

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, September 27, 1983

Present: Commissioner George R. Aud, President
Commissioner Larry Millison, Vice-President
Commissioner Richard D. Arnold
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

(Commissioner Ford L. Dean was not present due to illness.)

The meeting was called to order at 9:10 a.m.

APPROVAL OF MINUTES

Commissioner Arnold moved, seconded by Commissioner Aud, to approve the minutes of the Commissioners' meeting of Tuesday, September 20 1983 as submitted. Motion unanimously carried.

APPROVAL OF BILLS

Commissioner Millison moved, seconded by Commissioner Arnold, to approve payment of the bills as submitted, with the exception of Voucher No. 00439, payable to the Belverdere. Motion unanimously carried.

Commissioner Aud moved, seconded by Commissioner Arnold, to approve payment of Voucher No. 00439. Commissioner Millison abstained. Motion carried.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

Present: Joseph Mitchell, Director
David W. Morgan, Economic Development Coordinator

MORTGAGE REVENUE BONDS

Mr. Mitchell presented the Financial Participation Agreement with the State for the issuance of Mortgage Revenue Bonds in the amount of \$306,000. The County's share of the Program is \$6,120 which would be refunded if we do not participate.

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

SPECIAL JOINT COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT

Mr. Mitchell advised the Commissioners of a meeting of which he and Mr. Morgan will be attending with the referenced Committee headed by Senator Kernan for a presentation of county economic development progress needs and opportunities. Input is being solicited from local officials. Commissioner Arnold suggested that the topic of the County's tobacco industry be mentioned in that it lacks State promotion. Commissioner Millison recommended that Mr. Mitchell and Mr. Morgan point out the inequities of health department approvals on building lots on the Eastern Shore compared to St. Mary's County.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT (Continued)

PRIVATE INDUSTRY COUNCIL

Mr. Mitchell reported to the Commissioners that at the last Private Industry Council meeting, a decision was made that the three Southern Maryland counties each receive \$10,000 from the Job Training Partnership Act-Private Industry Council rather than to the Tri-County Council or to Chesapeake Country.

COUNTY ADMINISTRATOR'S ITEMS

Present: Edward V. Cox, County Administrator

1) CORRESPONDENCE

The County Administrator presented the following items of correspondence which the Commissioners review and agreed to sign and forward:

a) To Congressmen Dyson endorsing his amendment to the Defense Authority Act of 1984 regarding contracting out;

b) To Director of Social Services advising that because of cost and non-appropriation of funds for the General Public Assistance to Employables Workfare Program, the County is not in a fiscal position to give consideration at this time.

c) To Queen Anne County Commissioners supporting their proposal for a tourism center in their area and requesting the County's assistance in a similar project in Southern Maryland

d) To George E. Guy, Budweiser Distributors, Inc. formally requesting his assistance in obtaining the participation of the Clydesdale horses in the 350th Anniversary Celebration parade.

e) The County Administrator presented correspondence addressed to Lance Finney of the Division of Library Development for the Commissioners' review and signatures setting forth clarification of the roles in the continued progress of the Southern Maryland Regional Library Association and the Fifth District Library. The letter indicates that the Commissioners have designated SMRLA as the County's representative in this project with prior approval to be given by the Board of County Commissioners as to design, bid specifications and construction costs for the Fifth District Library. Contact person for the County is John Norris, County Engineer.

2) APPOINTMENT
TRI-COUNTY YOUTH SERVICES BUREAU

Commissioner Millison moved, seconded by Commissioner Aud, to appoint Charles Hall to the Tri-County Youth Services Bureau for a term to expire December 31, 1984. Motion unanimously carried.

COUNTY ADMINISTRATOR'S ITEMS (Continued)

3) MANUAL OF PERSONNEL POLICIES AND PROCEDURES
CLARIFICATION OF BENEFITS - PERMANENT PART-TIME APPOINTMENTS

The County Administrator submitted a memorandum dated September 19, 1983 from the Personnel Officer submitting a proposal that paragraph 0806 regarding benefits to which part-time permanent employees are entitled be rewritten in order to clarify action taken by the Board in June 1983.

The Commissioners gave their concurrence.

4) SHERIFF'S DEPARTMENT
PURCHASE OF VEHICLES

The Commissioners discussed Sheriff Pettit's request for a waiver of the County's competitive purchase policy (Section 178-4 - County Code). Sheriff Pettit had explained privately to Commissioner Aud the law enforcement reasons for this request which involves undercover and criminal investigation work.

After some discussion, Commissioner Millison moved, seconded by Commissioner Aud, that, for this case only, to grant the Sheriff's request for an exception to the County's competitive bid policy and authorize Joint Purchase Agreement with the Charles County Sheriff's Department for certain vehicles. Motion unanimously carried.

5) ROAD RESOLUTIONS

On behalf of the County Engineer, the County Administrator presented the following Road Resolutions:

a) NO. R83-15
SPEED LIMIT - TENN-WOOD ACRES

Posting the speed limit on Marion Drive and Deer Lane located in Tenn-Wood Acres Subdivision at 25 miles per hour.

b) NO. R83-16
STOP STREET - TENN-WOOD ACRES

Designating Marion Drive in Tenn-Wood Acres Subdivision as it intersects with MD Route 5 as a STOP STREET.

Commissioner Arnold moved, seconded by Commissioner Aud, to approve and authorize Commissioner President Aud to sign Road Resolutions No. R83-15 and R83-16. Motion unanimously carried.

COUNCIL ON CHILDREN AND YOUTH
ANNUAL REPORT

Present: Phebe Barth, Youth Services Coordinator
Mary Novotny, Chairman, Council on Children and Youth

The referenced individuals appeared before the Commissioners to present the Annual Report of the Council on Children and Youth for the period of October 1982 through August 1983.

Mrs. Novotny, on behalf of the Council reviewed the report and discussed the programs and activities of the past year. She went on to explain the efforts of the various task forces that have been established through the Council such as Alcohol/Drug Abuse, Financial and Budget, Juvenile Justice and Recreation. Also highlighted by Mrs. Novotny were the past accomplishments of the Council on Children and Youth and the goals for the the 1983 as determined by the Council members.

COUNCIL ON CHILDREN AND YOUTH (Continued)
ANNUAL REPORT

Ms. Barth reviewed for the Commissioners the County-funded Youth Summer Employment and the Summer Youth Employment Program and indicated the success in certain areas of the programs, i.e., SMILE Tutoring Program and the Pax Hi Program. Also discussed with the Council's efforts in the proper job training for youth.

In conclusion, Mrs. Novotny requested the Commissioners' continued support of the Council and invited them to attend their meetings whenever possible.

The Commissioners thanked the representatives from the Council on Children and Youth for their presentation and commended the Council for their efforts and accomplishments for the youth in the county.

(Commissioner Millison left meeting - 10:15 a.m.)

OFFICE OF COUNTY ENGINEER

Present: John Norris, County Engineer

1) GRANT APPLICATION
AIRPORT IMPROVEMENT PROGRAM

Mr. Norris presented the referenced Grant Application for the paving of the parallel taxiway and obstruction removal in the amount of \$106,000 to be submitted to the Federal Aviation Administration. The County's share is approximately \$6,000, which will require the Director of Budget and Data Services to make the appropriate transfer.

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign said Grant Application. Motion carried.

2) PROJECT NO. SM 84-4-4
ST. MARY'S COUNTY AIRPORT
OBSTRUCTION REMOVAL - CLEARING

Mr. Norris presented the bid tally sheet for the referenced project and recommended that the bid be awarded to Jimmy Bean Excavating, Inc. in the amount of \$32,002.50.

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

3) PUBLIC WORKS AGREEMENTS AND LETTERS OF CREDIT
(a) LAUREL GROVE - WILDEWOOD
(b) COMBS PROPERTY - OFF OF WILLOWS ROAD

Mr. Norris indicated that there will be two letters of credit due within the next week--Laurel Grove Section of Wildewood, due October 4 and the construction of an entrance to the Combs property, off of Willows Road, due October 3. Mr. Norris requested authorization for the extension of the referenced documents or to secure the funds if the work is not accomplished.

The Commissioners gave their concurrence.

OFFICE OF COUNTY ENGINEER (Continued)

4) GRADING PERMIT
VALLEY DRIVE

Mr. Norris advised that the grading permit for the referenced project is due October 4, 1983 and recommended that the surety bond either be extended or called.

The Commissioners gave their concurrence that if the bond could not be extended that it be called.

5) CONSTRUCTION EASEMENT
DRAINAGE IMPROVEMENTS - SHANGRI-LA DRIVE

Mr. Norris presented a Construction Easement dated September 27, 1983 by and between John Hansen Briscoe, Marvin S. Kaminetz, Marlene Kay Kaminetz, and James A. Kenney, III for construction/drainage improvements on a portion of Shangri-La Drive.

Commissioner Sayre moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign said Easement. Motion carried.

6) PERMANENT DRAINAGE EASEMENT
ROADWAY AND STORM DRAINAGE IMPROVEMENTS
SHANGRI-LA DRIVE

The County Engineer presented a Permanent Drainage Easement by and between John P. Rue, Katharine W. Daugherty, Julius J. Finnicon and the Board of County Commissioners of St. Mary's County for the referenced project.

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign said Easement. Motion carried.

7) CONSTRUCTION EASEMENT
CONSTRUCTION/DRAINAGE IMPROVEMENTS
SHANGRI-LA DRIVE

The County Engineer presented a Construction Easement by and between Katherine W. Daugherty, Julius J. Finnacom and the Board of County Commissioners of St. Mary's County for the referenced project.

Commissioner Sayre moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign said Easement. Motion carried.

8) ILLEGAL DUMPING OF TRASH

Mr. Norris referred to correspondence from a representative of Ambassador Trash Removal Company in Charles County which states that he has instructed his drivers not to mix trash from the two counties (Charles and St. Mary's) and that they would be personally responsible for neglecting the County's rule on this. Mr. Norris recommended that since there have been past problems with this firm that if there are future occurrences that a penalty be imposed or license revoked. The Commissioners concurred.

9) PROJECT NO. SM 81-1-11
GUARDRAIL INSTALLATION
MILLSTONE LANDING ROAD

Mr. Norris advised that bids were solicited for the installation of guardrails on Millstone Landing Road. Lowest bidder was Hubbell Highway Signs, Inc. in the amount of \$7,787.50 and Mr. Norris recommended awarding the bid in that amount.

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

OFFICE OF COUNTY ENGINEER ITEMS (Continued)

10) BID TALLY SHEET
ST. MARY'S COUNTY LIBRARY
CASEWORK AND EQUIPMENT

Mr. Norris presented the bid tally sheet for the referenced project and recommended awarding the bid to the lowest bidder, Young and Watson in the amount of \$43,550, the Alternate Bid, which is a reduction of certain items for the Base Bid.

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

Mr. Norris indicated that the roofing will require additional funding and he will contact the Director of Budget and Data Services to have this item included in the Supplemental Appropriation Hearing.

11) ADDENUM TO PUBLIC WORKS AGREEMENT
VALLEY DRIVE ESTATES

Mr. Norris presented an Addendum to the Public Works Agreement by and between Lexington Park Limited Partnership and the Board of St. Mary's County Commissioners to extend the completion of the roads in Valley Drive Estates Subdivision, Eighth Election District to October 1, 1984.

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign said Addendum. Motion carried.

12) ACCEPTANCE OF DEED
RECONSTRUCTION OF MILLSTONE LANDING ROAD

Mr. Norris presented a Deed by and between Esperanza Shopping Center Corp. and the County Commissioners of St. Mary's County for the reconstruction of Millstone Landing Road.

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign said Deed. Motion carried.

13) ROAD NAME CHANGE REQUEST
ST. JOSEPH'S DEVELOPMENT ROAD

Mr. Norris reviewed correspondence from the President of the St. Joseph's Community Center which stated that the members of the Center have expressed a desire to rename "St. Joseph's Development Road" to "Kavanagh Road" in honor of Rev. Michael Francis Kavanagh.

Commissioner Arnold moved, seconded by Commissioner Aud, to approve the renaming of the road and request the County Engineer to prepare appropriate Road Resolution. Motion carried.

COUNTY ENGINEER ITEMS (Continued)

14) ROAD RESOLUTION NO. R83-17
RENAMING OLD ROUTE 235

Mr. Norris presented the referenced Road Resolution renaming "Old Route 235" to "Old Three Notch Road."

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

15) SURFACING WORK STATUS

Mr. Norris discussed the following status of the following surfacing projects:

a) Rosebank Road

Mr. Norris requested authorization to extend the paving work for the entire length of the referenced road. The Commissioners gave their concurrence.

b) Bethel Church Road

Mr. Norris indicated that the referenced road will be surface treated next week.

c) Piney Point Road (Lighthouse Road)

Commissioner Sayre requested that Mr. Norris have this road placed on the schedule for improvements. Mr. Norris advised that his office has just received the data concerning elevations and care must be taken to ensure that road improvements will not create flooding of homes in the area. The Commissioners requested that if there is surface treatment tonnage available, and if the project can be done without harm to the area, that this road be included.

SHERIFF'S DEPARTMENT - PENSION SYSTEM

Present: Sheriff Wayne Pettit
Joseph P. O'Dell, Director of Budget and Data Services

Sheriff Pettit referred the Commissioners to correspondence dated July 15, 1982 from Edward H. Friend & Company, the firm previously engaged to perform a feasibility study of establishing a separate retirement system for the Sheriff's Department personnel. Sheriff Pettit requested the Commissioners' consideration to have the same firm complete the study at a cost of approximately \$6,000 and to pursue a 25 year plan rather than a 20 year plan. In discussing the request, the Sheriff indicated that his department was unanimously in favor of the 25-year plan and that this is in line with the profession in other jurisdictions.

During discussion of the source of funding if approval was granted, Mr. O'Dell advised that this amount would have to be included in the Supplemental Appropriation Ordinance. The exact amount would be known at the completion of the study.

Commissioner Aud moved, seconded by Commissioner Arnold, to authorize Edward H. Friend & Company to complete the work items described in the above referenced correspondence at a cost of approximately \$6,000. Motion carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Aud moved, seconded by Commissioner Sayre, to meet in Executive Session in order to discuss matters of Personnel. The Session was held from 11:00 a.m. to 11:15 a.m.

ALPD #81-0042
WILLIAM D. BOYD

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

Mr. Gerred advised the Commissioners that correspondence dated August 15, 1983 was received from the Department of Agriculture requesting St. Mary's County to participate in the purchase of an Agriculture Land Preservation Easement on the William D. Boyd property. He stated that there has been an increase of \$20,475 in the appraisal since the first appraisal in 1982 in the amount of \$107,525. In the August 15 letter it was indicated that inasmuch as the adjustment was made after the State had committed their FY '83 funds, that St. Mary's County may be willing to contribute the difference.

Mr. Gerred explained that there are funds available in the County's Agricultural Preservation Fund from the Agricultural Transfer Tax. These funds would go back to the State if they are not spent.

In conclusion, Mr. Gerred advised that the Agricultural Land Preservation Advisory Board, the Planning Commissioner, and the Office of Planning and Zoning recommend that the County participate in the amount of \$20,475.

Commissioner Aud moved, seconded by Commissioner Arnold, that the County participate in the purchase of the Agricultural Land Preservation Easement on the William D. Boyd property in the amount of \$20,475

PROCLAMATION NO. 83-68
ADULT DAY CARE CENTER WEEK

Present: Jim Mahoney
Virginia Thomas

The Commissioners presented the referenced Proclamation designating the week of September 25- October 1, 1983 as Adult Day Care Center Week in St. Mary's County.

PROCLAMATION NO. 83-67
JUNIOR WOMAN'S CLUB OF GOLDEN BEACH RECOGNITION DAY

Present: Cindy Olsen, President, Jr. Woman's Club of Golden Beach

The Commissioners presented the referenced Proclamation designating Sunday, October 16, 1983 as Junior Woman's Club of Golden Beach Recognition Day.

PROCLAMATION NO. 83-63
KNIGHTS OF COLUMBUS MONTH FOR THE MENTALLY RETARDED

Present: Joseph D. Fuller, St. Mary's Council 1470
John E. Fanning, Immaculate Conception Council
John L. Carter, St. Michael's Council
Jimmie A. Mora, Father Andrew White Assembly
John Sivak, Tootsie Roll Chairman, Council 2065
Mark Croson, Immaculate Conception Council

The Commissioners presented the referenced Proclamation designating the Month of October as the Knights of Columbus Month for the Mentally Retarded.

REPORT ON VISIT TO DORCHESTER COUNTY
ALTERNATIVE SEWAGE TREATMENT SYSTEMS

Present: Robin Guyther, Planner, Office of Planning & Zoning

Mr. Guyther appeared before the Commissioners to report on the trip sponsored by the Metropolitan Commission to Dorchester County to look at alternative sewage treatment systems. Mr. Guyther presented copies of handouts that were given out by Mr. Lester Coble, Chief, Community Hygiene Section of Dorchester County Health Department. The handouts described two systems being tested in Dorchester County:

- (1) Bermed Infiltration Pond
- (2) an elevated septic system.

Copies of handouts are on file in the Commissioners' office.

DEMOLITION OF STORAGE BUILDING
GOVERNMENTAL CENTER

The County Administrator presented correspondence for the Commissioners' signatures addressed to the County Engineer granting authorization to obtain and execute a demolition permit for the referenced structure located at the rear of the Governmental Center property. The Commissioners agreed to sign and forward said memorandum.

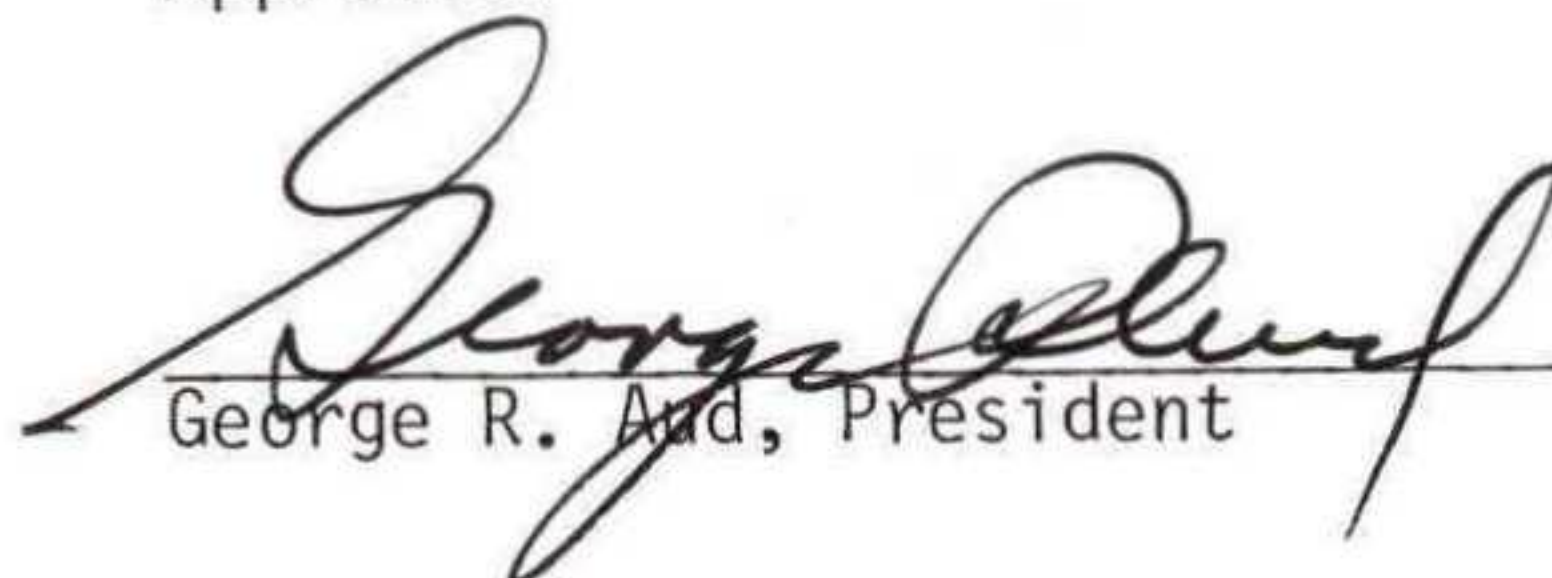
ST. MARY'S RIVER WATERSHED PROJECT - SITE NO. 2

The County Administrator presented correspondence addressed to the Environmental Protection Agency reiterating the Commissioners' support of the referenced project and requesting that no further action detrimental to the project's progress be taken until the current environmental impact analysis is complete. The Commissioners agreed to sign and forward said letter.

ADJOURNMENT

The meeting adjourned at 11:45 a.m.

Approved:


George R. And, President