

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, August 30, 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 10:10 a.m.

APPROVAL OF BILLS

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

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold to approve the minutes of the Commissioners' meeting of Tuesday, August 23, 1983 as submitted. Motion unanimously carried.

PUBLIC HEARING

ECONOMIC DEVELOPMENT REVENUE BONDS

PATUXENT PARK WEST LIMITED PARTNERSHIP I, II, III, IV

Present: Ed Curley, Jr. applicant
David W. Morgan, Economic Development Coordinator
Joseph Mitchell, Dir., Dept. of Economic & Community Development
Joseph Densford, Assistant County Attorney
J. Claude Jarboe, Taxpayers' Association
Betty Robrecht, Taxpayers' Association

The Commissioners conducted a public hearing on the issuance by St. Mary's County of Economic Development Revenue Bonds for Patuxent Park West, I, II, III, and IV in connection with the acquisition, construction and equipping of multi-family units and commercial center to be located north of MD Route 246, Great Mills Road, and west of Saratoga Drive in the Eighth Election District.

The secretary read the Notice of Public Hearing after which Mr. Curley briefly explained the project.

Mr. Morgan presented four Resolutions with Agreements to Issue Bonds for the referenced projects and advised that the Economic Development Review Committee recommends Commissioner approval.

Commissioner Dean moved, seconded by Commissioner Millison, to approve and sign said Resolutions. Motion unanimously carried.

Mr. Jarboe, on behalf of the Taxpayers Association, advised the the Association is not opposed to low to moderate income housing, but was interested in seeing economic development that would increase the tax base of the county. It was explained that the project will provide improvements to the land which would in turn provide additional tax revenue; that the construction and management of the project would provide additional jobs; and further in order to attract business to the County and people to the Naval Air Station adequate housing needed to be provided. The Hearing was closed. (A tape of the proceedings in on file in the Commissioners' Office.)

JAIL STUDY FINAL REPORT

Present: William Moseley, Moseley-Henning Associates
Craig Covey, Moseley-Henning Associates
Judge Joseph Mattingly
Judge C. Clark Raley
Sheriff Wayne Pettit
J. Wilmer Bowles, President, Leonardtown Commissioners
Ed Long, Leonardtown Commissioners
Dr. William Marek, Deputy Health Officer
John Norris, County Engineer
George Hardinger, MD Division of Correction
Francis Manear, Commission on Correctional Standards
Richard Mudd, Parole and Probation
Other interested citizens

Mr. Moseley advised that the purpose of this meeting is to present to the Commissioners the final report of the Jail Study performed by Moseley-Henning Associates, the purpose of which was to look at the feasibility of expansion and modernization of the existing jail. He stated that it appeared that the following items were agreed to in previous meeting:

1. That a 72-bed facility would adequately meet the needs of the County until the year 2000;
2. That the renovated facility would require 27,000 square feet of space to meet the American Correctional Association Standards;
3. That although the existing facility had a great number of shortcomings, the best configuration appeared to be a three-story structure.

Mr. Moseley cited some of the problems involved in using the existing facility: restriction in future expansion capabilities, problems with parking, incompatibility with neighborhood, supervision problems, and overall cost of both construction and operation. He further stated that to build the jail around the existing building would cost approximately 10% more than to build at the Governmental Center Site, a difference of approximately one-half million dollars.

During discussion Town Commissioners J. Wilmer Bowles and Ed Long advised that the Leonardtown Commissioners voted unanimously to oppose expansion of the jail at the existing site and to recommend moving the jail to the Governmental Center.

Comments and opinions were offered by those in attendance regarding expansion of the jail at the present site of relocating it at the Governmental Center. A summary of the comments are as follows:

Sheriff Pettit-In discussing costs of transporting prisoners back and forth to the Courthouse if the jail were located at the Governmental Center property, Sheriff recommended that the present jail be used as a holding facility and that transports be made in the morning and evening each day.

Judge Mattingly- Judge Mattingly stated that he felt that the facility should be located at the Courthouse because of the costs. He further recommended that if the Health Department should move to the current hospital location, that the building could be used as a holding facility for less dangerous inmates.

Judge Raley-Judge Raley commented that in his opinion to locate the expanded jail at the present location would be a great tragedy. He did not feel that the County should committ the spending of over Five Million Dollars at the present location. He further stated that convenience to Courts should not be the deciding factor.

Commissioner Millison-Commissioner Millison stated that he favored the opinion of Judge Mattingly and that by using the Health Department building, the more harmful prisoners could be separated from the other prisoners.

Commissioner Arnold-Commissioner Arnold raised questions regarding the financial impact of operating the jail at the present location or at the Governmental Center with regard to transportation, administration, and renovations to the present jail if used as a holding facility.

Commissioner Dean-Commissioner Dean stated that all available alternatives have to be evaluated and that it was obvious in his opinion that because of site restrictions, objections from the Town of Leonardtown and no room for future expansion that relocating the jail at the Governmental Center was the best alternative.

Mr. Bowles-Mr. Bowles stated that the Leonard Hall property had been purchased to provide long and short terms need of County Government and that he agreed with Moseley-Henning's recommendation that the Courthouse site not be used. He stated that the citizens of Leonardtown are more concerned about the present and the future of Leonardtown and pay taxes to the Town and to the County and State and that County and State monies would be used to construct the facility. He further stated that the Town is willing to cooperate in working with the County on this project to the best interest of the County and Leonardtown. Mr. Bowles submitted a letter to the Commissioners setting forth his comments on the matter. He also submitted two other letters from Town residents. Copies of the letters are on file in the Commissioners' Office.

George Hardinger-Mr. Hardinger stated that the study provided options with the most feasible option being the relocation of the jail at the Governmental Center. He stated that a rooftop recreational area as included in the plans for the renovations of the present jail is not recommended under any circumstances.

Francis Manear-Mr. Manear stated that he did not believe that separation of the jail from the courthouse would be an operational problem and that the costs should be lower than the estimate given by Moseley-Henning Associates.

Richard Mudd-Mr. Mudd stated that he has worked in other communities where the separation of the jail and the courthouse had been made and he did not believe that this is a major obstacle.

In conclusion, the Commissioners advised that they have been presented with the study, have heard input from appropriate agencies, and will now give consideration to all the facts and make a decision in the near future.

PROCLAMATION NO. 83-62
ST. MARY'S COUNTY BENEFIT AIRFAIR DAYS

Present: Sue Gelrud
Kathy O'Brien
Janet Cook

The Commissioners presented the referenced Proclamation designating September 10 and 11, 1983 as St. Mary's County Benefit Air Fair Days.

EXECUTIVE SESSION

Present: John Baggett, Director, Recreation and Parks
Edward V. Cox, County Administrator

Commissioner Aud moved, seconded by Commissioner Arnold, to meet in Executive Session in order to discuss a matter of land acquisition. The Session was held from 1:10 p.m. to 1:20 p.m.

ADVANCED LIFE SUPPORT PROGRAM AGREEMENT

Present: Tom Oliver Director, Emergency Operations Center
Paul Wible, EMS Coordinator
Dan Brown, Chief, A.L.S.
Janet Cook, Secretary-Treasurer, A.L.S.
Paul Raley, Director, Purchasing and Logistics

The referenced individuals appeared before the Commissioners to explain the purpose of the Agreement which is to make independent from County Government the Advanced Life Support System, the members of which have incorporated and elected a set of officers. The Agreement delineates the responsibility and relationship of the groups represented by the signatures to the Agreement; namely, A.L.S. System, the Rescue Squad Association, the Fire Board, the Office of Civil Defense and the Board of County Commissioners.

After discussion concerning the immediate need for a replacement vehicles and the need for further discussion and review of the Agreement with the groups involved, Commissioner Dean moved, seconded by Commissioner Millison, that the County purchase a replacement vehicle for the vehicle which was wrecked, and the insurance money from the wrecked vehicle be used to purchase the replacement vehicle and put it on the road; and further that it be covered under the County's fleet insurance policy, and that the County approve an additional amount not to exceed \$500 above the insurance money for the additional equipment. Funds are already budgeted. Motion unanimously carried.

It was further agreed that the Agreement be taken under advisement so that it can be reviewed by the Rescue Squad Association, the Medical Advisor, and by the County Commissioners and other involved groups and that a decision will be rendered at a later date.

ALTERNATIVE ON-SITE SEWAGE DISPOSAL SYSTEMS
CENTRAL GATHERING OF APPLICATIONS

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

Mr. Gerred advised that correspondence was received from the St. Mary's County Health Department dated August 24, 1983 recommending that there be a central depository for all requests from citizens to have their property included in the Alternative Sewage Disposal System Projects. Mr. Gerred volunteered his office as the central location for all requests and stated that all interested parties are requested to complete an application similar to a percolation test application and then placed in a special file.

The Commissioners gave their concurrence.

STSP 83-0776
LAURENCE C. HARRIS
AUTO SALVAGE BUSINESS

(Commissioners Millison and Arnold left the meeting because of possible conflict of interest.)

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

Requesting Site Plan approval for an office building (trailer).
The property contains 1.845 acres and is located at the intersection of Old Route 5, Mechanicsville, Fifth Election District, Tax Map 9, Block 14, Parcel 27, Zoned I-1, Industrial.

Mr. Gerred presented the referenced Site Plan for the Commissioners' review and approval and stated that the Planning Commission has recommended approval with the contingency that proper screening be placed around the property.

Commissioner Dean moved, seconded by Commissioner Aud, to approve Site Plan No. STSP 83-0776 with the condition that the Office of Planning & Zoning monitor the placement of proper screening and landscaping.
Motion carried.

OFFICE OF COUNTY ENGINEER ITEMS

Present: John Norris, County Engineer

1) GREENVIEW KNOLLS

Mr. Norris advised the Commissioners that the sewer contractor for the Metropolitan Commission's project in Greenview Knolls is requiring the repair of the streets and roads in the subdivision. The Metropolitan Commission in correspondence dated August 29, 1983, has requested the County to do this repair work for the lump sum price of \$50,000 as part of the County's Asphalt Resurfacing this Fall. Mr. Norris recommended that the Commissioners accept this proposal with the contingency that the quantity contained in the correspondence be field checked by the Engineer's Office. The Commissioners gave their concurrence.

2) COUNTY COMMISSIONERS v. J. WHITSON ROGERS
LOT 905 - GOLDEN BEACH

Mr. Norris presented correspondence from J. Ernest Bell, II, previous County Attorney, advising that the only available recourse in the referenced matters appears to be the filing of an independent action against the bonding company to collect under the superceded bond and recommending that the Commissioners have an attorney to take over this case. The Commissioners directed the County Engineer have the present County Attorney take care of this matter. (Commissioner Arnold returned to the meeting.)

3) RELEASE #6 - FORREST RUN SUBDIVISION

Mr. Norris presented a request for Release No. 6 to Mr. Edward Cook, the developer of Forest Run Subdivision for the completion of gravel base. The Commissioners gave their concurrence.

OFFICE OF COUNTY ENGINEER ITEMS (Continued)

4) CONSTRUCTION EASEMENT
J. LAURENCE MILLISON

The County Engineer presented the referenced Construction Easement Agreement relative to the construction/drainage improvements to Shangri-La Drive.

Commissioner Dean moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign said Easement Agreement. Motion carried. (Commissioner Millison did not participate.)

5) ST. MARY'S COLLEGE - FISHER ROAD

Mr. Norris advised that St. Mary's College has requested a Construction Permit for the installation of a water line under Fisher Road. State property borders both sides of the road for its entire length, and Mr. Norris recommended that the road be turned over to the State. The Commissioners requested that correspondence be prepared to the College Board of Trustees to that effect, with a copy to the President of the College.

6) CONCRETE DRIVEWAY ENTRANCES
BID TALLY SHEET

Mr. Norris presented the bid tally sheet for the referenced project and recommended that all bids be rejected and the project be rebid. The Commissioners gave their concurrence.

7) HVAC RENOVATIONS TO GOVERNMENTAL CENTER
PROJECT NO. SM 84-6-1 (BID TALLY SHEET)

Mr. Norris presented the bid tally sheet for the referenced project and recommended awarding the project to Ralph's Climate Control and accept Alternate #1 and deduct Alternate #2.

Commissioner Aud moved, seconded by Commissioner Dean, to accept this recommendation. Motion carried.

8) ST. GEORGE'S CREEK SPOIL SITE
PROJECT NO. SM 82-3-1 (A)

Mr. Norris presented the bid tally sheet for the referenced project and requested the Commissioners to acknowledge the lowest bidder, Lester Mattingly and Sons, and that he will return at a later date with a firm recommendation. The Commissioners gave their concurrence.

9) PROJECT NO. SM 84-443-1
SLURRY SEAL COAT AND RELATED ITEMS

Mr. Norris presented the bid tally sheet for the referenced project and recommended awarding to the lowest bidder, Bituminous Products Corporation.

Commissioner Arnold moved, seconded by Commissioner Aud, to award the project to the lowest bidder as recommended by the County Engineer.

10) BETHEL CHURCH ROAD

Commissioner Arnold moved, seconded by Commissioner Dean, that Bethel Church Road be included in the County Surface Treatment Program under the current contract. Motion carried.

11) WOODBURN HILL ROAD

Commissioner Arnold indicated that he has discussed the surfacing of Woodburn Hill Road with some of the residents.

OFFICE OF COUNTY ENGINEER ITEMS (Continued)

12) LEONARDTOWN LIBRARY (ARMORY RENOVATIONS)

Mr. Norris advised that the Fiscal Year 1984 Budget increase for the Leonardtown Library was approximately \$80,000. He advised that they had a bid from the building contractor, Loffler Construction, for \$10,048 to repair the concrete sidewalks and install a walkway lighting system. He further had a proposal from Loffler Construction for the repair of the flat roofs in the amount of approximately \$24,000. Mr. Norris submitted a plan showing the furniture and shelving to be bid for the new library and the plan depicted those items that Mrs. Hurrey, Director, SMRLA, had indicated were of priority and those items that could be considered at a later date. The estimated cost for these furnishings is between \$45,000 and \$65,000. Mr. Norris stated that the bid for furniture and shelving will request quotations for both items of work. The dollar value may be outside of the County's budgetary authority and therefore the County Engineer made the following recommendations:

1. To approve the concrete sidewalks and walkway lighting at \$10,048;
2. To approve that portion of the roof repair that was holding up the building construction - \$8,600
3. That the amount of furnishings be decided upon receipt of the bids of the shelving and furniture.

The Commissioners gave their concurrence with the above recommendations.

13) STATE HIGHWAY ADMINISTRATION
CHANGE IN OVERHEAD RATE

Mr. Norris advised the Commissioner that correspondence dated August 15, 1983 was received from the State Highway Administration advising that effective July 1, 1983 the overhead rate will 134.7% instead of the previously stated 128.9%. This does not apply to the six captive counties.

14) COUNTY ENGINEER'S OFFICE AND
HIGHWAY MAINTENANCE BUILDING

Mr. Norris presented the Site Plan for the administrative offices and vehicle maintenance for the Office of County Engineer for the Commissioner's review and approval.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign said Site Plan. Motion unanimously carried.

COUNTY ADMINISTRATOR'S ITEMS

Present: Edward V. Cox, County Administrator

1) PATUXENT RIVER FARMS

The County Administrator advised that the Commissioners have not formally closed the record on the Patuxent River Farms zoning case, and it has been recommended by the Director of Planning & Zoning and the Assistant County Attorney that this be done at the next meeting, September 6, 1983. The Commissioners gave their concurrence.

COUNTY ADMINISTRATOR'S ITEMS (Continued)

2) DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
CONVERSION TO PERMANENT PART-TIME POSITIONS

The County Administrator presented a memorandum from the Personnel Officer advising that the Director of the Department of Economic and Community Development, Joseph Mitchell, has requested the conversion from temporary to permanent part-time status of two of his employees, Cynthia Phillips-Clerk-Stenographer, (Grade 6) and Theresa M. Mayor Fiscal Clerk (Grade 6), effective September 12.

Commissioner Arnold moved, seconded by Commissioner Aud, to approve this request. Motion unanimously carried.

3) AGREEMENT - 300 YEARS OF BLACK COOKING

The County Administrator presented an Agreement by and between the Community Affairs Committee, the 350th Anniversary Committee of St. Mary's County and the Board of County Commissioners for the purpose of setting forth terms whereby the amount of \$2500 will be provided to the Community Affairs Committee for the printing of 1,000 copies of "300 Years of Black Cooking" in conjunction with the celebration of Maryland's 350th Anniversary.

The Commissioners gave their concurrence.

4) TRAILER PARK COMMITTEE

Commissioner Sayre moved, seconded by Commissioner Arnold and unanimously carried to appoint the following individuals to the Trailer Park Committee:

F. Elliott Burch, Jr.
Doris Conley
James Delligatti

5) RESOLUTION OF ENDORSEMENT
GLOUCESTER OF LONDONTOWNE

The County Administrator presented a Resolution for the Commissioners' review and approval granting endorsement of Gloucester of Londontonwe Subdivision, as required by the Community Development Administration who will be financing 29 units.

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and sign said Resolution. Motion unanimously carried.

8) CORRESPONDENCE TO RESIDENTS OF WYNNE ROAD

The County Administrator presented correspondence for the Commissioners' signatures to be forwarded to the residents of Wynne Road in response to their petition advising that improvements will be considered during the formulation of the FY '85 Budget. The Commissioners agreed to sign and forward said letter.

PRIVATE COMMON DRIVEWAY DISCUSSION

Present: Frank Gerred, Director, Office of Planning & Zoning
Robin Guyther, Planner, Office of Planning & Zoning
John Norris, County Engineer

As a follow up to last week's discussion, the Commissioners reviewed a draft Resolution and Agreements for Joint Use of Driveways. In that adopting the private common driveway concept will require amendment to the Subdivision Regulations and public hearing, it was agreed that first a public informational meeting should be held to get community input. Office of Planning & Zoning will make the necessary arrangements.

ADJOURNMENT

The meeting adjourned at 3:20 p.m.

Approved:


George R. Aud, President