

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, February 15, 1983

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 the payment of the bills 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 February 8, 1983. Motion unanimously carried.

TRADE FAIR LOAN AGREEMENT  
SIGNING CEREMONY - CHAMBER OF COMMERCE

Present: David W. Morgan, Economic Development Coordinator  
George Havens, Director, Chamber of Commerce  
Carl Loffler, Jr., President, Chamber of Commerce

The referenced individuals appeared before the Commissioners to formally sign the \$12,000 Loan Agreement for the start-up expenses for the 1983 Trade Fair scheduled for July 9 and 10 at the Leonardtown Middle School.

BUDGET AMENDMENTS

The County Administrator presented the following Budget Amendments recommended for approval by the Director of Budget and Data Services:

No. 83-36  
State's Attorney

To provide budget authority in account requiring funds to expedite added legal costs to present.

No. 83-37  
Sheriff's Office

To establish new program expenditures for FY '83 based on County Commissioner's decision of February 8, 1983.

Commissioner Arnold moved, seconded by Commissioner Dean, to approve the referenced Budget Amendments. Motion unanimously carried.

SOUTHAMPTON INDUSTRIAL PARK  
PERMIT VIOLATION

The County Administrator presented correspondence for the Commissioners' review and signatures indicating the County's non-opposition to the State proceeding against the bond for ALER, Inc., in the amount of \$7500 as a result of certain surface mining permit violations. The County is co-obligee in said bond. After discussion, the Commissioners agreed to sign and forward said letter.

ST. GEORGE'S CATHOLIC CHURCH  
REQUEST FOR BUILDING PERMIT FEE WAIVER

The County Administrator presented correspondence from the St. George's Catholic Church requesting a waiver of the building permit fee for the construction of a new parish hall for the church. Inasmuch as this request is in compliance with County's Resolution No. 75-53, the Office of Planning and Zoning recommended granting this waiver.

Commissioner Sayre moved, seconded by Commissioner Millison, to approve this request. Motion unanimously carried.

AIRPORT COMMISSION  
PROPOSED CHANGES TO ORDINANCE #79-69

The County Administrator presented a memorandum dated January 18, 1983 from the Airport Commission setting forth certain recommendations regarding membership.

The Commissioners agreed to review these recommended changes and make a decision at next week's meeting.

OFFICE ON AGING  
GATEWAY I BUDGET REVISION

Present: Billye McGaharn, Senior Services Coordinator

Mrs. McGaharn presented the revision for the Gateway I proposal for the current grant period of July 1, 1982 through June 30, 1983. Unused funds in the Personnel Account is requested to be transferred to Office Equipment and Operations.

The Commissioners gave their concurrence and authorized Commissioner President Aud to sign same.

REQUEST FOR FY '83 BUDGET AMENDMENT

Present: Billy McGaharn, Senior Services Coordinator

Mrs. McGaharn advised that she is requesting a line item transfer in the County's budget in order to allow for the purchase of a van.

The Commissioners concurred and advised that this will be submitted to the Director of Budget and Data Services who will return with a Budget Amendment.

SHERIFF'S DEPARTMENT  
SLIDE/TAPE PROJECTOR

The County Administrator presented a memorandum dated February 10, 1983 from the Sheriff requesting authorization for the purchase of a slide/projector at a cost of approximately \$400 for the Department's Crime Prevention Program. Funds are available in the Office and Communications account, and the Director of Budget and Data Services recommends approval.

Commissioner Arnold moved, seconded by Commissioner Aud, to approve this purchase. Motion unanimously approved.

CORRESPONDENCE TO SOCIAL SERVICES ADMINISTRATION  
TOLL FREE TELEPHONE SERVICES

The County Administrator presented correspondence for the Commissioners' review and signatures expressing concern over the discontinuance of the toll free telephone service to the Camp Springs District Office from St. Mary's County.

The Commissioners agreed to sign and forward said letter.

STATE'S ATTORNEY'S OFFICE  
COOPERATIVE REIMBURSEMENT PROGRAM AMENDMENT

The County Administrator presented the Amendment to the Cooperative Reimbursement Program Agreement by and between the Maryland Department of Human Resources and the Board of County Commissioners acting through the State's Attorney for St. Mary's County. Said amendment is as follows: "The Department shall reimburse the provider for services provided in the Agreement at a cost of 70%, Title IV-D federal funds." Mr. Cox stated that a Budget Amendment will be presented later.

The Commissioners gave their concurrence to authorize Commissioner President Aud to sign said Amendment.

PATUXENT RIVER COMMISSION  
COST-SHARING WATER POLLUTION CONTROL PROGRAM

As a follow up to last week's discussion, Commissioner Dean presented correspondence to Constance Lieder, Chairman, Maryland Patuxent River Commission requesting additional information regarding the Cost-Sharing Water Pollution Control Program prior to the Board making a final decision as to the funding request. The Commissioners agreed to sign and forward said letter.

TRI-COUNTY CENTER FOR CHILDREN AND ADOLESCENTS

Commissioner Millison requested the County Administrator to prepare correspondence to the Governor, Board of Public Works and the members of our Legislative Delegation expressing support for the funding of the referenced Center.

MARYLAND STATE LOTTERY

Commissioner Arnold requested the County Administrator to obtain information as to how much revenue is generated in the County from the Maryland State Lottery, how much of it goes to the State and how much aid comes back from the State to the County.

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 10:00 a.m. to 11:10 a.m.

ASPHALT CONTRACTS - STATE OF MARYLAND

Present: Robert Hesselbacher, Attorney General's Office Anti-trust Division  
Ted Weiner, County Attorney

Mr. Hesselbacher appeared before the Commissioners to apprise them of the ongoing investigations concerning rigging and price fixing of contracts for asphalt projects in various counties and throughout the State of Maryland. While the Federal Government handles the criminal prosecution of these cases, his office is in charge of the civil penalties. Mr. Hesselbacher referred to

a current case involving Asphalt Services Company who has done business in St. Mary's County and elsewhere. The settlement on this case is \$200,000 payable over the next three years, which will be set up in a trust account hopefully along with other settlements and later distributed to the State and other counties.

Commissioner Millison questioned the sufficiency of the penalty in cases such as this. Mr. Hesselbacher advised that this figure was arrived at after an accountant's investigation of the company's entire financial picture and from looking at tax rate figures.

In response to any inquiry from Commissioner Arnold as to how the County could assist in preventing this from happening in the future, Mr. Hesselbacher stated that it is almost impossible to detect.

In closing, Mr. Hesselbacher advised that it is a statewide problem and he is in the process of visiting all the counties to apprise them of the situation.

The Commissioners expressed their appreciation to Mr. Hesselbacher for his visit and providing them with this information.

#### COUNTY ENGINEER'S ITEMS

Present: John Norris, County Engineer

##### SNOW REMOVAL

Mr. Norris brought the Commissioners up to date with regard to the recent snow storm. He stated that the costs for the removal exceeded the amount budgeted for this year. He reported that fewer calls for the public were received this year. Mr. Norris recommended that there needs to be a review of the snow removal plan and routes and that this information should be published. The Commissioners concurred.

##### ACCEPTANCE OF DEED COUNTRY LAKES

Mr. Norris presented a Deed dated January 24, 1983 between Country Lakes and the Board of County Commissioners of St. Mary's County for the acceptance of the following roads in Section One and Section One-A: Asher Road, Millseat Road, Oxley Road, Tanyard Road and Neal Court.

Commissioner Millison moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign said Deed (upon receipt of the original). Motion unanimously carried.

##### RENOVATIONS OF ARMORY FOR LIBRARY BID TALLY SHEET - PROJECT NO. SM 81-4-1

As a continuance of last week's discussion regarding the bids for the referenced project. Mr. Norris indicated that he was of the opinion that the County would not receive a lower base bid. He stated that he would be able to transfer the funds from the funds from the Courthouse project to fund the base bid. He would generate sufficient cost savings in the library project to fund alternates 2, 3 and 4. Alternate #1 is to be and was intended to be funded in the next fiscal year.

After discussion, Commissioner Dean moved, seconded by Commissioner Aud, to accept the lowest bidder, Loffler Construction Company and further to transfer funds from the Courthouse project to fund the base bid and that Alternate 1 be considered in the FY '84 Budget. Motion unanimously carried; however, Commissioner Millison noted for the record that he was uncomfortable with the bids in that they were all higher than the budgeted amount and that it should be handled in another manner.

BOARD OF EDUCATION  
REQUEST FOR CATEGORICAL TRANSFER OF FUNDS

The County Administrator presented a request from Dr. Lorton, Superintendent of Schools dated February 8, 1983, requesting authority for certain budgetary transfers in connection with a data processing system and certain contractual services. The Commissioners concurred with the request and directed that the Director of Budget and Data Services prepare the appropriate Budget Amendment for their approval.

BUREAU OF AUDITS

The County Administrator presented correspondence for the Commissioners' review and signatures responding to the Bureau of Audits advising that St. Mary's County will comply with OMB Circular A-102 Attachment P pertaining to the single audit concept. The Commissioners agreed to sign and forward said letter.

PERMITS CLERK  
OFFICE OF PLANNING AND ZONING

By memorandum dated February 15 from the Personnel Officer, it was recommended that Adrenne Gilbert be selected to the Permits Clerk position, Grade 6, in the Office of Planning and Zoning, to be effective February 22, 1983.

Commissioner Arnold moved, seconded by Commissioner Sayre, to accept this recommendation. Motion unanimously carried.

RETIREMENT SYSTEM FOR FIRE DEPARTMENTS AND RESCUE SQUADS

The County Administrator presented a memorandum dated February 14, 1983 from the Personnel Officer advising that the executive committees of the fire departments and rescue squads have submitted the annual list of volunteers who qualified for retirement in 1982. Commissioner approval is recommended.

The Commissioners gave their concurrence.

CORRESPONDENCE TO NURSING HOME BOARD  
FEASIBILITY STUDY

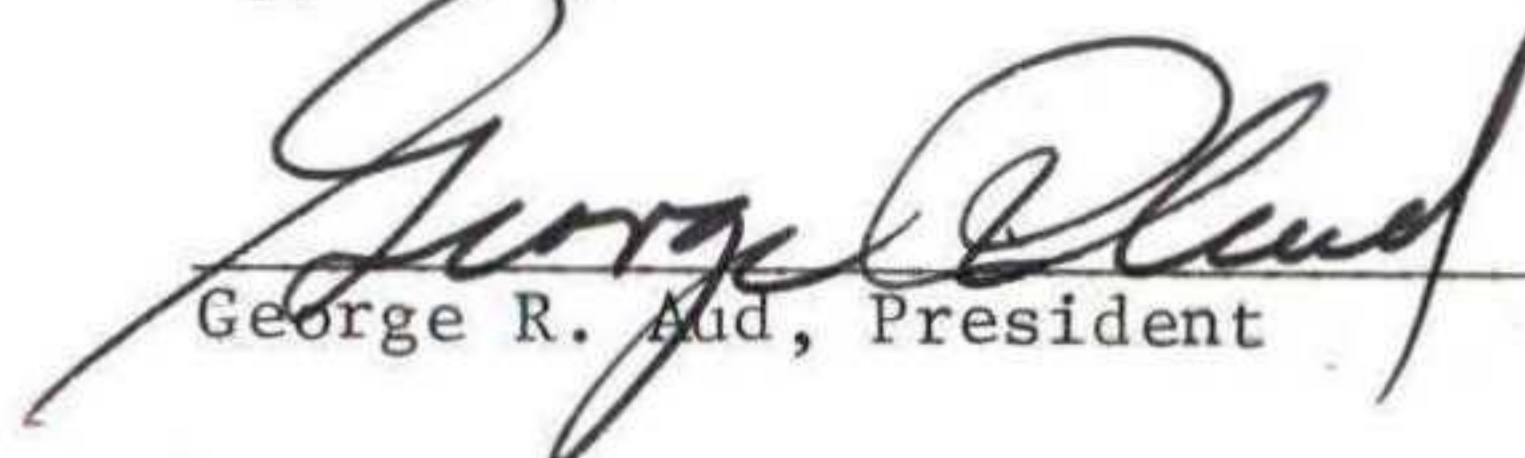
Commissioner Dean presented correspondence addressed to the Nursing Home Board expressing agreement that there needs to be developed a long-range county plan for the provision of nursing care facilities. It is therefore proposed that certain county staff, (Edward Cox, John Norris, and Joseph O'Dell) be assigned to work with the Nursing Home Board to accomplish the feasibility evaluations. The Commissioners agreed to sign and forward said letter.

February 15, 1983  
Page 42

ADJOURNMENT

The meeting adjourned at 12:35 p.m.

Approved,

  
George R. Aud, President