

BOARD OF COUNTY COMMISSIONERS' MEETING

February 3, 1981

Present: Commissioner George R. Aud, President
Commissioner Larry Millison, Vice-President
Commissioner Richard D. Arnold
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Judith A. Mullins, Recording Secretary

(Commissioner Ford Dean was not present.)

(The Commissioners went to the Leonardtown Armory to view the Commission on Aging Program.)

The meeting was called to order at 9:50 a.m.

CRIME PREVENTION MEASURES

NEW BUILDING CONSTRUCTION

Present: Trooper Simms, Maryland State Police

Trooper Simms appeared before the Commissioners to recommend that the County adopt an Ordinance requiring minimum crime prevention standards in new construction. This would apply to windows and doors in all forms of residential housing only. He stated that it would be cost effective in that by reducing breaking and entering instances, it would reduce law enforcement. Trooper Simms indicated that he has discussed this matter with the Director of Planning and Zoning with regard to issuing copies of this Ordinance at the time building permits are obtained.

The Commissioners thanked Trooper Simms for his presentation and stated that they would advise him of their decision.

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

In response to certain concerns expressed by the Humane Society at the Commissioners' meeting of January 20, 1981, the County Administrator presented a memorandum dated February 3, 1981 commenting on the status of improvements of each of the situations.

Relative to Item No. 5 - the addition of a second permanent Animal Warden position, Mr. Cox recommended that the Commissioners take one of the four inactive positions in County Government and transfer it to the second permanent position.

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The Commissioners gave their concurrence to accept the County Administrator's recommendation.

RETIREMENT PAY FOR FIRE DEPARTMENT AND
RESCUE SQUAD VOLUNTEERS

The County Administrator presented a memorandum dated February 2, 1981 from the Personnel Officer attaching a list of all Fire Department and Rescue Squad Volunteers eligible to receive retirement pay.

The Commissioners gave their concurrence to accept the Personnel Officer's recommendations for method of retirement payment to the fire department and rescue squad volunteers and signed the approval forms.

REQUEST FOR WAIVER OF BUILDING PERMIT FEE
VICTORY BAPTIST CHURCH

The County Administrator presented correspondence from the pastor of Victory Baptist Church requesting a waiver of the building permit fee for the relocating of Victory Baptist Church and Victory Christian Academy. Inasmuch as this request complies with County Resolution No. 75-53, Commissioner Millison moved, seconded by Commissioner Sayre, to approve the requested waiver. All Commissioners voted in favor.

FUGITIVE EXTRADITION

The County Administrator presented a memorandum dated January 30, 1981 from the State's Attorney requesting the use of funds in the amount of \$825 to return a fugitive back to St. Mary's County.

After discussion, Commissioner Millison moved, seconded by Commissioner Arnold, to authorize two State Troopers to identify and return the fugitive from Texas and further to authorize the expenditure of up to \$825. The Commissioners voted three to one in favor, with Commissioner Aud abstaining.

PROJECT DIRECTOR POSITION (RSVP)
OFFICE ON AGING

The County Administrator presented a memorandum dated February 2, 1981 from the Personnel Officer recommending the appointment of Mrs. Dorothy Stewart to fill the Project Director position, Grade 8, in the Office on Aging, effective February 16, 1981.

The Commissioners gave their concurrence.

GOLD AND SILVER (BUYING AND TRADING) ORDINANCE

The County Administrator recommended that inasmuch as there are numerous bills in the legislature regarding the control of buying and trading of gold and silver, the County not adopt the proposed an Ordinance at this time. The Commissioners gave their concurrence.

REQUEST FOR APPROVAL TO FILL JANITOR POSITION

The County Administrator presented a memorandum dated February 3, 1981 from the Personnel Officer recommending that the hiring process be initiated for the Janitor position in the Office of Purchasing and Logistics vacated by the resignation of James Baker.

The Commissioners gave their concurrence.

PAYROLL, PERSONNEL AND TRAINING - ADP SYSTEM
PRE-APPLICATION GRANT PROPOSAL

Present: Joseph P. O'Dell, Budget Officer

Mr. O'Dell reviewed the referenced IPA-Pre-Application Proposal with the Commissioners stating that the purpose of the application is to apply for a \$60,000 grant (50% federal - 50% local).

He stated that he would be returning within 30 days to make a recommendation regarding the approval of an overall ADP System for which the \$30,000 from the federal government will help defray the costs.

Commissioner Millison moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign the Pre-Application as recommended by the Budget Officer. All Commissioners voted in favor.

REQUEST FOR SETTLEMENT
PURCHASE OF LAND - ST. MARY'S RIVER WATERSHED

Present: Mrs. Mary Calloway

Mrs. Calloway raised again the property settlement issue discussed on several previous occasions concerning the purchase of certain land at St. Mary's River Watershed and a resulting dispute among property owners which is still unresolved. Mrs. Calloway requested from the Commissioners a decision on this matter and requested a settlement on her behalf in terms of land rather than financial settlement.

The Commissioners thanked Mrs. Calloway for her presentation and stated that the County Attorney would be requested to recommend a course of action.

FAIRGROUNDS LEASE

The County Administrator presented an amended lease for use of the fairgrounds by and between the County Commissioners of St. Mary's and the St. Mary's Fair Association, Inc. Item no. 6(b) was amended by the Fair Association.

After review, Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and sign the newly amended Fairgrounds lease. All Commissioners voted in favor.

REQUEST FOR EXEMPTION OF ROAD TAX

The County Administrator presented correspondence dated January 28, 1981 from a resident of Spring Valley advising that because of disability he qualifies for exemption from paying real estate taxes and therefore felt he was also exempt from paying the road tax, established by the Special Taxing District, in Spring Valley.

The Commissioners directed the County Administrator to request the County Attorney to make a ruling on this matter and return to them with a recommendation.

TUBMAN-DOUGLAS PROJECT
CONSTRUCTION OF SANITARY AND STORM SEWERS

Present: Joseph Mitchell
John Norris, County Engineer

The referenced individuals appeared before the Commissioners to discuss the responsibility of overseeing the construction of sanitary and storm sewers project at Tubman-Douglass. Mr. Mitchell stated that previously the Commissioners had given authorization for the Housing Authority to enter into an agreement with the Metropolitan Commission to do the design and construction of the sanitary sewers with the County Engineer overseeing the construction of the storm water control project.

Mr. Mitchell recommended that the County Engineer oversee both projects to which he has agreed and the Metropolitan Commission has agreed to provide any assistance needed.

The Commissioners gave their concurrence to this recommendation.

APPROVAL OF VOUCHER
HIGHWAY MAINTENANCE ACCOUNT

Present: John Norris, County Engineer

Mr. Norris presented Voucher No. 035181 payable to State Highway Administrator transfer of funds to the Highway Maintenance Account in the amount of \$112,858.58. The

Commissioners gave their approval for payment of said voucher.

APPROVAL OF VOUCHER
CONSTRUCTION SECTION ACCOUNT

Present: John Norris, County Engineer

Mr. Norris presented Voucher No. 035286 payable to the State Highway Administration in the amount of \$89,100.57 and explained that this is for an overexpenditure by the State Highway for the surface treatment program in the County.

The Commissioners gave their approval for payment of said voucher.

STREET LIGHTING CONTRACT CHANGE NO. 4
KINGSTON CREEK ROAD AND ROUTE 4

Present: John Norris, County Engineer

Mr. Norris presented the referenced Street Lighting Contract for a light at the intersection of Kingston Creek Road and Route 4 in the amount of \$13.83 per month.

The Commissioners gave their concurrence.

ENGINEERING PROPOSALS FOR MACINTOSH ROAD AND BRIDGE

Present: John Norris, County Engineer

Mr. Norris reviewed with the Commissioners engineering proposals for the design of the MacIntosh Road and Bridge. He advised the Commissioners that proposals were all competitively priced and recommended that the proposal from The Wilson T. Ballard Company be accepted based on current work they have underway in the County and the economics related thereto.

Commissioner Sayre moved, seconded by Commissioner Millison, to accept the County Engineer's recommendation. All Commissioners voted in favor.

EMPLOYMENT AGREEMENT
INSPECTION SERVICES- DALE CROPPER

Present: John Norris, County Engineer

The County Engineer presented the Employment Agreement with Dale Cropper for inspection services for various projects assigned to him. Mr. Norris stated that the Agreement is at the same rate as last year's contract.

Commissioner Arnold moved, seconded by Commissioner Sayre to authorize Commissioner President Aud to sign the Employment Agreement. All Commissioners voted in favor.

PRESS CONFERENCE

Present: Matt Kaye, WKIK
Trilla Ramage, Beacon
Richard Polk, Enterprise
Michael Stover, Enterprise

The regular monthly press conference was held at this time. A tape of the Conference is on file in the Commissioners Office.

PROCLAMATION NO. 81-09
BIG BROTHERS/BIG SISTERS

Present: Ann Loker, Director, Big Brother/Big Sister

The Commissioners presented the referenced Proclamation proclaiming the week of February 15-21, 1981 as Big Brothers/Big Sisters Week in St. Mary's County.

STATE PROJECTS
OFFICE OF PLANNING AND ZONING PROCESS

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred appeared before the Commissioners to bring to their attention a matter concerning state projects in the County which are not going through his office. He stated that the Board of Public Works would like the Planning Commission to review the plans in order to make sure they are proper and that they meet the needs of the County; however state agencies are proceeding with their construction without the Planning Office's review. He stated that the State should meet site plan requirements even though the County has no control over the use of the property, and therefore requested direction from the Commissioners as to how to respond in this situation.

The Commissioners advised that they would take the matter under consideration and respond with a decision at next week's meeting.

PERCOLATION TEST CONCERNS

Present: Oliver Guyther, Attorney
Dr. William Marek, County Health Officer
Walter Raum, Director, Environmental Health
Mr. Greenwell
Mrs. Pruitt
Mr. McGuire
Joe Densford
Donald Guenther
Maxine Nye
George Gibson, Jr.
Helen Lacey
Other Interested Citizens

Mr. Guyther appeared before the Commissioners to discuss several concerns relative to the conducting of percolation tests in the County. He distributed a copy of a letter that he received from the Health Department in December 1980 stating that because of the drought conditions the Health Department will no longer continue to make percolation tests even though many tests had been scheduled for February through April 1981. He stated that this would hurt the economy of St. Mary's County. Mr. Guyther went on to mention another concern, specifically the ruling by the Health Department that perc tests results are only good for three years. He mentioned several particular instances where this has caused problems for builders and potential property buyers in Land 'O Lakes Subdivision and North Indian Subdivision. Other points mentioned by Mr. Guyther were the lack of objective criteria used in the determination of perc tests and the manner in which the perc tests are handled by agents of the Health Department.

Mr. Guyther had present several persons in the audience who voiced their support of the issues and cited particular concerns of their own.

In response to Mr. Greenwell's concerns relative to an unacceptable perc test at Lot 11 in North Indian Creek, Mr. Raum advised that Lot 11 has a higher water table and recommended that a mound system be placed at that location. Mr. Greenwell stated that he has no confidence in the mound system and was not agreeable to this. At this point the Commissioners recommended that Dr. Marek, Walter Raum and Mr. Greenwell meet in another room to try to resolve the problem in a manner satisfactory to all parties.

With regard to the other concerns expressed by Mr. Guyther and those in the audience, Dr. Marek requested a two-week period in order to get all the facts together and will respond to each of complaints. The Commissioners gave their concurrence and requested Dr. Marek and Mr. Raum to return to them with their findings at that time.

EXECUTIVE SESSION

Present: Sheriff Somerville

The Commissioners agreed to meet in Executive Session in order to discuss a matter of personnel. The Session was held from 3:30 p.m. to 4:02 p.m.

PROPOSED LEGISLATION
TRANSPORTATION OF SLUDGE

Present: Joseph E. Bell, II, County Attorney

Mr. Bell appeared before the Commissioners to review proposed legislation to be submitted to the Legislators regarding the transportation of sludge as it affects St. Mary's County. Commissioner Aud stated that Delegate Parlett forwarded a bill introduced by Delegates Ficker and Hyatt concerning the entrenching of sludge and the local delegation would like to submit a similar bill, but to include transportation and storage of sludge. The County Attorney made the appropriate changes to the bill, to which the Board gave their concurrence for submission and that it be added to the County's Legislative Package.

JUDGES OF ORPHANS COURT
REQUEST FOR INCREASE IN SALARY

After discussion of the increase in salary for the Judges of Orphans Court, Commissioner Sayre moved, seconded by Commissioner Arnold, to approve a salary increase from \$800 to \$1200 and that the travelling expenses remain the same at \$500. Three Commissioners voted in favor, with Commissioner Millison voting against.

The meeting adjourned at 4:50 p.m.

Approved,


George R. Aud
President