

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, October 19, 1982

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. Spalding, Recording Secretary

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

APPROVAL OF VOUCHERS

Commissioner Millison moved, seconded by Commissioner Aud, to approve payment of the vouchers as submitted by the Director of Finance. Motion unanimously carried.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' meeting of September 28, 1982 and October 5, 1982 as submitted. Motion unanimously carried.

VEHICLES FOR SHERIFF'S DEPARTMENT

Present: Lt. Gene Pellillo  
Paul Raley, Director, Purchasing and Logistics

Upon review of the bid tally sheet for the purchase of six automobiles for the Sheriff's Department, Commissioner Dean moved, seconded by Commissioner Millison, to award the bid to the lowest bidder, Ritter Chevrolet, in the amount of \$60,669.78. Motion unanimously carried.

VEHICULAR RADIO REPEATER SYSTEMS

Present: Lt. Gene Pellillo  
Paul Raley, Director, Purchasing and Logistics

Upon review of the bid tally sheet for the purchase of six vehicular radio repeater systems, Commissioner Millison moved, seconded by Commissioner Arnold, to accept the bid from General Electric, the lowest bidder, in the amount of \$13,098. Motion unanimously carried.

FUEL OIL BIDS

Present: Paul Raley, Director, Purchasing and Logistics

Upon review of the bid tally sheet for the purchase of fuel oil, Commissioner Dean moved, seconded by Commissioner Millison, to award the bid to Thrift Oil Company, the lowest bidder, in the amount of \$1.05 per gallon. Motion unanimously carried.

POINT LOOKOUT WASTEWATER TREATMENT PLANT

The County Administrator advised that names of representatives of the Department of Natural Resources, Department of State Planning and Department of Health and Mental Hygiene have been submitted and suggested that arrangements be made for a meeting to discuss the utilization of the Point Lookout Wastewater Treatment Plant. The Commissioners agreed to set November 30, at 10:30 a.m. for the meeting with the above-referenced representatives, Metropolitan Commission, Health Department and residents of the First District.

BUDGET AMENDMENT NO. 83-10  
OFFICE ON AGING

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

Increase:

Title III-B by \$12,134  
Title C-1 by \$19,563  
Title C-2 by \$2,918

Decrease

Acct. #000-043-533-29-75 by \$34,615

Commissioner Aud moved, seconded by Commissioner Sayre, to approve said Budget Amendment as referenced above. Motion unanimously carried.

RSVP PROGRAM  
CORRESPONDENCE FROM ACTION

The County Administrator presented correspondence from ACTION dated September 30, 1982 advising the county of the Interim Notification of Grant Award in the amount of \$17,494 for the Retired Seniors Volunteer Program (RSVP). Mr. Cox noted that the Grant was for the period through March 31, 1983 and is not in keeping with the Application submitted by the County. He stated that authorization is needed by the Board for Commissioner President Aud to sign said Interim NGA and recommended that a statement be included to the effect that the allocation does not meet the entire needs of the Program.

Commissioner Arnold moved, seconded by Commissioner Dean, to authorize Commissioner President Aud to sign the Interim NGA with the comment as indicated by the County Administrator. Motion unanimously carried.

GROUND RENT PARCEL - CHARLOTTE HALL

The County Administrator presented correspondence dated October 15, 1982 from the County Attorney advising that Mr. Aaron Hertzler who owns a ground rent parcel off of Rt. 6 in Charlotte Hall wishes to purchase the land, which is his right, and if the Commissioners are so willing to do so. Mr. Cox advised that Mr. Hertzler is also interested in purchasing the remaining 3.15 acres owned by the County; however, this would have to be made available at public auction.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, to authorize the signing of the Deed for the sale of certain property to Aaron Hertzler in conformance with an existing ground rent agreement between Mr. Hertzler and the Charlotte Hall Board of Trustees. Motion unanimously carried.

ZONING AMENDMENT RESOLUTION NO. 82-25  
LEXINGTON PARK CHURCH OF CHRIST  
ZONE #82-13333

(Request for rezoning of property located on Great Mills Road in the Eighth Election District on Tax Map 51, Block 7, Parcel 77. The property contains approximately 7.54 acres; the request is to rezone from R-2, Low Density Urban Residential, to C-2, Extensive Highway Commercial.)

Commissioner Sayre moved, seconded by Commissioner to Aud to sign Zoning Amendment Resolution No. 82- , granting approval of said application. Commissioners Millison and Dean abstained from voting. Motion carried.

ZONING AMENDMENT RESOLUTION NO. 82-24  
MINNIE MARIE WILHOIT  
ZONE #81-1031

(Request to rezone approximately 1.011 acres, located on Tax Map 34, Block 2, Parcel 191, West of Maryland Rt. 235 and South of St. Johns Road, 6th Election District, from R-1, Residential, to C-1, Commercial Intensive.)

Commissioner Dean moved, seconded by Commissioner Aud to sign Zoning Amendment Resolution No. 82- denying the referenced Application. Commissioner Arnold abstained. Motion carried.

ZONING AMENDMENT RESOLUTION NO. 82-26  
TEXT AMENDMENTS TO ZONING ORDINANCE  
ZONE #81-1513

Commissioner Dean moved, seconded by Commissioner Arnold, to approve and sign Zoning Amendment Resolution No. 82- regarding deletion of requirements in C-1 and C-2 zoning. (Public hearing was conducted on May 18, 1982) Motion unanimously carried.

MEMORANDUM OF LEASE AGREEMENT AND ADDENDUM  
ELMS ENVIRONMENTAL EDUCATION CENTER

The County Administrator presented the Memorandum of Lease Agreement and Addendum between the Department of Natural Resources and the Board of County Commissioners. Said Addendum further defines the tract of land at the Elms property for use by the Environmental Education Program.

Commissioner Dean moved, seconded by Commissioner Aud, to authorize Commissioner President Aud to sign said Lease Agreement and Addendum. Motion unanimously carried.

REQUEST FOR ABATEMENT OF BUILDING PERMIT FEE

The County Administrator presented correspondence dated September 14, 1982 from the Association of Retarded Citizens requesting abatement of building permit fees for the construction of three group homes for mentally retarded citizens in St. Mary's County. Inasmuch as the request is in compliance with County's Resolution No. 75-53, Commissioner Millison moved, seconded by Commissioner Sayre to abate said fee. Motion unanimously carried.

AGREEMENT  
WALDEN SIERRA CORPORATION

The County Administrator presented an Agreement between the Board of County Commissioners and the Walden-Sierra Corporation for the administration of the County's Drug Abuse Program.

Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud, to sign said Agreement. Motion unanimously carried.

USE OF LEONARDTOWN ARMORY  
SOUTHERN MARYLAND DEMOLAY CLUB

The County Administrator stated that while the County is awaiting the remodeling of the Leonardtown Armory into a library, several organizations are making use of the building on an interim basis. In this regard, the Southern Maryland Demolay Club has requested use of the shooting range at the Armory. Mr. Cox presented a Lease Agreement by and between the County Commissioners and the Southern Maryland Demolay Club, which has been reviewed and approved by the County Attorney. President of the Demolay has signed the Agreement and it now requires Commissioner approval and signature.

Commissioner Dean moved, seconded by Commissioner Arnold to authorize Commissioner President Aud to sign said Lease Agreement. Motion unanimously carried.

ROAD RESOLUTION NO. 82-20  
BULL ROAD

On behalf of the County Engineer, the County Administrator presented the referenced Road Resolution posting Bull Road, Third Election District at 30 miles per hour from its intersection with Knight Road to its end. The Commissioners gave their concurrence.

ECONOMIC DEVELOPMENT ADVERTISING BUDGET REQUEST

The County Administrator presented a memorandum from the Director of Budget and Data Services recommending the following action regarding the advertising budget request by the Economic Development Coordinator:

1. In that the County Budget does not include the matching funds of the State grant in the amount of \$8,685 that this amount be included with a number of other items in a supplemental appropriation ordinance;

2. That the Commissioners approve a transfer of \$5,790 from Acct. #001-016-509-22-22 to Community Promotion (Acct. No. 001-016-509-29-74) thereby making an amount of \$14,475 available.

Mr. Cox stated that this amount is \$6,120 less than the originally requested amount of \$20,595.

After discussion Commissioner Aud moved, seconded by Commissioner Dean to accept the recommendations of the Director of Budget and Data Services and further that the \$6,120 difference not be funded at this time. Motion unanimously carried.

COUNCIL ON CHILDREN AND YOUTH

Present: Valerie vonAllmen, Chairperson, Council on C&Y  
Mary Novotny  
Joan Marsh  
Laura Steele, State Office on C&Y  
Phebe Barth, Youth Services Coordinator

The above representatives of the Council on Children and Youth appeared before the Commissioners to present the Annual Report on the activities and programs of the council. Mrs. vonAllmen highlighted the various aspects of the Council and called on the other members for presentation of individual committee reports. Folders were distributed to each of the Commissioners identifying the many areas of activities that the Council and Children and Youth have been involved in over the past 22 months. A copy of the information is on file in the Commissioners' office.

During discussion of the report, Mrs. vonAllmen noted that the legislation creating the Office for Children and Youth requires a review and evaluation by the Department of Fiscal Services on or before July 1, 1983. The Office of Children and Youth stands the possibility of being abolished if the General Assembly fails to re-establish the Office by statute. Therefore, the Council members requested the Commissioners' support of the State Office of Children and Youth as well as the local Council.

In conclusion, for their interest and efforts. In the past and hopes for a continued successful program in the future. Regarding the "Sunset" review by the Department of Fiscal Services, the Commissioners pledged their support of the State and local Councils.

BOARD OF HEALTH MEETING

Present: Dr. William Marek, Deputy Health Officer  
Dr. Joseph Miller  
Carol Pinckney

(The Commissioners agreed to convene at the local Board of Health or the semi-annual meeting as required by law.)

Dr. Marek advised that there were several areas that he wished to report on to the Commissioners.

(1) Preliminary Report on Standards Review

Dr. Marek reported on the findings of the State Health Department of the Standards Review of the local Health Department. In reviewing the Standards Review document with the Commissioners, Dr. Marek stated that overall the Health Department met the required standards and mentioned the areas that required improvement.

During the report, Commissioner Millison pointed out two areas of concern: (a) That there be an adequate number of doctors in the community (particularly in the Lexington Park area) and (b) that there be a process whereby an individual could determine whether a doctor has been convicted of negligence on numerous occasions. Dr. Marek responded that an individual could contact the National Medical Society to obtain this information regarding a particular doctor.

(2) Annual Home Health Report

Dr. Marek displayed a chart indicating that there has been an increase in the program of seeing sick people in the home in an effort to keep them out of institutions.

(3) Fee Collections

Dr. Marek advised that as mandated by State Law, the local Health Department is in the process of developing a schedule of fees for medical services rendered. With regard to this, Dr. Marek stated that a survey was conducted as to patient's ability to pay and noted that the Health Department will treat an individual regardless.

(4) Lice Problem

Dr. Marek apprised the Commissioners for the current widespread problem of lice infestation. He stated that this is a problem not only in the County, but nation wide.

(5) Outbreak of Wild Animal Rabies

Dr. Marek advised that there has been a recent outbreak of wild animal rabies which apparently began in Western Maryland. He stated that there will be Rabies Vaccination Clinic at the Fairground for pets on October 30.

(6) Computer Program

Dr. Marek stated that as the Commissioners are aware the Health Department is now a part of the County's computer system and they have hired a consultant to assist them in having all departments included.

(The Commissioners adjourned as the Board of Health.)

PROCLAMATION NO. 82-56  
HANDICAPPED PARKING AWARENESS MONTH

Present: Ralph Bernazzani, Coordinator of Chapter 26  
                        Disabled American Veterans  
          Chuck Oliver, Adjutant

The Commissioners presented a Proclamation designating the Month of October as Disabled American Veterans - Disabled Parking Awareness Month.

COUNTY'S LIABILITY AND FIRE INSURANCE

Present: Harris Sterling, Director of Finance

Mr. Sterling advised the Commissioners that the County Commissioners, Board of Education and Metropolitan Commission have employed the process of combining their insurance needs for bidding purposes. Bids were advertised in May and all quotations have been reviewed by Insurance Buyers' Council who recommended that the insurance be purchased through "Poor, Bowen, Bartlett and Kennedy Agency." Mr. Sterling recommended that the County accept the Insurance Buyer's Council's recommendation.

The Commissioners agreed to defer a decision on this matter until next week's meeting in order to allow time to review the proposals.

GROUNDWATER RESOURCES IN SOUTHERN MARYLAND

Commissioner Dean stated that he has learned that the Water Resources Administration is going to create a team of five people to study the ground water resources in Southern Maryland. WRA is of the opinion that the portable water supply in this area will become a critical matter in the future. Therefore, Commissioner Dean recommended that prior to this project getting started that a meeting be arranged with Frank Gerred, Director of Office of Planning and Zoning; Frank Chapelle, U.S. Geological Survey, Dr. Harry Hansen, Md. Geological Survey; Thomas Andrew, Water Resources Administration; Dr. Marek and Walter Raum of local Health Department; Metropolitan Commission representative and the Board of County Commissioners. The purpose of the meeting would be to determine the following:

1. What the status of the local water supply is;
2. What the purpose of the study in Southern Maryland is;
3. How long the study will take; and
4. What should be the County's policy be in this matter, if any.

Should there be an interim policy.

The Commissioners concurred with Commissioner Dean's recommendation and requested the County Administrator to make the necessary arrangements.

(Commissioner Dean left meeting - 1:45 p.m.)

ECONOMIC IMPACT FEE  
REQUEST FOR INSTALLMENT PAYMENTS

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

Mr. Gerred advised the Commissioners that a request has been received from Mr. Joseph Howard for permission to pay the Economic Impact Fee for Lot 8 in Burnt Mill Subdivision in installments. He stated that the Commissioners' decision on this matter would not only be for this individual but for this individual but for all future requests. Mr. Gerred further inquired that if the Commissioners grant approval of installment payments, would there be interest and penalty charges.

The Commissioners agreed to defer a decision on this matter until they could look into what the County is doing in other areas in order to be consistent.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR 1982

Present: Joe Mitchell, Public Housing Coordinator  
Frank Gerred, Director, Office of Planning & Zoning  
Dave Morgan, Economic Development Coordinator  
Joe Carter, Director, Department of Social Services

Referenced members of the Community Development Block Grant Committee appeared before the Commissioners to request authorization to proceed with an application to the Department of Housing and Urban Development for \$800,000 in CDBG funds. Projects for consideration are in three categories: Housing, Economic Development and Public

Facilities. Mr. Mitchell stated that there have been meetings with HUD officials concerning the conversion of Tuban Douglas to home ownership. Once the Bonds on the property are paid off, Farmer Home Administration Loans could be obtained by residents to purchase the homes. Funds from the sale would then be placed in a Community and Economic Development Fund for funding of other projects. (A copy of the Committee's correspondence dated October 19, 1982 relative to the above with attached list of projects is on file in the Commissioners' Office.

COUNTY ENGINEER'S OFFICE ITEMS

Present: John Norris, County Engineer

HELEN FARMETTES SUBDIVISION

Mr. Norris advised the Commissioners that Mr. Swarey, developer of Helen Farmettes Subdivision, has submitted correspondence dated October 18, 1982 advising that he is in the process of completing the roads in Helen Estates, and further, is requesting an extension for the completion of the roads in Helen Farmettes to August 1983. Mr. Swarey requested that he not be requested to construct a portion of the roads as a county street, but to pave a ten foot wide private driveway to some of the roads. Mr. Norris indicated that the property owners in the area are opposed to this.

Mr. Norris recommended that an extension be granted for completion of the roads to June 1, 1983; however, that performance standards be met with specific timetables.

The Commissioners accepted Mr. Norris' recommendations and agreed that Mr. Swarey not be permitted to pave the ten foot wide private driveway as requested.

Mr. Norris advised that specifics will be outlined in a letter to Mr. Swarey with the Commissioners' decisions and stated that a Public Works Agreement will be prepared accordingly.

PAW PAW HOLLOW SUBDIVISION

Mr. Norris advised the Commissioners that the Public Works Agreement for the referenced subdivision expires October 23 and therefore requested authorization to issue a Stop Work Order. All requests for permits are to be referred to the Commissioners. The Commissioners gave their concurrence with this recommendation.

ACCEPTANCE OF DEED

MT. PLEASANT SUBDIVISION

The County Engineer presented a Deed by and between Thomas E. Downs and Patricia S. Downs and the County Commissioners of St. Mary's County, Maryland accepting Downs Drive and Thomas Court in Mt. Pleasant Subdivision, Section Four, into the County Highway Maintenance System.

The Commissioners gave their concurrence.



COUNTRY LAKES SUBDIVISION, SECTION I  
EXTENSION AGREEMENT - PUBLIC WORKS AGREEMENT

Mr. Norris presented the referenced Extension Agreement regarding the completion of construction of certain roads in Country Lakes providing that the following conditions occur:

1. The County will accept Asher Road from its intersection of Cox Road to Tintop School Road and Kelli Court and Heath Court in their entirety, Tintop School Road from Station 19+49.57 to Station 41+15.15, provided that guardrail is installed on Asher Road at the stream crossing in accordance with the approved plans as modified by the County Engineer. The guardrail must be in place prior to December 1, 1982.
2. The remainder of Asher Road in its entirety, Mill Seat Drive from its intersection with Asher Road to intersection with Yowaiski Mill Road, Oxley Drive from its intersection with Asher Road to its intersection with Yowaiski Mill Road, Tanyard Drive from its intersection with Asher Road to its intersection with Yowaiski Mill Road, and Neale Court in its entirety must be surfaced and approved by the County commencing September 1, 1982, and completed by November 1, 1982 including the installation of the shoulders. The remaining work items must be completed on these roads by December 1, 1982 and the streets acceptable to St. Mary's County for inclusion into the highway maintenance system.
3. Tanyard Drive from its intersection with Asher Road to its end, Oxley Drive from its intersection with Asher Road to its intersection with Tanyard Drive, Mill Seat Drive from its intersection with Asher Road to its intersection with Tanyard Drive, and Hartwell Court in its entirety must be surfaced and the gravel shoulders in place by September 1, 1983. The remaining work items for these streets must be completed by December 1, 1983, and the streets accepted by St. Mary's County for inclusion into the highway maintenance system.
4. The remaining streets in Section I of the Country Lakes Subdivision must be completed by October 1, 1984, however; the roads must be surfaced acceptable to St. Mary's County when any roads has a per lot occupancy greater than 75%.

The Public Works Agreement will be extended two years with a bond posted in the amount of \$350,000 guaranteeing construction.

With regard to the above, Mr. Norris presented a Deed dated August 17, 1982 by and between Country Lakes and the Board of County Commissioners accepting Asher Rd., from its intersection with Cox Road to Tintop School Road; Kelli Court, Tintop School Road, and Heath Court in Country Lakes Subdivision, Section I into the County Highway Maintenance System.

The Commissioners gave their concurrence to accept the Extension Agreement as outlined above and the referenced Deed as recommended by the County Engineer.

PUBLIC WORKS AGREEMENTS  
WILDEWOOD, NEIGHBORHOOD 2, CLUSTER 3, PLAT TWO

The County Engineer presented two Public Works Agreements dated October 7, 1982 by and between Paragon Builders, Inc. guaranteeing the construction of (1) White Oak Parkway and (2) Wildewood Boulevard in the referenced subdivision. These Public Works Agreements were approved and executed at the Commissioners' meeting of September 28, 1982; however, the developer has obtained a new surety, Republic Insurance Company.

Commissioner Millison moved, seconded by Commissioner Sayre, to approve said Public Works Agreement. Motion unanimously carried.

#### MECHANICSVILLE POND

The County Engineer advised that correspondence dated October 10 was received from the Mechanicsville Volunteer Fire Department stating that the Department has agreed to share in the expenses of providing an auxiliary fire fighting water supply in Mechanicsville as follows:

##### County

1. Excavation backfield and removal of excess fill;
2. Provide 20,000 (minimum) gallon tank;
3. Provide a standard fire hydrant and main from tank to hydrant;
4. Installation of (2) and (3) of above.

##### Fire Department

1. Provide a suitable site for tank burial;
2. Provide a high power pump;
3. Provide all required piping and electrical connections for the pump;
4. Installation of (2) and (3) of above.

Mr. Norris stated that authorization is needed from the Board to proceed with this work. The Commissioners gave their concurrence and requested that the Director of Budget and Data Services determine source of funding.

#### GUARDRAIL INSTALLATION

Mr. Norris recommended that the contract for the installation of guardrails at the following locations be awarded to L.S. Lee and Son of PA., Inc. at the rate of \$9.50 per lineal feet: Joy Chapel Road., Willow Run Road., Delabrooke Road, and Father White Road.

Commissioner Arnold moved, seconded by Commissioner Aud to accept the County Engineer's recommendation. Motion unanimously carried.

#### McINTOSH ROAD - ENGINEERING PROPOSAL

Mr. Norris recommended awarding the contract for engineering survey services to James L. Dunlop; however, if he was unable to perform the work that it then be awarded to Lorenzi, Dodds and Gunnill. Mr. Norris advised that he was scheduled to meet with Mr. Dunlop regarding the proposal this week. The Commissioners gave their concurrence.

#### "CHILDREN AT PLAY" SIGNS

The Commissioners requested that the County Engineer prepare appropriate proposal for submittal to their 1983 Legislative Package an item authorizing the installation of "Children at Play" signs in St. Mary's County.

REQUEST TO CHANGE DOBRY ROAD TO OLD HORSE LANDING ROAD

Commissioner Arnold moved, seconded by Commissioner Millison, to change the name of Dobry Road, Sixth Election District, to its original name, Old Horse Landing Road, in that no one on the street is named "Dobry". Motion carried.

DEPARTMENT OF TRANSPORTATION  
CONSOLIDATED TRANSPORTATION PROGRAM

At this time representatives of the Department of Transportation presented the Consolidated Transportation Program for St. Mary's County. A tape of the proceedings is on file in the Commissioners' Office.

PUBLIC HEARING  
UPDATE OF ST. MARY'S COUNTY PERSONNEL MANUAL

Present: Gerda Manson, Personnel Officer  
Glenn Gass, President, Employees' Association  
(Other County Government Employees)

Mrs. Manson read the Notice of Public Hearing as follows: "A public hearing will be held on October 19, 1982 at 3:30 p.m. in the County Commissioners' Conference Room at the Governmental Center in Leonardtown, Maryland. The purpose of the meeting is to present the proposed amendments to the Manual of Personnel Policies and Procedures."

Upon completion of the review of each proposed change to the Manual, the floor was open for discussion.

Glenn Gass, President of the Employees' Association, presented a memorandum dated October 19 setting forth comments and recommendations of the Employees' Association Committee.

Tom Oliver commented that he had several part-time employees in his office who have worked there a number of years and was in favor of the amendment to Chapter VIII, Section 0807 allowing temporary employees to be considered for inclusion into the County's Health Insurance Program.

Linda DeLozier was of the opinion that a longer length of time than six months should be considered for Veterans Preference points. (Chapter VII, Section 0705 (f)).

Hearing no other comments, the Commissioners advised that they would review the proposed changes along with the submitted comments from the employees and make recommendations in two weeks.

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 4:30 p.m. to 5:30 p.m.

Approved,

  
George R. Aud, President