

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, May 5, 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 9:10 a.m.

APPROVAL OF VOUCHERS

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

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Aud to approve the minutes of the Commissioners' meeting of April 21, 1981.

HOUSING AUTHORITY

REQUEST FOR DISPOSAL OF PROPERTY - TALL TIMBERS

Present: Joe Mitchell, Housing Coordinator
John Lancaster, Chairman, Housing Authority
B.J. Egeli

As a follow-up to last week's discussion concerning the disposal of property in Tall Timbers donated to the Housing Authority, the referenced individuals appeared before the Commissioners to reiterate their request to dispose of the property and to explain their rationale.

Mr. Mitchell explained the history of the Housing Authority receiving the property and that it was hoped that it could be used as a site for low-income apartments. However, because of sewage disposal problems and because of the results of feasibility studies (B.J. Egeli and Bates & Associates), it was determined that the cost to make the property useable was prohibitive. Mr. Mitchell stated that at the April meeting of the Housing Authority, a resolution was passed to recommend that the Commissioners dispose of it.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, to proceed with the advertisement for the sale and disposition of the property. All Commissioners voted in favor.

COOPERATIVE REIMBURSEMENT PROGRAM GRANT RENEWAL

The County Administrator presented the renewal for the referenced Cooperative Reimbursement Grant for the State's Attorney's Office for the total project cost in the amount of \$44,601.13, with the County's share in the amount of \$11,150.33.

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

CORRESPONDENCE TO THE LINKS, INC.

The Commissioners agreed to sign and forward correspondence to Mrs. Albertine Lancaster of The Links, Inc. endorsing the establishment of a chapter of The Links, Inc. in St. Mary's County.

CLEARINGHOUSE PROJECT NO. 81-4-828
VA FEASIBILITY - FOREST RUN

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.

CORRESPONDENCE TO GOVERNOR HUGHES
SPILLAGE OF SEWAGE INTO POTOMAC RIVER

The Commissioners agreed to sign and forward correspondence to Governor Hughes expressing concern of the spillage of partially treated sewage into the Potomac River.

BILL OF COMPLAINT FOR ACCOUNTING
COUNTY COMMISSIONERS VS. CATV

The County Administrator presented the Bill of Complaint against Leonardtown CATV, Inc. which will be filed by the Assistant County Attorney. The Complaint requests the Court to appoint a Court Auditor to seek a Judgment to name the amount owed by CATV.

Commissioner Arnold moved, seconded by Commissioner Dean, to authorize Commissioner President Aud to sign the Bill of Complaint. All Commissioners voted in favor.

OFFICE ON AGING
PROGRAMS COORDINATOR

The County Administrator presented a memorandum from the Personnel Officer advising that it was the recommendation of the Senior Services Coordinator to appoint June Long to the position of Programs Coordinator, Grade 10, effective May 11. The Commissioners unanimously gave their concurrence.

RESIDENT MAINTENANCE ENGINEER REPORT

Present: John D. Raley, Resident Maintenance Engineer

Mr. Raley appeared before the Commissioners to present a status report on various road, drainage and sign problems in the County and received input from the Commissioners as to additional areas of concern.

COMMERCIAL INVENTORY TAX REVIEW COMMITTEE REPORT

Present: Joseph P. O'Dell, Budget Officer
F. Elliot Burch, Jr.
Bert Fenwick

The referenced members of the Commercial Inventory Tax Review Committee appeared before the Commissioners to present two alternatives for the changing of the present practice of taxing commercial inventory at 50% of value:

1. Beginning with FY '83 (July 1, 1982) and for five consecutive years, an annual reduction of the exemption of 10% per annum, or

2. Beginning with FY '82 (July 1, 1981) the placement of a cap on the amount of revenue which can be generated by the inventory tax.

During discussion, Commissioner Millison expressed opposition to eliminating the Commercial Inventory Tax in that he was of the opinion that it would benefit the oil companies in the County more than the small businessman, and because approximately 65% of the tax is paid by the oil companies.

Commissioner Dean stated that he was aware of the problem; however, he was not fully prepared to comment on the recommendations at this meeting. He requested that the Budget Officer determine how much property tax is paid to the County by the oil companies that pay the bulk of the inventory tax.

In conclusion, the Commissioners thanked the Review Committee for their report and advised that they would give consideration to the recommendations at a later date.

REQUEST FOR VARIANCE TO ZONING ORDINANCE
MR. JACKIE TENNYSON

Present: Frank Gerred, Director, Planning and Zoning
Jackie Tennyson, Property owner

Mr. Gerred explained to the Commissioners that property owned by Mr. Tennyson located in Hollywood on the corner of Route 245 did not meet the Zoning Ordinance requirements as to average lot

width. It was suggested that Mr. Tennyson appear before the Zoning Board of Appeals to request a variance and the Commissioners were supportive in his efforts. The Zoning Administrator indicated that he would recommend to the Zoning Board of Appeals that the variance be granted.

TEXT CHANGES TO THE ZONING ORDINANCE

- RESOLUTION NO. 81-38 (COMMERCIAL SIGNS)
- RESOLUTION NO. 81-39 (CONCEPT PLAN REQUIREMENT)
- RESOLUTION NO. 81-40 (DELETION OF F.A.R. IN C-2 ZONE)
- RESOLUTION NO. 81-41 (PROFESSIONAL OFFICE AS CONDITIONAL USES)
- RESOLUTION NO. 81-42 (RESIDENTIAL USE FOR CARETAKE IN I-1)
- RESOLUTION NO. 81-43 (COMMERCIAL LIMITED - OFFICE)

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred presented the referenced Resolutions setting forth certain text amendments to the Zoning Ordinance, for which public hearings had been conducted, from February 26, 1980 to March 24, 1981.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and sign said Resolutions No. 81-38 through 81-43. All Commissioners voted in favor.

PROCLAMATION NO. 81-35
SHRINERS HOSPITAL BENEFIT DAYS

The Commissioners presented the referenced Proclamation proclaiming May 15 and 16, 1981 as Shriners Hospital Benefit Days.

PROCLAMATION NO. 81-37
RIDE-A-BIKE FOR THE RETARDED DAY

The Commissioners presented the referenced Proclamation designating Sunday, May 17, 1981 as Ride-A-Bike for the Retarded Day.

SPECIAL TAXING DISTRICTS FOR ROAD RECONSTRUCTION
HOLLYWOOD SHORES, GOLDEN BEACH NO. 1, AND GOLDEN BEACH NO. 2

Present: John Norris, County Engineer
Bradley Dorf, Golden Beach
Mrs. Granatis, Hollywood Shores

HOLLYWOOD SHORES SPECIAL TAXING DISTRICT - Mr. Norris presented the Summary Sheet for the referenced Taxing District setting forth estimated and actual costs and assessments. Total Actual Figures are as follows:

<u>Actual Costs</u>	<u>County's Costs</u>	<u>Property Owner's Actual Costs</u>	<u>Lot Owners</u>	<u>Annual(15 yrs) Assessment</u>
\$406,655	\$85,625	\$321,030	239	\$89.55

GOLDEN BEACH TAXING DISTRICT NO. 1 - Mr. Norris presented the Summary Sheet for the referenced Taxing District setting forth the actual costs as follows:

<u>Actual Costs</u>	<u>County's Cost</u>	<u>Property Owners' Actual Costs</u>	<u>Number of Lot Owners</u>	<u>Annual(15 yrs) Assessment</u>
\$56,119	\$13,297	\$44,622	37	\$80.40

GOLDEN BEACH TAXING DISTRICT NO. 2 - Mr. Norris presented the Summary Sheet for the referenced Taxing District setting forth the actual costs as follows:

<u>Actual Costs</u>	<u>County's Cost</u>	<u>Property Owners' Actual Costs</u>	<u>Number of Lot Owners</u>	<u>Annual (15 yrs) Assessment</u>
\$32,728	\$11,858	\$21,271	29	\$48.90

Mr. Dorf stated that the residents of Golden Beach were very pleased with the road reconstruction and requested that reflective material be placed on the guardrail on Allison Court.

Mrs. Granatis also stated that everyone in Hollywood Shores was pleased with the roads in Hollywood Shores.

In closing, the Commissioners stated that they were in concurrence with the tax rates as set forth above and requested that the appropriate Resolutions be prepared establishing the tax rate for the Special Taxing Districts to be adopted on May 26, 1981.

STATE HIGHWAY MAINTENANCE ACCOUNT
APPROVAL OF VOUCHER

Present: John Norris, County Engineer

Mr. Norris presented Voucher No. 036546 in the amount of \$71,699.40 payable to State Highway Administration for the deficit as set forth in the March State Highway Statement for Maintenance.

PROJECT NO. 81-5-2
RETAINING WALL AT OAKVILLE TRANSFER STATION

Present: John Norris, County Engineer

Mr. Norris presented the bid tally sheet for the referenced project and recommended awarding the bid to Johnson Builders, the lowest bidder, in the amount of \$14,450. The Commissioners gave their concurrence.

REBIDDING OF PLUMBING SYSTEM
RECREATION SHELTERS

Present: John Norris, County Engineer

Mr. Norris advised that the referenced project was rebid and recommended awarding the bid to Taylor Plumbing and Electric of Hollywood, Maryland, the lowest bidder, in the amount of \$45,915.00. The Commissioners gave their concurrence.

VILLA ROAD

Present: John Norris, County Engineer

Mr. Norris displayed the plans for the reconstruction of Villa Road which he stated was in development stages. He stated that next week his office expects to begin the acquisition of rights-of-way. The design is for 50 miles per hour.

Mr. Norris requested authorization from the Commissioners for regrading of the drainage from the pond on Bill Raley's property back to Villa Road, if this would solve the drainage problem along the road. The Commissioners gave their concurrence.

CHANGE ORDER
LORENZI, DODDS AND GUNNILL
VILLA ROAD

Present: John Norris, County Engineer

Mr. Norris requested authorization for approval of a Change Order in the amount of \$4,800 to do additional survey work for the right-of-way stake out on Villa Road. He stated the funds would come from the project account.

Commissioner Arnold moved, seconded by Commissioner Dean, to approve the referenced Change Order. All Commissioners voted in favor.

HOLLY COURT AND OVERCUP DRIVE
TOWN CREEK

Present: John Norris, County Engineer

Commissioner Aud brought to the Commissioners attention that the referenced roads below the Town Creek area are gravelled and the residents would like to have them asphalted. Mr. Norris stated that these roads are not in the County Highway Maintenance System and suggested that they could establish a Special Taxing District to have them surface treated. He advised that he would get a cost estimate and return to the Commissioners with these figures. Also, the County Commissioners requested the County Engineer to establish definitively whether or not said streets are in the County System.

CONTRACT FOR DREDGING OF SOUTH PRONG OF ST. JEROMES CREEK

Present: John Norris, County Engineer

Mr. Norris presented the Contract by and between the State of Maryland, acting through the Board of St. Mary's County Commissioners and Smith Brothers for the dredging of the South Prong of St. Jeromes Creek.

Commissioner Dean moved, seconded by Commissioner Arnold, to award the contract to Smith Brothers, Inc. and further to authorize the President of the Board to sign the Contract. All Commissioners voted in favor.

TUBMAN DOUGLAS PROJECT

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that \$15,000 has been made available for the upgrading of the streets in Tubman Douglas and that the design is the next step. He stated he received proposals from four engineering firms and recommended awarding the bid to D.H. Steffens, the lowest bidder in the amount of approximately \$11,000.

Commissioner Dean moved, seconded by Commissioner Arnold, to accept the County Engineer's recommendation and award the bid as set forth above. All Commissioners voted in favor.

In addition, the Commissioners gave their concurrence to approve Budget Amendment No. 81-48 (County Engineer, Housing Authority) as follows:

Increase Account No. 1256-61220 (Tubman-Douglas Engineering Design and Survey); decrease Account No. 1256-62720 (East Essex Townhouse Drainage Project) by like amount.

TRANSFER OF ST. ANDREW'S CHURCH ROAD TO SHA

Present: John Norris, County Engineer

Mr. Norris discussed the correspondence from State Highway Administration offering eight miles of road in exchange for St. Andrew's Church Road. Mr. Norris advised that the transfer cannot be done officially until a transfer of funds is taken care of. The Commissioners agreed to table the matter for two weeks.

REQUEST FOR AUTHORITY TO BID - SURFACE TREATMENT PROGRAM

Present: John Norris, County Engineer

Mr. Norris requested authorization from the Board to proceed with the bidding for the Surface Treatment Program for 41 miles of road in an amount not to exceed \$350,000. He stated that

another aspect of the contract is that the State Highway Administration will have to do the preparatory work and patching on the roads, and there are enough funds in the SHA Account for this.

The Commissioners gave their concurrence to grant this authorization.

STRUCTURAL ANALYSIS OF LEONARDTOWN ARMORY BUILDING

Present: John Norris, County Engineer

Mr. Norris requested authorization in an amount not to exceed \$5,000 for a study of the Tudor Hall Library building and the Leonardtown Armory for use as a library.

The Commissioners were in agreement that it has been demonstrated that the Tudor Hall building is no longer adequate as a library and recommended that the study be made only of the Leonardtown Armory in an amount not to exceed \$4,000.

PLANS FOR REGRADING OF WALDEN COUNSELING CENTER
PLANS FOR BULKHEADING AT PINEY POINT

Present: John Norris, County Engineer

Mr. Norris requested Commissioner President Aud's signature on the referenced Plans and obtained same.

EXECUTIVE SESSION

Present: John Norris, County Engineer
Edward V. Cox, County Administrator

The Commissioners agreed to meet in Executive Session in order to discuss a matter of possible litigation. The session was held from 2:00 p.m. to 2:30 p.m.

PROCLAMATION NO. 81-36
FOSTER PARENT WEEK

The Commissioners presented the referenced Proclamation proclaiming the week of May 3 through 9, 1981 as Foster Parent Week in St. Mary's County.

NURSING HOME BY-LAWS

Commissioner Dean reviewed with the Commissioners the amended By-Laws as proposed by the Nursing Home Board of Directors and made further amendments, which the Board of County Commissioners approved. A copy of the proposed By-Laws, as amended/approved is on file in the Commissioners' Office. Commissioner Dean stated that he would forward an amended copy depicting the proposed changes to the Nursing Home Board.

FUEL DISTRIBUTION FACILITY
SHERIFF'S DEPARTMENT

Commissioner Dean discussed with the Commissioners the request by the Sheriff's Department to be exempted from using the Fuel Distribution Facility. After discussion the Commissioners agreed that the Sheriff be advised that his Department is not exempted from using the system in that it would defeat the purpose of the cost-savings to the County.

TOURIST INFORMATION CENTER

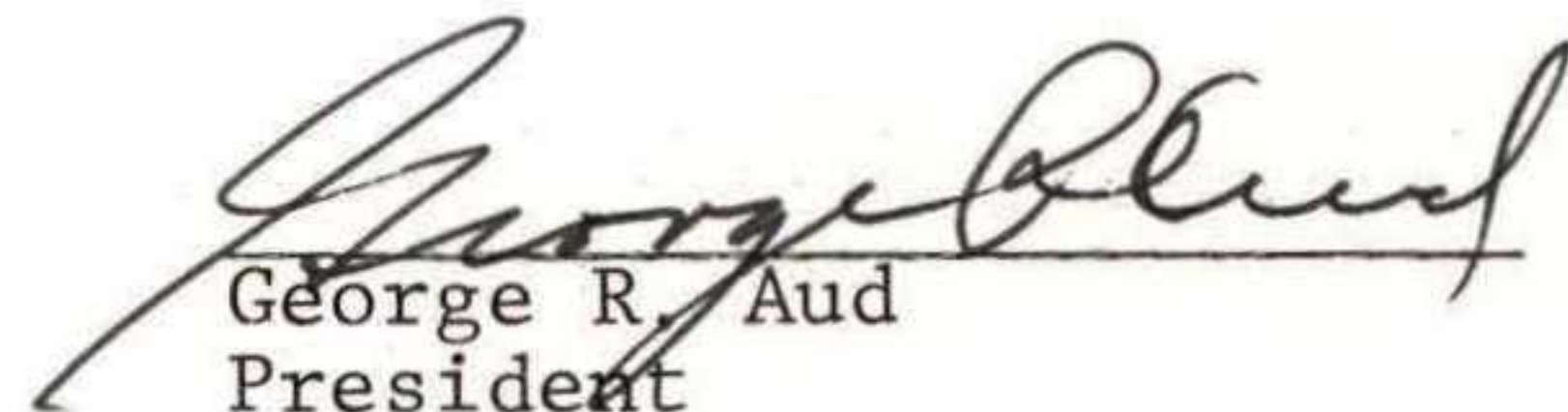
As a follow up to last week's discussion relative to awarding funds to the Chamber of Commerce for the operation of the Tourist Information Center, the Commissioners agreed to award \$3500 to the Chamber and give them the flexibility to apply it towards the operation of the Center without requiring county approval for the specific areas of expenditure.

SUMMER FEEDING PROGRAM

In response to the request at last week's meeting for funds to operate the Summer Feeding Program, the Commissioners agreed to fund \$500 and to point out that the Fun Wagon from Recreation and Parks enters each of the communities in which the Feeding Program is being conducted and will be of assistance.

The meeting adjourned at 3:30 p.m.

Approved,


George R. Aud
President