

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, January 20, 1981

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.

APPROVAL OF VOUCHERS

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

HUMANE SOCIETY
CRUELTY INVESTIGATION

Present: Jean Lundy, Secretary
Susan Gary, President
Gay Fowler, Foster Parent

The referenced members of the Humane Society appeared before the Commissioners to request the Commissioners' consideration of five matters of concern to the Humane Society:

1. That the County assume the responsibility for cruelty investigation for animals;
2. That the County establish a second Animal Warden permanent county position in order to handle all the problems in an appropriate manner;
3. That there be a method established for the disposal of dead animals;
4. That the condition and care of animals being held at St. James Kennel be improved.
5. That the Animal Warden truck vents be repaired to prevent cold air entering the animal area.

The County Administrator advised that with regard to Item No. 4, he was in the process of preparing a letter to the St. James Kennel requesting remedy of certain conditions. Concerning Item 5, a vent hood has been ordered for the Animal Warden truck to prevent the cold air from entering the animal area.

The Commissioners advised that the other concerns expressed by the Humane Society will be reviewed by the Commissioners and will respond at a later date.

RESIDENT MAINTENANCE ENGINEER REPORT

Present: William Lacey, SHA

On behalf of the Resident Maintenance Engineer, Mr. John D. Raley, Mr. Lacey appeared before the Commissioners to present an up-to-date report on the status of various road conditions and received input as to additional items of concern by the Commissioners.

CLEARINGHOUSE PROJECT NO. 81-ESL-9
STATE-OWNED REAL PROPERTY (EXCESS)
(HARRY LEE SMITH DWELLING - ST. MARY'S CITY)

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.

ETHICS LAW

As discussed at last week's meeting, the County Administrator presented a memorandum dated January 19, 1981 setting forth a suggested course of action regarding the requirement by the State Ethics Commission for local governments to adopt ethic laws. Included in the recommendations was the establishment of a review team consisting of the County Attorney, State's Attorney, President of the Bar Association, a concerned citizen and the County Administrator.

In addition, the County Administrator presented correspondence to the Maryland Ethics Commission requesting an extension of the deadline for comments on the model provisions for local government.

The Commissioners gave their concurrence to the suggestions set forth in the County Administrator's memorandum dated January 19 and further to sign and forward the letter to the Maryland Ethics Commission.

DIRECTOR OF CIVIL DEFENSE POSITION

The Personnel Officer submitted a memorandum dated January 12, 1981 advising that Tom Oliver has been satisfactorily serving as Deputy Director of Civil Defense since the retirement of Otis Wood, and therefore recommended that the Board of County Commissioners recommended to the Governor of Maryland, the promotion of Mr. Oliver to Director of Civil Defense, Commissioner Dean moved, seconded by Commissioner Millison to accept the above recommendation. All Commissioners voted in favor.

AIRPORT MASTER PLAN

Present: Frank Gerred, Director, Planning and Zoning
George Sullivan, Chairman, Airport Commission
F. Elliot Burch, Airport Commission
Austin White, Airport Commission

The referenced individuals appeared before the Commissioners to give a brief overview of the proposed Airport Master Plan which had been presented in detail by the engineering consultant firm of Bourne, Gibson and Shama at a public hearing on August 26, 1980.

Mr. Sullivan indicated that the Airport Commission was in favor of the Plan and recommended its adoption by the Board of County Commissioners. Additionally, Mr. Gerred pointed out that the Planning Commission also recommended adoption of the Master Plan.

After discussion, the Commissioners agreed to give an adjacent property owner time to comment and scheduled February 10, 1981 as the date for consideration of adoption of the Airport Master Plan.

MORTGAGE REVENUE BONDS

Present: Frank Gerred, Director, Planning and Zoning
Robin Guyther, Block Grant Coordinator
Joe Mitchell, Public Housing Coordinator
Glenn Ruggles, Housing Authority

Mr. Gerred advised the Commissioners that in the process of developing Block Grant Programs, it was brought to his attention that there was a housing Program for those individuals who would come between a low income and those who are able to pay the current rate of interest. Those with a low income would qualify for Farmers Home loan or other government subsidized program. Mr. Guyther explained that the group of people who come in between could qualify for Mortgage Revenue bonds, wherein a community has a bond program and can sell bonds to provide money for that segment of the community. Mr. Guyther went on to explain the Mortgage Revenue Bond Program in further detail and distributed a paper setting forth specifics.

After discussions, the Commissioners agreed that the Program should be explored for further detail and that the Planning and Zoning Office and the Housing Authority Office should work together on this project and develop recommendations for the Commissioners' review.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
Frank Gerred, Director, Planning and Zoning
John Baggett, Director, Recreation and Parks

The Commissioners agreed to meet in Executive Session in order to discuss a matter of property acquisition. The Session was held from 11:30 to 11:55 a.m.

REZONING HEARING

LEON T. BUKER
ZONE #80-3051

Present: Leon T. Buker, Applicant
Karen Abrams, Attorney for Applicant
Frank Gerred, Director, Planning and Zoning
Anita Meridith, Recording Secretary

The Commissioners conducted a public hearing on the application of Leon T. Buker requesting rezoning of approximately 1.06 acres located on Great Mills Road, approximately 3000 feet northeast of Chancellors Run Road, Eighth Election District, Tax Map 51, Block 2, Parcel 147, from R-2, Residential to C-2 Commercial, to eliminate the nonconforming use of the property.

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

REZONING HEARING

RAGAN COMMERCIAL CENTER
ZONE #80-2566

Present: Gordon H. Ragan, Applicant
Frank Gerred, Director, Planning and Zoning
Anita Meridith, Recording Secretary

The Commissioners conducted a public hearing on the application of Gordon H. Ragan requesting rezoning of approximately 6.08 acres located on Md. Rte. 5, Third Election District, Tax Map 32, Block 2, Parcels 308 and 313, from C-1, and R-1 to C-2, Commercial.

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

TAX INCREMENT FINANCING

Present: Frank Gerred, Director, Planning and Zoning

(Commissioner Millison did not participate.)

Mr. Gerred advised the Commissioners of a Tax Increment Financing program whereby a portion or increment of the taxes that are projected to be generated by a development are assigned for improvements such as roads, water and sewer, etc. He stated that enabling legislation by the State has been passed which would allow the County to provide this type of financing and would be a means of broadening the County's tax base and increasing economic opportunities. Mr. Gerred stated that there appears to be a potential for the Breton Bay Conference Center in this program.

The Commissioners requested Mr. Gerred to develop more specifics and the appropriate criteria and determine what types of economic development projects that this program would apply to, including Breton Bay.

PUBLIC HEARING
ZONING AMENDMENT
PERMITTED USES (GOLD AND SILVER)

Present: Frank Gerred, Director, Planning and Zoning
Sheriff Somerville
Anita Meridith, Recording Secretary, P&Z

The Commissioners conducted a public hearing on a proposed Amendment to the Zoning Ordinance - Article 34.02.2 - C-1, Permitted Uses, which would place certain restrictions on the sale and trade of gold and silver in St. Mary's County.

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

RESOLUTION NO. 81-05
WALDEN COUNSELING CENTER STATE GRANT
ST-MHDA-53

Present: John Norris, County Engineer

Mr. Norris presented the referenced Resolution which provides for the State of Maryland's 15 year rate of recovery as required by the State Grant.

The Commissioners unanimously concurred to approve and sign said Resolution No. 81-05.

PARTIAL PAYMENT - COLLIFLOWER AND PETERSON
FOX HARBOR PUBLIC WHARF
PROJECT NO. SM 81-3-1

Present: John Norris, County Engineer

Mr. Norris presented the referenced request for payment in the amount of \$2,441.40 payable to Colliflower and Peterson for repairs to Fox Harbor Public Wharf.

Commissioner Sayre moved, seconded by Commissioner Arnold, to approve the payment. All Commissioners voted in favor.

EXTRA WORK AUTHORIZATION
PROJECT NO. 80-4-1
WALDEN COUNSELING CENTER

Present: John Norris, County Engineer

Mr. Norris presented an Extra Work Authorization payable to Johnson Builders for the referenced project in order to change office space, in the amount of \$80.00.

The Commissioners unanimously agreed to approve said Extra Work Authorization.

BID TALLY SHEET
HEATING OF COURTHOUSE
PROJECT NO. 81-4-6

Present: John Norris, County Engineer

Mr. Norris presented the bid tally sheet for the referenced project and recommended awarding the project to Suburban Plumbing and Heating, the lowest bidder, in the amount of \$18,487.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve awarding of the project as recommended by the County Engineer and that the source of funding from a capital project be determined by the Budget Officer.

HELEN FARMETTES

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the bond for Helen Farmettes will be due February 10, 1981 and indicated some difficulty in reaching the developer to discuss timing on the completion of the work.

The Commissioners acknowledged the problem and requested that he continue to work out a solution with the developer.

FIRE AT RIDGE TRANSFER STATION

Present: John Norris, County Engineer

For the Commissioners' information, Mr. Norris advised the Commissioners that there was a fire at the Ridge Transfer Station and it will cost \$5800 to repair the trailer which was damaged and \$2500 additionally for the main cell that was damaged. The damage was covered by our insurance except for the \$1,000 deductible.

HIGHWAY SAFETY PROJECT AGREEMENTS (2)
ROUTE STUDY EVALUATION
INDEXING OF HIGHWAY SYSTEM DATA

Present: John Norris, County Engineer

Mr. Norris presented the two referenced Highway Safety Project Agreements and requested authorization for Commissioner Aud to sign same.

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

MENTAL HEALTH/ALCOHOLISM ADVISORY COUNCIL
ANNUAL PROGRAMS REVIEW

Present: Dr. Richard Martin, Chairman
Jonathan Nelson
Gloria Sue Kahle
Elizabeth Sally Raley
Rev. Rudy Brooks

The referenced members of the Mental Health/Alcoholism Council appeared before the Commissioners to present an Annual Program Review of mental health and alcoholism programs. Dr. Martin gave an overview of the report and listed the following recommendations to the Commissioners for consideration.

1. Funding support to keep the community mental health and alcoholism programs in force;
2. Additional funding for additional evening hours and a satellite clinic for both mental health and alcoholism;
3. Support and funds to rehabilitate the vacated special education school in Lexington Park for multipurpose use;
4. Continue support to bring the TRICCA project to function;

5. Reconsider position on the establishment of the mental health coordinator position;
6. Consideration of the establishment of a health educator for the county.
7. Provide funding for the position of a youth alcoholism counselor.
8. Consideration of public transportation system;
9. To insist that the St. Mary's Hospital include designated short-term psychiatric and alcoholism in-patient beds in their new construction.

INTERIM ALLOCATION POLICY
PINE HILL RUN SEWAGE TREATMENT PLANT

Present: Eddie Wettengel, developer, Wildewood
(Commissioner Millison did not participate in the discussion)

As a follow up to the Commissioners' meeting of January 6, 1981, at which time the referenced interim allocation policy was reviewed and certain amendments discussed, Commissioner Dean presented the final revised Policy.

After discussion Commissioner Dean moved, seconded by Commissioner Arnold, to adopt the final revision as the official Interim Allocation Policy for the Pine Hill Run Sewage Treatment Plant. All Commissioners voted in favor.

The Official Copy of the Policy will be maintained in the Office of the County Commissioners, and the "official" list of parcels or recorded tracts which abut a public sewer but are not yet connected shall be maintained in the Office of the Metropolitan Commission.

FAIRGROUNDS LEASE

The Commissioners reviewed the proposed revisions to the current fairgrounds lease by and between the County Commissioners and the Fair Association, after which Commissioner Arnold moved, seconded by Commissioner Dean, to execute the new lease agreement, copy of which is on file in the Commissioners' Office.

REZONING RESOLUTION Z81-02
JACK AND SUSAN GELRUD
ZONE #80-1693

The Commissioners agreed to postpone their decision on the referenced resolution until the question raised by Commissioner Dean, concerning the dualization of Md. Rt. 235 and the proposed entrance to the property, is clarified.

1981 LEGISLATIVE PACKAGE PROPOSALS

The Commissioners reviewed a variety of legislative proposals and agreed upon the following categorizations:

Category 1. Items endorsed and recommended by the Board of County Commissioners for filing by the legislators.

In addition to the items previously approved for this category, the following items were added:

<u>Item No.</u>	<u>Proposal</u>
IV	County Commissioners' Salaries President - range between \$19,000 and \$21,000 Commissioners - range between \$14,000 and \$16,000 (Commissioners Aud, Dean and Sayre in favor; Commissioners Arnold and Millison opposed.)
V	County Treasurer's Salary - \$20,000
VI	County Sheriff's Salary - \$29,000 (Commissioners voted three to two to support, with Commissioners Millison and Arnold opposed.)
VII	Metropolitan Commission Water/Sewer Line Connections
VIII	Metropolitan Commission Notice Requirements
IX	Control of Public Drinking
XII	Allow certain gaming devices under certain circumstances; (Commissioners voted four to one to support with Commissioner Dean voting against.)
XXXVII	Regulating Transfer of Gold and Silver; (with comment: Support Conceptually but details needed.)

XXXIX State's Attorney's Salary - \$32,000,
elimination of provision which allows private
practice;

(Commissioners voted three to two to support;
with Commissioners Millison and Arnold opposed.)

Category 2 Items Forwarded to Legislators with no comment
by the Board of County Commissioners.

(The Commissioners agreed that the following
items remain in Category 2.)

Item No.

Proposal

XXIX Equalization of Salaries for Grant Employees;

XXXVIII Disallow smoking in certain public places;

XL Bingo in St. Mary's County

Category 3 Items disapproved and not recommended by the
Board of County Commissioners.

In addition to the items previously approved
for this category, the following item was
added:

Item No.

Proposal

XI Authorize police officers to close certain
premises licensed for alcoholic beverages;

Category 4 Items requiring additional information and review
by the Board of County Commissioners.

The Commissioners agreed that the following
item remain in Category 4 :

Item No.

Proposal

XXXII Retirement System - Sheriff's Deputies;

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold,
to approve the minutes of the Commissioners' meeting of January
13, 1981. All Commissioners voted in favor.

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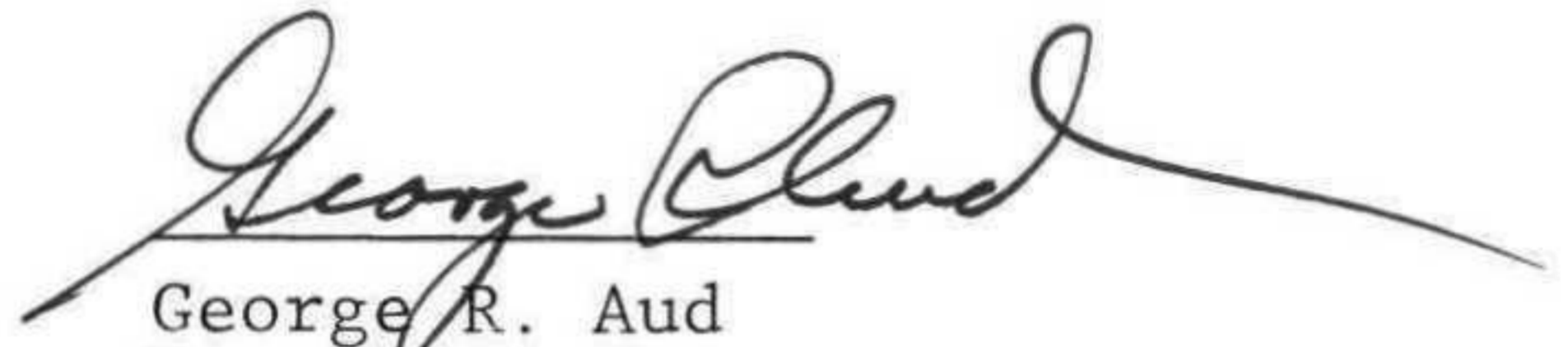
EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

The Commissioners agreed to meet in Executive Session in order to discuss a matter of personnel (consideration of appointments to Boards, Committees and Commissions.) The Session was held from 6:25 p.m. to 7:15 p.m.

The meeting adjourned at 7:15 p.m.

Approved,



George R. Aud
President