

BOARD OF COUNTY COMMISSIONERS MEETINGTuesday, March 17, 1981

Present: Commissioner George R. Aud, President
Commissioner Richard D. Arnold
Commissioner Ford L. Dean
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Judith A. Mullins, Recording Secretary

(Commissioner Larry Millison was not present.)

The meeting was called to order at 9:15 a.m.

APPROVAL OF VOUCHERS

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

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner to approve the minutes of the Commissioners' meetings of March 3, 1981 and March 10, 1981. All Commissioners present voted in favor.

TITLE IV - YOUTH CONSERVATION AND COMMUNITY IMPROVEMENT PROGRAM
AMENDMENT TO OFFICE ON AGING SUBGRANT

Present: Billye McGaharn, Senior Services Coordinator

Mrs. McGaharn requested authorization from the Commissioners for a modification to the referenced YCCIP Subgrant and further requested authorization for the President of the Board to sign the application when it was prepared in final form. Commissioner Dean moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign the amended application. All Commissioners present voted in favor.

BID TALLY SHEET
SALE OF MOBILE HOME AT WALDEN CENTER

The County Administrator presented the bid tally sheet for the sale of the Mark IV Mobile Home at Walden Counseling Center which will be vacated when the new building is completed. Mr. Raley, director of Purchasing and Logistics, recommended that the trailer be awarded to the highest bidder, Walter B. Dorsey, in the amount of \$3,356.00. The Commissioners gave their concurrence.

CORRESPONDENCE TO CHAMBER OF COMMERCE

The County Administrator presented correspondence for the Commissioners' signatures to the Chamber of Commerce responding to their request for County support of a Tourist Information Center. The Commissioners agreed to sign and forward said letter.

CORRESPONDENCE TO STATE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

The County Administrator presented correspondence to the Secretary of the State Department of Economic and Community Development requesting reconsideration relative to Mortgage Revenue Bonds. The Commissioners agreed to sign and forward said letter.

BUDGET AMENDMENTS 81-42, 81-43 and 81-44

The County Administrator presented the referenced Budget Amendments as recommended for approval by the Budget Officer as follows:

81-42 (County Engineer) - Increase Account No. 1252-80220 (Asphalt Overlay Undistributed) in the amount of \$53,000; decrease Account No. 1260-20120 (Hollywood Shores Special Taxing District) by like amount.

81-43 (Recreation and Parks) - Increase Account No. 1832-60320 (Fifth District Park) by \$2,465; decrease Account No. 1832-62521 (Fifth District Storage Facility) by like amount.

81-44 (Civil Defense) - Increase Account No. 1151-29110 (Utilities) by \$1,000 and Account No. 1141-21910 (Equipment) by \$2,297; decrease Account No. 1151-11110 (Salaries-General) by \$3,297.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the referenced Budget Amendments as set forth above. All Commissioners present voted in favor.

CORRESPONDENCE TO HOUSE ENVIRONMENTAL MATTERS COMMITTEE

The County Administrator presented correspondence for the Commissioners' signatures addressed to the Chairman of the House Environmental Matters Committee in support of Senate Bill 405 regarding the Power Plant Siting Program. The Commissioners agreed to sign and forward said letter.

CITIZEN ADVISORS APPRECIATION WEEK

The County Administrator presented to the Commissioners correspondence from the Maryland Volunteer Network dated March 13 requesting that April 27 - May 3 be declared Volunteer Citizens Appreciation Week. Secondly, Mr. Cox requested the Commissioners' consideration for a Citizen Advisors Appreciation Night to show the County's appreciation for those citizens who serve on the county's various Boards, Committees and Commissions.

The Commissioners gave their concurrence and agreed that the Citizen Advisors Appreciation Night be held the first week in June.

PERSONAL SERVICE CONTRACT
ST. CLEMENTS ISLAND

The County Administrator presented a Personal Service Contract for James Mahoney in an amount not to exceed \$19,000 for the construction and placing of a minimum of 15 exhibits pertaining to the history of St. Clements Island. Mr. Cox stated that in the last session of the Maryland General Assembly a \$25,000 grant was awarded for the Museum in preparation for the 1984 Celebration of Maryland's founding.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, to sign the Personal Service Contract for James Mahoney of the Smithsonian Institute as outlined above. All Commissioners voted in favor.

ST. MARY'S PUBLIC SCHOOLS
LOSS OF FEDERAL IMPACT AID FUNDS

Present: Dr. Larry Lorton, Superintendent of Schools
Mr. Henry Kanowicz

Dr. Lorton explained that the purpose of this meeting was to explain the issue of the loss of Federal Impact Aid Funds (P.L. 874) and to request the County's support in trying to get them restored. He stated that Delegate Smith from Anne Arundel has introduced House Bill 1859 which requires tuition from those students who live on federal property, which he understands that if passed, will be taken to court. Dr. Lorton stated that he and Mr. Kanowicz will be going to Annapolis this day to plead the case for the loss of the impacted aid, but were unsure of what position to take on House Bill 1859.

After discussion, the Commissioners agreed to support the effort of St. Mary's Public Schools, but recommended that the bill be opposed in order to maintain a positive relationship with the Patuxent River Naval Air Station and to make St. Mary's County the type of community in which Navy personnel would like to live.

Dr. Lorton agreed to this recommendation and advised that he would advise the Commissioners of the outcome of today's hearing in Annapolis.

INSTALLATION OF GUARDRAILS

Present: John Norris, County Engineer

Mr. Norris presented a proposal from Whitmyer Brothers in the amount of \$27,427.53 for the installation of guardrails at Jones Wharf Road, Hollywood Shores, Willows Road, Golden Beach No. 1, and East Quincy Terrace.

Commissioner Dean moved, seconded by Commissioner Arnold, to accept the proposal as recommended by the County Engineer. All Commissioners voted in favor.

OAKVILLE TRANSFER STATION OPERATING HOURS

Present: John Norris, County Engineer

Mr. Norris recommended to the Commissioners that when the Oakville Landfill is converted to a transfer station, the hours of the operation be made the same as the hours of the other transfer stations in the County - 9:30 a.m. to 5:00 p.m. The Commissioners gave their concurrence.

PURCHASE OF USED WINCH
LANDFILL OPERATION

Present: John Norris, County Engineer

Mr. Norris requested authorization to purchase a used winch at a cost of approximately \$7,000 from Alban Tractor to be used with the 6-D-6 bull dozer for the landfill operation. Funds are in the Capital Equipment Account for Landfills.

The Commissioners gave their concurrence.

SURBURBAN PLUMBING AND HEATING
RENOVATION OF HEATING AT COURTHOUSE

Present: John Norris, County Engineer

Mr. Norris requested approval for a Change Order in the amount of \$6,713 to replace the boiler at the Courthouse, with funds to be taken from savings on the landfill operation. He stated that this replacement would result in fuel savings for the Courthouse. The Commissioners gave their concurrence.

NORTH INDIAN CREEK SUBDIVISION
ADDENDUM NO. 7

Present: John Norris, County Engineer

Mr. Norris presented Addendum No. 7 to the Public Works Agreement by and between Oliver R. Guyther and the Board of County Commissioners of St. Mary's County extending the deadline of the completion of the roads in the referenced subdivision to June 1, 1981 and reducing the amount of the bond to \$5,140.

The Commissioners gave their concurrence.

PROJECT NO. SM 81-5-1
REFUSE PACKER TRAILER

Present: John Norris, County Engineer

Mr. Norris presented the bid tally sheet for the referenced project and requested the Commissioners to acknowledge the lowest bidder but not award the contract until after he has had an opportunity to inspect the equipment. The Commissioners agreed to acknowledge the lowest bidder, which was from STECO Sales, Co in Pottsville, Pennsylvania and that the bid would be awarded after inspection by the County Engineer.

REZONING DECISION DISCUSSION
ZONE #80-1410
DAKOTA MANOR - MARV FRANZEN

Present: Frank Gerred, Director, Planning and Zoning
Anita Meridith, Recording Secretary

(Request to rezone approximately 2.33 acres located on Peggs Lane adjoining Spring Valley Subdivision in the 8th Election District, Tax Map 43, Block 15, Parcel 75, from C-1, Commercial, to R-15, Townhouses.)

County Commissioner President George Aud and Commissioner members Richard Arnold, Ford Dean and David Sayre were present during the ensuing discussion and decision rendering meeting held this date regarding the above-captioned rezoning request for Marv Franzen, Dakota Manor.

Commissioner Dean noted that the prepared staff analysis and report contained all of the pertinent facts relative to the request and for that reason he attached those remarks to his basic outline.

Commissioner Dean subsequently moved, seconded by Commissioner Arnold, to grant item number two as indicated in his "outline paper" and forward same to the County Attorney to adopt the appropriate resolution and thereby approve this rezoning request.

The vote was unanimous in decision to grant the rezoning.

SOLID WASTE MANAGEMENT PLAN

Present: Frank Gerred, Director, Office of Planning and Zoning

Mr. Gerred advised that since the public hearing was held March 3, 1981, a date needed to be scheduled for a decision-making meeting. The Commissioners agreed to set March 24 as the date for a decision on this matter. The County Administrator mentioned that the Solid Waste Ordinance should be updated in conjunction with the updating of the Solid Waste Management Plan.

STATE CAPITAL PROJECTS - SITE PLAN REVIEW

Present: Frank Gerred, Director, Office of Planning and Zoning

As a follow up to discussion with the Commissioners at their meeting of February 3, 1981, Mr. Gerred requested direction from the Commissioners as to the handling of state projects that are not being presented for site plan review. Mr. Gerred recommended that the Commissioners forward a letter to the Maryland Board of Public Works requesting their cooperation in this matter. The Commissioners agreed and directed Mr. Gerred to prepare such a letter for the Commissioners' signatures to the Board of Public Works as well as to the Department of State Planning.

HISTORIC DISTRICT AMENDMENTS

Present: Frank Gerred, Director, Planning and Zoning

Having conducted a public hearing on February 3, 1981 on the amendments to the Historic District section of the Zoning Ordinance, Mr. Gerred brought the Commissioners up to date as to the status of the amendments and stated that they were to improve and clarify that section. Commissioner Dean requested that Mr. Gerred prepare the amendments in final form pointing out the changes and the Commissioners would consider making a decision at next week's meeting.

RURAL SERVICE CENTER - CLEMENTS AREA

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred stated that he has received several requests for Rural Service Center zoning in the Clements area and requested authorization from the Commissioners to proceed with the study. The Commissioners gave their concurrence.

PROPOSAL FOR GARMENT MANUFACTURING BUSINESS

Present: Eddie Williams
Virginia Nolan

Mr. Williams stated that the purpose of this meeting was to advise the Commissioners of their proposal for a garment manufacturing business and to request the Commissioners' consideration for use of the Carver Annex Building when it is deeded to the County by the Board of Education. Mr. Williams stated that they plan to manufacture men's and women's clothing and they are looking at various funding sources for this endeavor. He stated that he has looked at the Carver building and felt that it was structurally sound and that he had the ability to make interior improvements.

The Commissioners advised that there were several questions that need to be addressed before a final determination can be made such as the legality of the use of the building, zoning of the property, etc. The Commissioners advised that they would respond to Mr. Williams and Mrs. Nolan when these determinations are made.

COMPREHENSIVE RECREATION AND PARKS PLAN

Present: John Baggett, Director, Recreation and Parks
Frank Gerred, Director, Planning and Zoning

Mr. Baggett appeared before the Commissioners to bring them up to date with regard to the status of the Comprehensive Recreation and Park Plan. He stated that there is a bill in the General Assembly which if passed would provide 100%-funded grant in an amount up to \$25,000 to do the Plan; however, this bill does not appear that it will be passed. Mr. Baggett advised that there is presently a law that would provide \$10,000 from a 50% matching grant, with the County's share being in-kind. In conclusion Mr. Baggett recommended that the Plan be done in house rather than using a consultant as had been done in the past and that the Office of Planning and Zoning assist in this endeavor. Mr. Gerred stated that he agreed with this proposal and advised that he and Mr. Baggett would draw up the scope of work and present it to the Commissioners for approval. The Commissioners gave their concurrence.

NON-URBANIZED TRANSPORTATION GRANT

Present: Joseph P. O'Dell, Budget Officer

Having conducted a public hearing on the Application for a Non-Urbanized Transportation Grant on March 3, 1981, Mr. O'Dell presented the Application for the Commissioners' review and decision.

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Commissioner Dean moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign the Grant Application. All Commissioners present voted in favor.

CRIME PREVENTION MEASURES IN NEW CONSTRUCTION

In response to the presentation by Trooper Simms at their meeting of February 3, 1981 at which he presented recommendations for crime prevention measures in new construction, the Commissioners agreed that the proposal should be endorsed but not made obligatory. The Commissioners suggested that the measures presented by Trooper Simms concerning locks and bolts on new houses be distributed at the time building permits are obtained. The County Administrator was directed to prepare correspondence expressing gratitude to Trooper Simms for his efforts on behalf of the community.

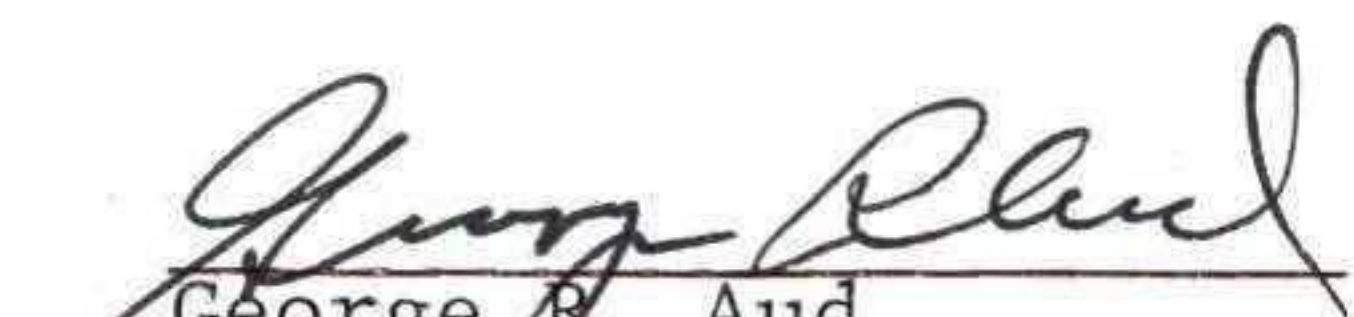
EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
Joseph E. Bell, II, County Attorney
Mr. Bob Norris, property owner

The Commissioners agreed to meet in Executive Session with the County Administrator in order to discuss consideration of appointments to Boards, Committees and Commissionees after which they would continue in Executive Session with the County Attorney and Mr. Norris to discuss possible litigation concerning the St. Mary's River Watershed. The Session was held from 11:45 a.m. to 2:00 p.m.

The meeting adjourned at 2:00 p.m.

Signed,


George R. Aud
President