of the streets in Pine Hill Industrial Park from September 1, 1980 to September 1, 1981. Commissioner Aud moved, seconded by Commissioner Arnold, to accept and sign said Public Works Agreement Addendum. Four Commissioners voted in favor with Commissioner Dean abstaining since Maryland Capital Savings provided the Letter of Credit. Motion carried.

FINANCIAL REPORT

Present: William Anderson
Michael Parker
Joseph P. O'Dell, Budget Officer
Harris Sterling, Director of Finance

The referenced representatives from Wooden & Benson presented the Audit for FY 1979-1980 Audit and its related Management Report, a copy of which is on file in the County Commissioners Office.

AICUZ DISCUSSION

Present: Frank Gerred, Director, Planning and Zoning
Jack Clifford

Mr. Gerred advised the Commissioners that a Committee met to review the comments received relative to AICUZ which were presented at the public hearing held on October 7 and during discussion at the Commissioners' meeting last week.

Mr. Gerred stated that he would provide the Commissioners with a copy of the text as a result of the Review Committee's comments.

In addition, Mr. Gerred requested the Commissioners' direction with regard to the request by Mr. Clifford as presented at the public hearing and last week's meeting.

After discussion, Commissioner Millison moved, seconded by Commissioner Arnold, to direct the County Attorney prepare the adopting resolution for the AICUZ amendments (Section 38) which shall include the exchange of the parent tract zoning as requested by Mr. Clifford. This motion pertains only to Mr. Clifford's property and Mr. Gerred was directed to contact Mr. Ennis (Mr. Clifford's partner) to obtain his written concurrence to this request. All Commissioners voted in favor of the motion.

CETA POSITIONS

The Commissioners established a guideline that because of the severe fiscal constraints upon the County no CETA positions would be transformed to permanent County positions.

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SOUTHERN MARYLAND PRE-RELEASE UNIT
CITIZENS ADVISORY BOARD

Commissioner Millison nominated and the Board concurred, John Prevas as one of the two nominees for appointment to the Citizens Advisory Board for the Southern Pre-Release Unit.

DIRECTIONAL SIGNS TO LOCATIONS IN ST. MARY'S COUNTY

Commissioner Millison recommended that a letter be drafted to the State Highway Administration and the Governor that directional signs be placed for certain locations in St. Mary's County that generate a considerable amount of traffic such as St. Mary's City, Naval Air Station, and NESEA. The Commissioners gave their concurrence.

(Commissioner Dean left meeting to attend a special Nursing Home Board Meeting.)

REZONING HEARING

ZONE #80-2474 - LILLIE D. HARDING

Present: Frank Gerred, Director, Planning and Zoning
Mr. and Mrs. Harding
Anita Meridith, Recording Secretary

The Commissioners conducted a public hearing on the application of Lillie D. Harding to rezone approximately one acre located on the corner of Md. Rtes. 235 and 247, Sixth Election District, Tax Map 14, Block 21, Parcel 30, from R-1, Residential, to CL, Commercial Limited.

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

(Commissioner Dean returned to the meeting.)

Later in the meeting the Commissioners reviewed the facts relative to the referenced zoning case and after discussion, Commissioner Dean (who had heard the rezoning request before the Planning Commission) moved, seconded by Commissioner Millison, to direct the County Attorney to draft the appropriate Zoning Amendment Resolution approving the requested zoning to Commercial Limited. All Commissioners voted in favor.

Commissioner Dean stated he would meet with the County Attorney to glean from the record the findings of fact in this case.

PUBLIC MEETING
SLUDGE TRANSFER PROPOSAL

Present: Frank Gerred, Director, Planning and Zoning
Robin Guyther, Office of Planning and Zoning
Joseph E. Bell, II, County Attorney
Interested Citizens

As a follow up to previous discussion relative to the reported proposed sludge transfer from the District of Columbia, the Commissioners conducted a public meeting. Mr. Gerred advised that no new information has been received since the last report and while there initially had been proposals, there appears to be no plans at this time to transfer sludge from the District of Columbia to St. Mary's County. He stated that his office will continue monitoring the situation and keep the Commissioners and public informed.

The Commissioners advised the public that were present that the County is in the process of developing an Ordinance and also proposing Legislation which will prohibit the transfer of hazardous waste in St. Mary's County.

SHERIFF'S DEPARTMENT OVERTIME REQUEST

Commissioner Sayre moved, seconded by Commissioner Aud, to approve the overtime for the Sheriff's Department for the period of September 13, 1980 through October 10, 1980, submitted by the Sheriff as follows: \$470.81 (regular deputies) and \$189.57 (CID deputies). All Commissioners voted in favor.

APPROVAL OF ENCUMBRANCE VOUCHERS
COUNTY COMMISSIONER MEETINGS
NOVEMBER 4 AND 11 MEETINGS

Inasmuch as the Commissioners will not be meeting on November 4, Election Day and November 11, Armistice Day, Commissioner Dean moved, seconded by Commissioner Millison to authorize Commissioners Aud and Arnold to review the encumbrance vouchers and for Commissioner President Aud to sign the vouchers. All Commissioners voted in favor.

The meeting adjourned at 1:50 p.m.

Approved,


George R. Aud,
President