

BOARD OF COUNTY COMMISSIONERS' MINUTES

Tuesday, October 13, 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 10:00 a.m.

INSPECTION OF SHERIFF'S DEPARTMENT VEHICLES AND PERSONNEL

At this time the Commissioners conducted a review of the Sheriff's Department vehicles and personnel on the Governmental Center grounds.

APPROVAL OF VOUCHERS

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

COUNCIL ON CHILDREN AND YOUTH
ANNUAL REPORT

Present: Valerie Von Allmen, Chairperson
Elfreda Mathis, Children and Youth Council
Mary Novotny, Children and Youth Council
Phebe Barth, Youth Services Coordinator
Celene Graves, Intern from St. Mary's College

The above individuals appeared before the Commissioners to present the Council on Children and Youth's Annual Report. A copy of the report is on file in the Commissioners' Office. The Report included the status of various activities and programs of the Council and concluded with a list of future plans for the Council.

During the presentation, Mrs. Von Allmen noted that it is anticipated that next year there will be a reduction of CETA funds for the Summer Youth Employment Program, and it is likely that the funds will be completely eliminated by September 30, 1982. In light of this reduction, Mrs. Von Allmen advised that it was the Council's recommendation that additional County funding be made available for this program. An official request

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will be made through the FY 82-83 Budget process.

On behalf of the Board of County Commissioners, Commissioner Aud expressed appreciation to the Council for all its accomplishments.

BIDS ON POLICE VEHICLES

Present: Paul Raley, Director, Purchasing and Logistics

Mr. Raley presented the bid tally sheet for the purchase of eleven automobiles for the Sheriff's Department (2 unmarked, 9 marked) and noted that the lowest bidder is Ritter Chevrolet in the amount of \$104,207.48. The Commissioners agreed to defer a decision on this matter.

Later in the meeting, Sheriff Somerville and Lt. Pellillo appeared before the Commissioners to discuss the justifications for the purchase of the vehicles. Sheriff Somerville stated that the purchase is justified because of high mileage, repair bills and further that by buying a fleet of automobiles at this time is more economical.

After discussion, the Commissioners agreed to approve the purchase of the vehicles and to accept the bid from Ritter Chevrolet as set forth above.

AUDIT OF OFFICE ON AGING PROGRAMS

Having solicited proposals for the auditing of the St. Mary's County grants for the Office on Aging programs for the year ending September 30, 1981, it was the recommendation of the Director of Budget and Data Services to accept the proposal from Jeffrey N. Wood, Certified Public Accountant.

Commissioner Dean moved, seconded by Commissioner Arnold, to retain the services of Mr. Wood for the Title III-B, Title III-C-1 and Title III-C-2 Office on Aging Grants. All Commissioners voted in favor.

RETURN OF DEPOSIT FOR LAND PURCHASED AT COUNTY TAX SALE THOMAS R. GARDNER

The County Administrator presented correspondence from the County Attorney recommending the return of the deposit from Thomas R. Gardner for the purchase of land at a County tax sale in that there is no record of that particular lot.

Commissioner Millison moved, seconded by Commissioner Arnold, to return said deposit. All Commissioners voted in favor.

(Commissioner Sayre left the meeting).

REZONING HEARING - ZONE #81-0891

J. HARRY NORRIS (THRIFT OIL)

Present: James Kenney, on behalf of applicant
Frank Gerred, Director, Office of Planning & Zoning
Linda Bronsdon, Assistant Planner
Ted Tate, representing WKIK, adjoining property owner
Eleanor Mattingly, adjoining property owner
Peggy Childs, Recording Secretary

Application requesting rezoning of 5.414 acres of land, located off of Route 5, Third Election District, Tax Map 32, Block 2, Parcel 186, from AR-2, Agricultural-Residential, to C-2, Commercial.

The Commissioners conducted a public hearing on the referenced application. The complete record, tape and minutes are on file in the Office of Planning and Zoning.

PUBLIC HEARING - ZONE #81-0867 and ZONE #81-1084
TEXT AMENDMENTS TO ZONING ORDINANCE

Present: Frank Gerred, Director, Office of Planning & Zoning
Linda Bronsdon, Assistant Planner
Peggy Childs, Recording Secretary, Office of P&Z

The Commissioners conducted a public hearing on the following text amendments to the Zoning Ordinance:

ZONE #81-0867

1. Paragraph 32.01.4.b(4) - Change "Board of Appeals" to "Zoning Administrator";
2. Paragraph 70.02.3 - Change time limit for Planning Commission's recommendation to County Commissioners to 60 days from final hearing date;
3. Paragraph 71.04 - Penalties. Add new sub-paragraph 2 to provide for civil zoning violations.
4. Paragraph 53.06.6 - Delete "in Residential Districts" in line 2.

ZONE #81-1084

1. Delete existing paragraph and add 63.00.a through 63.00.g to provide for Unsafe Structures or Conditions.

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

LEONARD, JONES, KOPP AND BATES ASSOCIATES
REQUEST FOR ACCESS ACROSS RAILROAD RIGHT-OF-WAY

Present: James Kenney, Attorney
Frank Gerred, Director, Office of Planning & Zoning

Mr. Kenney, representing Leonard, Jones, Kopp, and Bates Associates, appeared before the Commissioners to request access across the railroad right-of-way near the intersection of St. Andrews Church Road and Md. Rt. 235. Mr. Gerred displayed the plat for the property stating that a decision is pending before the Planning Commission for concept site plan approval until the matter of an entrance to the property is resolved. Mr. Kenney stated that by having access across the railroad right-of-way onto Rte. 235 would be safer than as currently shown on the site plan closer to the intersection.

The Commissioners agreed to make a decision in two weeks.

In the meantime, the Commissioners requested the County Engineer to contact State Highway Administration regarding the hazardous condition at the intersection of Md. Rt. 235 and St. Andrews Church Road and inquiring as to what corrective measures can be taken to rectify the situation.

BUDGET AMENDMENTS NO. 82-14 and 82-15
OFFICE ON AGING

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

No. 82-14

Increase various accounts to allocate funds to respective grant budgets based on Notification of Grant Awards for Titles III-B, III-C1 and III-C2 (One half approvals) in the amount of \$70,825.

Decrease Account No. 1537-29810 (Undistributed Budget Allocation) in the amount of \$70,825.

No. 82-15

Increase various accounts to allocate authorized funds to approved budget accounts effective September 30, 1981, in the amount of \$41,076.

Decrease Account No. 1537-29810 (Undistributed Budget Allocation) in the amount of \$41,076 to provide budget authority to execute the RSVP Grant; 9/30/81 through 9/29/82.

AFFIRMATIVE ACTION EVALUATION COMMITTEE

Commissioner Millison moved, seconded by Commissioner Dean, to nominate Mrs. Viola Gardner to the Affirmative Action Evaluation Committee in place of Sheriff Somerville who declined the appointment. All Commissioners voted in favor.

MODIFICATION NO. 1 TO COASTAL ZONE MANAGEMENT CONTRACT

The County Administrator presented Modification No. 1 to the Coastal Zone Management Contract which adds \$700 to the original contract making the total amount \$18,700.

Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign Modification. All Commissioners voted in favor.

TEMPORARY PROMOTION

ASSISTANT ZONING ADMINISTRATOR POSITION

The County Administrator presented a memorandum dated October 14, 1981 from the Personnel Officer recommending the temporary promotion of James Weber to Grade 14 as Assistant Zoning/Subdivision Administrator during the absence of Mary I. Raley, who has been granted leave for the purpose of completing her Master's Degree.

Commissioner Aud moved, seconded by Commissioner Arnold, to accept this recommendation. All Commissioners voted in favor.

APPROVAL OF VOUCHERS

Present: John Norris, County Engineer

Mr. Norris requested approval from the Board to authorize Commissioner President Aud to sign the following vouchers:

1. B.F. Asher in the amount of \$41,797.49
2. Arundel Asphalt in the amount of \$179,782.10

The Commissioners gave their concurrence.

ACCEPTANCE OF DEED

LEXWOODS APARTMENTS LIMITED PARTNERSHIP

Present: John Norris, County Engineer

Mr. Norris presented a Deed dated September 15, 1981 by and between Lexwoods Apartments Limited Partnership and the Board of County Commissioners accepting Lexwoods Drive in the referenced subdivision in the County's Highway Maintenance System.

Commissioner Millison moved, seconded by Commissioner Arnold, to accept said Deed. All Commissioners voted in favor.

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ACCEPTANCE OF DEED
URBAN SYSTEMS DEVELOPMENT (CEDAR COVE)

Present: John Norris, County Engineer

Mr. Norris presented a Deed dated August 25, 1981 by and between Westinghouse Electric Corporation Urban Systems Development Company and the County Commissioners of St. Mary's County accepting the following roads in Cedar Cove into the County Highway Maintenance System: America Street, Endeavor Street, Genesta Street, Galatea Street, Atalanta Street and Cambria Street located in Cedar Cove, Eight Election District.

The Commissioners gave their concurrence, with Commissioner Millison abstaining.

EASEMENT AGREEMENT
RAILROAD RIGHT-OF-WAY
HENRY T. WARING

Present: John Norris, County Engineer

Mr. Norris presented an Agreement dated October 13, 1981 by and between the Board of County Commissioners of St. Mary's County and Henry Thomas Waring for access across the railroad right-of-way a portion of which borders on real estate owned by Mr. Waring located on Route 235 in the Eighth Election District in order to install a new drain pipe and provide a rip rap area.

Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign said Easement Agreement. Three Commissioners voted in favor, with Commissioner Millison abstaining.

PROJECT NO. SM 82-3-1
BIDS FOR ST. GEORGE'S CREEK DREDGING

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that one bid was received for the referenced project in the amount of \$297,000 which he stated was twice the amount of the amount of the estimate and therefore recommended that he seek alternatives for completing the projects and return to the Commissioners.

TUBMAN DOUGLAS ESTATES PROJECT

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that funding has been approved by the Department of Housing and Urban Development for the referenced project and apprised the Commissioners of the method of contracting that will be used -- rental contract for major work and pipework and specific contracts for other work items; asphalt, concrete curbing, and inlets. He stated that the pipes will be obtained through purchase order and requested approval by the Board to authorize Commissioner President Aud to issue said purchase orders. The Commissioners gave their concurrence.

CLOVERHILL MACINTOSH ROAD BRIDGE

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the hydraulic study and the specification designs will be submitted concurrently to the Department of Natural Resources for the reconstruction of the Cloverhill MacIntosh Road. He stated that there will be a potential liability for the County in the amount of \$1,000 if the work had to be redone. However, it is important that the plans and specifications be completed by December 1981 in order to qualify for the distribution of additional monies by the State Highway Administration.

The Commissioners gave their concurrence.

ASSISTANT PLANNER
TEMPORARY CONTRACT
OFFICE OF PLANNING AND ZONING

Present: Frank Gerred, Director, Office of P&Z

Mr. Gerred advised the Commissioners that the funding for the Assistant Planner position held by Robin Guyther expires October 23, 1981 and requested the Commissioners' consideration for placing Mr. Guyther on a temporary contract through the Fiscal year to follow up on certain projects; i.e., Maryland Certified Counties Program, shell building review, industrial revenue bonds, and to continue with the completion of the Recreation and Parks Plan and further to assist with the subdivision regulations and site plan work.

Commissioner Millison moved, seconded by Commissioner Arnold, to grant this request. All Commissioners voted in favor.

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ST. MARY'S COUNTY NURSING HOME

Present: George Smith, Director, St. Mary's County Nursing Home
Julia Richardson, Chairperson, Nursing Home Board

Commissioner Dean stated that in view of the financial situation of the Nursing Home, he has prepared paper setting forth the history of the Home, the present financial condition and recommended actions.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold to adopt the five recommended points as set forth in the referenced paper. All Commissioners voted in favor. A copy of the paper is on file in the Commissioners Office.

The Commissioners agreed that the next step would be for Mr. Smith and the Nursing Home Board to meet with the Budget Officer to work out the details.

EXECUTIVE SESSION

Present: Dr. Larry Lorton, Superintendent of Schools
James Raley
Edward V. Cox, County Administrator

The Commissioners agreed to meet in Executive Session. The Session was held from 3:25 p.m. to 4:14 p.m.

(Commissioner Millison left the meeting).

PUBLIC HEARING

UPDATE OF MANUAL OF PERSONNEL POLICIES AND PROCEDURES

Present: Gerda Manson, Personnel Officer
Edward V. Cox, County Administrator
County Employees

The Commissioners conducted a public hearing on the proposed amendments to the Manual of Personnel Policies and Procedures.

The County Administrator read the Notice of Public Hearing.

At this point the Personnel Officer reviewed the proposed amendments chapter by chapter to the Manual stating that the suggestions and comments from the employees and various departments have been taken into consideration.

During discussion regarding disability policy and procedures (Chapter IX), Roland Hayden inquired as to the salary if a disabled person is assigned to a lower graded position. Mrs. Manson stated that she would look into this and see what the policy should be.

UPDATE OF MANUAL OF PERSONNEL POLICIES AND PROCEDURES (Cont'd.)

The Commissioners advised that they would keep the record open for at least ten days.

The tape of the proceedings is on file in the Commissioners' Office.

The meeting adjourned at 5:25 p.m.

Approved,


George R. Aud, President