

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, November 10, 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 9:10 a.m.

APPROVAL OF VOUCHERS

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

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' meetings of September 29, October 6, and October 13, 1981. All Commissioners present voted in favor.

MARYLAND DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT
MORTGAGE SUBSIDY BOND TAX ACT
TAX EXEMPT BONDS FOR SINGLE FAMILY MORTGAGES

Present: Joe Mitchell, Public Housing Coordinator

Mr. Mitchell appeared before the Commissioners to obtain direction with regard to correspondence from the Maryland Department of Economic & Community Development dated October 28, 1981 in which they request advice on the following matters:

1. Identifying who by law the eligible local issuers are within the County.
2. Recommending what portion, if any, of the County's proportionate share should be allocated to each of these issuers.

In order to complete this process the DECD enclosed a questionnaire to be completed by the County and returned.

The Commissioners expressed interest and concurrence in the

MARYLAND DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT (Cont'd.)

proposal; stated that they wished to do everything possible to relieve the area's housing problems in St. Mary's County; and directed Mr. Mitchell to prepare responding correspondence and documents for the Commissioners' review.

1982 LEGISLATIVE PACKAGE PROPOSALS

The County Administrator reviewed his memorandum dated November 9, 1981 setting forth recommendations relative to the 1982 Legislative Proposals.

Item No. 1 - State's Attorney Salary (hold until full Board is present.)

Item No. 2 - St. Mary's County Sheriff's Department - Retirement System. The Commissioners authorized the County Administrator to proceed to obtain the study of the feasibility of a separate retirement system from the firm of Edward H. Friend and Company.

Item No. 3 - St. Mary's County Jail - Funds for Renovation The Commissioners gave their support to this proposal.

Item No. 4 - Metropolitan Commission - Payment and Extinguishment of Benefit Assessments - (Hold until full Board is present.)

Item No. 5 - Percentage Limitation for Certain Evidences of Indebtedness - (Hold until full Board is present.)

Item No. 6 - State Highway Administration (Hold until full Board is present.)

Item No. 7 - Sand and Gravel Taxation - The Commissioners agreed to appoint a Committee as recommended by the Budget Officer in his memorandum dated October 28, 1981.

Item No. 8 - Penalty and Interest Charges on Delinquent Real Estate. (Hold until full Board is present.)

Item No. 9 - Referendum Requirement - General Obligation Bonds. (Hold until full Board is present.)

Item No. 10 - Commercial Inventory Tax. (Hold until full Board is present.)

Item No. 11 - Eighth District Fire Tax - (Hold until full Board is present.)

Commissioner Sayre requested the County Administrator to look into the legality of oystering by scuba diving.

INDUSTRIAL REVENUE BONDS

Present: Irene Graves, Maryland Money Market
James Cleveland
Al Kessler
Frank Gerred, Director, Office of Planning and Zoning
Robin Guyther, Assistant Planner

Ms. Graves appeared before the Commissioners to present a proposal for a roller skating rink on Md. Rt. 235 next to Red's 235 Chevron Station and to request the County's endorsement for an application for \$900,000 in Industrial Revenue Bonds. The proposed rink which will be owned by Mr. and Mrs. Cleveland and Mr. Kessler, will have refreshment area, amusement center, a pro shop and a meeting room. Ms. Graves stressed the need for this type of facility for the youth of the County and for the tourism effort in the County. In response to an inquiry as to the status of the site plan, Ms. Graves advised that it is waiting for final signatures of recommendation from the County Engineer and Soil Conservation Service.

After discussion, the Commissioners requested Ms. Graves to have the appropriate resolution prepared for the Commissioners consideration and the Commissioners will make a decision in two week's time. Ms. Graves stated that the attorney for this project is David Williams and stated that the legal work for the appropriate documents will be coordinated with the County Attorney.

1982 URBAN NON-ATTRIBUTABLE FEDERAL AID

The County Administrator reviewed correspondence dated November 3, 1981 from the State Highway Administration with attached Agreement by and between State Highway Administration and St. Mary's County making available to the SHA the amount of \$9,286 which is the County share from the FY82 Urban Non-Attributable Federal Aid Program.

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

AGREEMENT FOR FEASIBILITY STUDY
SOCIAL SERVICES OFFICE

The County Administrator presented an Agreement by and between the Board of County Commissioners and St. Mary's County Department of Social Services regarding the undertaking of a feasibility study to ascertain the suitability of the Governmental Center property to provide adequate public access, the availability of water and sewerage services and the cost

AGREEMENT FOR FEASIBILITY STUDY (Cont'd.)

effectiveness of such a project.

The Commissioners deferred making a decision on this matter until a later time.

AIRPORT MASTER PLAN

The County Administrator stated that after a series of meetings relative to concerns expressed by Mr. Waldschmidt, an adjacent property owner to the Airport, that these concerns have been addressed and answered. Mr. Gerred has advised that he has reviewed the proposed changes to the Airport Master Plan and recommend that these changes be incorporated into the printing of the Final Plan:

1. That the Plan Maps reflect County-owned property;
2. That the County Commissioners' intent is that the Airport remain classified as Basic Utility, Non-Precision for the present;
3. That for zoning purposes, and the purposes of this plan, the noise data levels of 1977 be adopted.

In addition, Mr. Gerred recommended that the County's Resolution No. 81-54 - Adoption of the Airport Master Plan be included into the final printing of the Plan.

Commissioner Dean moved, seconded by Commissioner Arnold, to accept these recommendations. All Commissioners voted in favor. The Commissioners directed that correspondence be prepared to the Federal Aviation Administration and to Mr. Waldschmidt setting forth the Commissioners' action.

ADDENDUM TO PUBLIC WORKS AGREEMENT
PAW PAW HOLLOW - SECTIONS I AND II

On behalf of the County Engineer, the County Administrator presented the Addendum to the Public Works Agreement by and between Cherry Cove Land Development and St. Mary's County extending the deadline for the completion of the roads in Paw Paw Hollow, Sections I and II from October 23, 1981 to October 23, 1982. Commissioner Arnold moved, seconded by Commissioner Sayre, to approve said Addendum. All Commissioners present voted in favor.

BUDGET AMENDMENTS 82-22, 82-24, AND 82-25

The County Administrator presented the following Budget Amendments for approval as recommended by the Budget Officer.

No. 82-22 (Board of Education) - Increase Account No. 1711-67120 (Special Education Local Costs) in the amount of \$53,000; Decrease Account No. 1711-64020 (Fifth District Site Revenue Local Costs) in the amount of \$41,341 and Account No. 1711-60320 (Fifth District Local Costs) by \$11,659.

No. 82-24 (Sheriff's Department, Purchasing & Logistics)
Increase Account No. 1131-31010 (Office & Communication) by \$1,770; Decrease Account No. 1016-27710 (Research & Special Projects) by like amount.

No. 82-25 (County Engineer, Purchasing Director, Payroll)
Increase various accounts totalling \$40,000 for the execution of Route Evaluation Grant from Md. DOT; Decrease Account No. 2410-12411 (Debt Service SHA Bonds) in the amount of \$33,644 and the Research and Special Projects Account in the amount of \$6,356.

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

ENGINEERING TECHNICIAN POSITION
OFFICE OF COUNTY ENGINEER

The Commissioners reviewed a memorandum from the Personnel Officer dated November 9, 1981 requesting authority to hire Donald Ocker to the Engineering Technician position, Grade 11, effective November 23, 1981.

The Commissioners gave their concurrence.

RECLASSIFICATION OF EQUIPMENT OPERATOR POSITION
OFFICE OF COUNTY ENGINEER

The Commissioners reviewed a memorandum from the Personnel Officer dated November 9, 1981 requesting authority for the reclassification of the Equipment Operator position, Grade 7, to Equipment Mechanic II, Grade 9 and for the non-competitive promotion of Phillip Trossback to that position, effective November 23, 1981.

The Commissioners gave their concurrence.

OFFICE OF COUNTY ENGINEER ITEMS

Present: John Norris, County Engineer

ST. ANDREW'S LANDFILL EXPANSION ALTERNATIVES

Present: Jay McGrath

Mr. Norris and Mr. McGrath reviewed with the Commissioners a report on the alternative three concepts for the development of the next 55-acre site at the St. Andrew's Landfill and to receive direction from the Board as to which way to proceed. (A copy of the Report is on file in the Commissioners' Office.)

Mr. McGrath presented the plans for the entire 200-acre tract and pointed out the area currently being used, which will be filled by the Spring of 1982, as well as the two potential areas of expansion. Mr. McGrath went on to present the three alternatives for expansion of the site.

- Concept I -
- a. Would be above ground water table with a clay blanket over the area to prevent leachate from entering the ground water
 - b. four lifts to an overall depth of 24 feet
 - c. life expectancy of 16 years at the 55 acre site and seven years at the 28 acre site.
 - d. Would require least amount of preparation.

- Concept II
- a. Ground water table beneath the site would be lowered to the clay layer by the installation of a sub-drain on the north and east side of the Landfill.
 - b. 6.5 lifts to an overall depth of 36 feet
 - c. 23 year life expectancy at the 55 acre site
 - d. requires additional preparation time as well as higher initial costs.
 - e. most environmentally acceptable.

- Concept III
- a. Combination of Concepts I and II.
 - b. Initial cell area would be constructed above ground water table.

OFFICE OF COUNTY ENGINEER'S ITEMS (Cont'd.)

Concept III (Cont'd.)

- c. 4.75 lifts of solid waste to an overall depth of 28 feet. The remainder of the site would be constructed as in Concept II with 7 lifts placed directly on the clay following the installation of the intercepting subdrain and lowering of the water table.
- d. Slightly more costly than Concept II.

After discussion, the Commissioners accepted Mr. Norris' recommendation that Concept No. 1 be submitted for approval to the Health Department because it requires the least amount of initial cost.

APPROVAL OF VOUCHER (PROJECT NO. 81-1-5)

Mr. Norris presented Voucher No. 039462 in the amount of \$10,803.51 payable to B. F. Asher for Estimate No. 17 for Contract Rental Services. The Commissioners authorize payment of said voucher.

WILLOW RUN SUBDIVISION PAVING PLANS (PROJECT NO. 81-1-7)

Mr. Norris requested approval for the Commissioners to authorize Commissioner President Aud to sign the conversion of the Willow Run Paving Plans from mountable curb to Maryland SHA Type "B" concrete curb and gutter, which requires an adjustment in the cost in the amount of \$528.00. The Commissioners gave their concurrence.

WILLOW RUN SUBDIVISION - SANITARY SEWER IMPROVEMENTS
PROJECT NO. SM 81-1-7

Mr. Norris presented the bid tally sheet for the referenced project and recommended awarding the bid to Earnshaw Brothers, Inc. in the amount of \$111,890.00. Commissioner Dean moved, seconded by Commissioner Arnold, to accept Mr. Norris' recommendation. All Commissioners voted in favor.

SEVENTH DISTRICT OPTIMIST CLUB
REQUEST FOR USE OF LANDFILL EQUIPMENT

Mr. Norris advised that the Seventh District Optimist Club has requested the use of the Landfill's Front End Loader for improvements to the Seventh District Park. The Commissioners gave their concurrence.

OFFICE OF COUNTY ENGINEER ITEMS (Cont'd.)

BIRCH MANOR SUBDIVISION
EXTENSION OF TIME FOR COMPLETION OF WORK

Mr. Norris advised that there is \$7,000 to \$8,000 of work to be done on the roads in Burch Manor Subdivision and recommended that extension of time be granted from January 31, 1982 to June 30, 1982. The Commissioners gave their concurrence.

POTOMAC MANOR
EXTENSION OF TIME FOR COMPLETION OF WORK

Mr. Norris advised that \$30,000 of work remains to be done on the roads in Potomac Manor Subdivision and recommended that extension of time for completion be granted from January 1982 to June 30, 1982. The Commissioners gave their concurrence.

DISCOVERY SUBDIVISION
EXTENSION OF TIME FOR COMPLETION OF WORK

Mr. Norris advised that \$40,000 of work remains to be done on the roads in Discovery Subdivision and recommended that extension of time for completion of the roads be granted from March 25, 1982 to June 30, 1982. The Commissioners gave their concurrence.

DISTRICT COURT RENOVATIONS (ELECTRICAL WORK)
PROJECT NO. SM 82-4-3

Mr. Norris advised that the awarding of the bid for this phase of the project was deferred pending a decision from the County Attorney as to whether the County could accept the second lowest bidder. It was the Attorney's recommendation that this could not be justified and therefore recommended awarding the contract to the lowest bidder. Therefore, the Commissioners gave their concurrence to award the electrical contract to Elecon, the lowest bidder, in the amount of \$6,462.

ANALYSIS OF NEEDED WORK AT COURTHOUSE

Mr. Norris recommended that he be authorized to solicit proposals for a plan of improvements for the County House area which would include the evaluation of the existing jail and its expansion, the needs of the Sheriff's Office and other court functions that are to remain in that area.

The Commissioners gave their concurrence to authorize Mr. Norris to solicit proposals and Mr. Norris advised that he would bring them before the Board in January.

LEXINGTON PARK SHERIFF'S OFFICE LEASE

Present: Paul Raley, Director of Purchasing & Logistics

Mr. Raley reviewed with the Commissioners the details of the lease for the Lexington Park Sheriff's Office and requested authorization for Commissioner President Aud to sign said lease in the amount of \$497.73 which includes heat, water and sewerage and rent at \$400.00.

The Commissioner authorized Commissioner President Aud to sign said lease as set forth above.

EVALUATION OF COUNTY-INSURED PROPERTY

Present: Harris Sterling, Director of Finance

Mr. Sterling presented a report from the Insurance Buyers' Council which indicated the increased valuation on County-owned buildings and grounds covered by the County's insurance policy. The Commissioners reviewed the report with Mr. Sterling and approved the increased valuations as stated and authorized Mr. Sterling to proceed with the increased coverage.

In closing, the Commissioners requested Mr. Sterling to review the process used in advertising for bids on the County's insurance coverage and requested that as much as possible the amount of time be increased for preparing the bids, and that, in addition to advertising in the media for bids, letters of solicitation be also sent to local insurance firms.

DESTRUCTION OF PORTABLE TOILETS
NICOLET PARK

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett advised the Commissioners that two portable toilets owned by Banagan's located at Nicolet Park had been burned to the ground within a period of ten days, and the owner is requesting the County for reimbursement for one of them in the amount of \$350. A juvenile had been arrested for the burning of one of the units, and Mr. Baggett stated he requested juvenile authorities to attempt to obtain restitution from the family. The family has advised that they are unable to make payment. Mr. Baggett recommended to the Commissioners that he be permitted to write to the State's Attorney's Office stating that whenever vandalism occurs in the parks and the offender apprehended that the case be followed for attempts to obtain restitution.

The Commissioners agreed to reimburse the contractor in the amount of \$350; however, recommended that if Juvenile Services will be seeking restitution for vandalism that efforts begin with this particular case by making sure that all chances of recovery have been exhausted.

PUBLIC WORKS AGREEMENT ADDENDUMS

HELEN ESTATES

HELEN FARMETTES

On behalf of the County Engineer the County Administrator presented the following Addendums to Public Works Agreements as follows:

Helen Estates, Section Two, Addendum No. 4 - By and Between Swarey Builders and the Board of County Commissioners to extend the corporate bond and public works agreement to October 1, 1982.

Helen Farmettes, Section A and B - By and Between Swarey Builders and the Board of County Commissioners extending the corporate bond and the Public Works Agreement to October 1, 1982.

Commissioner Sayre moved, seconded by Commissioners Arnold, to accept the referenced Addendums and further to lift the Stop Work Order issued in February. All Commissioners voted in favor.

ST. MARY'S WOMEN'S CENTER, INC.

FINANCIAL ASSISTANCE

The County Administrator presented correspondence to the Secretary of Department of Human Resources expressing support for the St. Mary's Women's Center, Inc. and requesting continued State financial assistance for the Center. The Commissioners agreed to sign and forward said letter.

ORPHANS' COURT

USE OF FORMER TREASURER'S OFFICE

Commissioner Dean advised that there is pending a request from the Orphans' Court for use of the room formally used by the Treasurer's Office at the Courthouse. They are in need of a private room for conferences. This would require very minimal work. After discussion, the Commissioners agreed to request Mr. Norris to include this on his maintenance list with some priority.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

The Commissioners agreed to meet in Executive Session in order to discuss matters of personnel. The Session was held from 11:33 a.m. to 1:00 p.m.

GENERAL OBLIGATION BOND ANTICIPATION NOTES
RESOLUTION NO. 81-92

Present: Ed Clarke
Joseph E. Bell, II, County Attorney
Joseph O'Dell, Budget Officer
Richard Petty, Director, Metropolitan Commission

Mr. Clarke presented and reviewed the referenced Resolution providing for the borrowing of \$4,000,000 by the issuance and sale of general obligation bonds to be designated as "Public Improvement Bonds." The proceeds of said bond sale are to be used for the purpose of providing funds for the financing of construction improvements or development of certain public facilities.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, to approve and sign Resolution No. 81-92. All Commissioners present voted in favor.

CHESAPEAKE COUNTRY
ECONOMIC DEVELOPMENT CORPORATION

Present: Ashley Reed, Executive Director
Ann Graham, Associate Director
Economic Development Commission Representatives
Chamber of Commerce Representatives
Frank Gerred, Director, Office of Planning and Zoning
"Buck" Briscoe, Director, Economic Development Commission

Representatives of the Chesapeake Country Economic Development Corporation appeared before the Commissioners to explain the Program and to request St. Mary's County's participation.

Mr. Reed stated that the Corporation consists of representation from the twelve counties bordering on the Chesapeake Bay and the purpose is to try to attract new businesses and industries to the area. In support of this effort, the Balance of State Private Industry Council has provided a grant in the amount of \$45,000 to get the Corporation started. He stated that there will be a regional, national and international promotion of the Chesapeake area through magazine advertisement and brochures.

Mr. Reed went on to explain the purpose and goals of the Chesapeake Country and presented the following documentation:

(1) Minutes of the Chesapeake Country Economic Development Corporation's meeting of September 17, 1981; (2) the Corporation's By-Laws; and (3) a Draft House Joint Resolution concerning the Development Corporation.

CHESAPEAKE COUNTRY (Cont'd.)

In closing his presentation, Mr. Reed invited the Commissioners to a luncheon on December 16, 1981 at 12:00 Noon at the Tide Water Inn.

In conclusion the Commissioners expressed their appreciation for the presentation and offered the County's support in this effort if there is to be no involvement of County funds and if the activities of CCEDC would not siphon funds from the State that would come to Southern Maryland for economic development efforts. The County Administrator was directed to prepare correspondence to the Chesapeake Country Economic Development Corporation to that effect.

OFFICE ON AGING
RSVP GRANT SIGNING AUTHORITY

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign Signature Authorization which sets forth certain portions of the RSVP Grant that requires his signature and those items that require Mrs. McGaharn's, Senior Services Coordinator, signature. All Commissioners present voted in favor.

LEGAL SERVICES FOR PATUXENT RIVER MATTERS

Commissioner Dean recommended and the Board concurred that St. Mary's County, along with Charles and Calvert Counties, participate in the funding for the attorney for legal matters pertaining to the Patuxent River. The amount for budget purposes is \$750 per month; however, Commissioner Dean recommended that the attorney be given specific direction as to what individual tasks are to be done. This direction would come from the Tri-County Council and approved by the Presidents of the Boards of Commissioners. The Commissioners gave their concurrence.


POTOMAC AQUIFERS STUDY

With regard to correspondence dated October 21, 1981 from the Tri-County Council relative to a proposal for the digging of an exploratory well in St. Mary's County to determine the quantity, quality and reliability of water obtained from wells in the Potomac Group Aquifers, the Commissioners gave their concurrence to participate with Calvert and Charles Counties in the study of the aquifers provided that the first test well is drilled in the Lexington Park area. The St. Mary's County share will be 60% of the 25% local share of the Tri-Counties' share.

RESOLUTION NO. 81-93
CHANGE NO. 4
MANUAL OF PERSONNEL POLICIES AND PROCEDURES

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and sign Resolution No. 81-93 adopting Change No. 4 of the Manual of Personnel Policies and Procedures for St. Mary's County. All Commissioners voted in favor.

Approved,


George R. Aud
President