

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, January 10, 1989

Present: Commissioner Carl M. Loffler, Jr., President  
 Commissioner W. Edward Bailey  
 Commissioner Robert T. Jarboe  
 Commissioner John G. Lancaster  
 Commissioner Rodney Thompson  
 Edward V. Cox, County Administrator  
 Judith A. Spalding, Recording Secretary

The meeting was called to order at 9:05 a.m.

APPROVAL OF MINUTES

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, January 3, 1989. Motion carried.

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve the Planning and Zoning portion of the minutes of the Commissioners' meeting of Tuesday, December 20, 1988. Motion carried.

APPROVAL OF BILLS

Commissioner Thompson moved, seconded by Commissioner Bailey, to approve payment of the bills as presented. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) APPOINTMENTS

Commissioner Lancaster moved, seconded by Commissioner Jarboe, with motion carried, to make the following appointments:

<u>Agriculture Land Preservation Advisory Board</u>	<u>Term to Expire</u>
Luther Wolfe (reappointment)	December 31, 1993
<u>Building Authority Commission</u>	
Dan Ichniowski	No Term
<u>St. Mary's Nursing Center Board</u>	
A. Joseph Slater	December 31, 1991
<u>Private Industry Council</u>	
Mark Dillow	June 30, 1990/1993
<u>Tri-County Council for Southern Maryland</u>	
F. Elliott Burch, Jr.	December 31, 1989

2) LOAN RESOURCES COORDINATOR  
DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT

The County Administrator presented a memorandum dated January 6, 1989 from the Personnel Officer requesting the establishment of a Loan Resources Coordinator position, Grade 9, in the Department of Economic & Community Development. The position will be funded by loan proceeds received by the St. Mary's County Community Development Corporation.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to establish the position as requested. Motion carried.

3) HUMAN RELATIONS COMMISSION  
BY-LAWS

The County Administrator presented correspondence addressed to the Human Relations Commission indicating that the by-laws, which are in compliance with Resolution No. 88-03, are approved by the Board of County Commissioners.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve the by-laws and to sign and forward the letter as presented. Motion carried.

4) TENTATIVE AGENDA  
JANUARY 17 MEETING - BOARD OF EDUCATION MEETING

The County Administrator distributed a tentative agenda for the meeting scheduled January 17 between the Board of County Commissioners and the Board of Education.

The Commissioners agreed with the agenda as presented.

RENOVATION OF OLD HEALTH DEPARTMENT BUILDING  
SHERIFF'S OFFICE

Present: Sheriff Wayne Pettit  
Lt. Phil Cooper

Also Present: James Haley, Procurement Officer

The referenced individuals appeared before the Commissioners to discuss the bid for the renovation of the old health department building for the Sheriff's Office, which had been awarded to Dennis Anderson Construction Company in the amount of \$293,500. Sheriff Pettit indicated that the base bid was \$265,400 with seven alternates totalling \$28,100. He stated that there were three items not available within the allocated funds for the project: **Dark room equipment** (plumbing, sinks, countertop, shelving and cabinetry for the dark room) - \$5,265; Security T.V. System (for monitoring juvenile holding cells and building perimeter control) - \$34,615; Emergency Generator (allowing around-the-clock operation when main power is lost) - \$31,165 -- for a total of \$71,045. During discussion Sheriff Pettit indicated that these items are needed for the operation of the Sheriff's Department.

Discussion ensued regarding the County's bidding procedures and omission of these items from the base bid inasmuch as Sheriff Pettit indicate the necessity of them. Mr. Haley indicated that proper procedures were followed, and stated that the successful bidder would still be the lowest bidder with the add-ons. The County Administrator stated that staff will provide additional information next week in order for the Commissioners to make a decision.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Thompson moved, seconded by Commissioner Jarboe, to meet in Executive Session in order to discuss a matter of personnel. Motion carried. The Session was held from 9:50 a.m. to 10:20 a.m.

BAY INTERCEPTOR SEWER LINE

Present: Larry Petty, Director, Metropolitan Commission  
Steve King, Metropolitan Commission

The referenced individuals appeared before the Commissioners to discuss the Bay Interceptor Sewer Line, its capacity, and the Committee appointed by the Commissioners in 1980.

Mr. Petty described the Bay Interceptor Sewer Line, which runs from the Pine Hill Run Plant, turns at Mattapany, and to the pumping station at St. Mary's College. By way of a map and chart, Mr. Petty depicted the service area of the sewer line, and pointed out that it was built to a capacity of three and a half million gallons per day. The line was designed to handle the one dwelling per acre and two dwellings per acre; however, with the new comprehensive plan requirement for one dwelling per three acres the demand would be decreased to 800,000 gallons per day. Mr. Petty referred to the Agreement allocating 300,000 gallons for St. Mary's College. He indicated that capacity was not the key issue regarding concerns for development in this area of the county. The availability of water from the Aquia Aquifer may be a deterrent to develop.

Mr. King reported on the committee that had been appointed by the County Commissioners in 1980 to develop a proposed allocation policy for the Bay Interceptor Sewer. He stated that it was formed because of concerns raised by the Planning Commission regarding a zoning application for a PUD in that area, which may result in additional development, increasing the demand for the Pine Hill Treatment Plant facilities. The Committee concluded that because of the historical and predominantly rural nature of the area, growth should be discouraged and allowed in accordance with the Zoning Ordinance and Comprehensive Plan, and the density of the Lexington Park area be increased.

In conclusion the Commissioners thanked Mr. King and Mr. Petty for their presentation.

DEPARTMENT OF PUBLIC WORKS

Present: Daniel Ichniowski, Director

- 1) EASEMENT AGREEMENT  
HOLLYWOOD PLAZA

Mr. Ichniowski presented an Easement Agreement by and between the Board of County Commissioners of St. Mary's County and the Southern Maryland Electric Cooperative and Chi Hoi Poon for access across the railroad right-of-way for the proposed Hollywood Plaza.

Commissioner Thompson moved, seconded by Commissioner Bailey, to authorize Commissioner Loffler to sign the Easement Agreement as presented. Motion carried.

2) EASEMENT AGREEMENT  
SOUTHERN MARYLAND PROPERTY MANAGEMENT ASSOCIATES

(Commissioner Loffler left the meeting during discussion of this item and did not participate. Commissioner Lancaster presided over the meeting.)

Mr. Ichniowski presented an Easement Agreement by and between Southern Maryland Property Management Associates and the Board of County Commissioners of St. Mary's County for the clearing of property in the vicinity of property of the St. Mary's County Airport. He stated that the Agreement has not been signed by the property owner; however, the Assistant County Attorney has been working with the owner.

After discussion, Commissioner Bailey moved, seconded by Commissioner Thompson, to authorize Commissioner Vice-President Lancaster, to sign the Easement Agreement once the property owner has signed. Motion carried.

(Commissioner Loffler returned to the meeting.)

3) TITLE SHEET  
CONSTRUCTION EASEMENTS  
MISS BESSIE LANE (EXTENSION OF ELDON LANE)

Mr. Ichniowski presented the title sheet for the referenced project and requested authorization for the president of the board to sign the sheet as well as Construction Easements as follows:

- By and between Alfred S. Mattingly, Joan C. Mattingly, and Helen S. Mattingly and the Board of St. Mary's County Commissioners
- By and between Robert G. and Virginia L. Mattingly and the Board of St. Mary's County Commissioners
- By and between St. Mary's Hospital and Board of St. Mary's County Commissioners.

After discussion Commissioner Jarboe moved, seconded by Commissioner Lancaster to authorize Commissioner Loffler to sign the Title Sheet and the three Construction Easements regarding the construction of Miss Bessie Lane. Motion carried.

4) AGREEMENTS  
FEDERAL AID SECONDARY HIGHWAY FUNDS  
FEDERAL AID URBAN NON-ATTRIBUTABLE HIGHWAY FUNDS

Mr. Ichniowski presented the referenced Agreements as follows:

- By and between State Highway Administration and St. Mary's County whereby Federal Aid Secondary Highway Funds are available to St. Mary's County through the State Highway Administration in the amount of \$108,711 for Fiscal Year 1989.
- By and between State Highway Administration and St. Mary's County whereby Federal Aid Urban Non-Attributable Highway Funds are available to St. Mary's county through the State Highway Administration in the amount of \$15,773 for Fiscal Year 1989.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the Agreements as presented. Motion carried.

5) PUBLIC WORKS AGREEMENT  
PEACH TREE WAY

Mr. Ichniowski presented the Public Works Agreement dated November 21, 1988 by and between Heritage Manor Homes of Lexington Park and St. Mary's County guaranteeing the completion of Peach Tree Court by December 1, 1989. The Agreement is backed by a Letter of Credit with Maryland Bank and Trust in the amount of \$35,000.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the Public Works Agreement as presented. Motion carried.

6) ACCEPTANCE OF DEED  
ROAD RESOLUTIONS  
LAUREL RIDGE SUBDIVISION

Mr. Ichniowski presented a Deed dated July 31, 1987 by and between Israel Z. Swarey and Board of County Commissioners for St. Mary's County accepting Grant Court, Laurel Ridge Drive, and Chelsea Place into the County Highway Maintenance System.

In addition Mr. Ichniowski presented the following Road Resolutions:

R 88-30 - Designating the following streets as Stop Streets:

Laurel Ridge Drive at its intersection with  
Golden Beach Road;

Chelsea Place at its intersection with Laurel  
Ridge Drive;

Grant Court at its intersection with Laurel  
Ridge Drive.

R 88-31 - Posting the streets in Laurel ridge Subdivision,  
Section I, at 25 miles per hour.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Deed, to approve the Road Resolutions, and to authorize Commissioner Loffler to sign the documents as presented. Motion carried.

7) ACCEPTANCE OF DEED  
ROAD RESOLUTIONS  
BEECHWOOD SUBDIVISION

Mr. Ichniowski presented a Deed dated October 20, 1986 by and between Israel Z. Swarey and the Board of County Commissioners of St. Mary's County accepting Oliver Court, Sara Court, Dee Court, and Sayer Drive into the County Highway Maintenance System.

In addition, Mr. Ichniowski presented the following Road Resolutions:

R 88-37 - Posting streets in Beechwood Subdivision at 25 miles per  
hour.

R 88-38 - Designating the following streets as Stop Streets:

Sayer Drive at its intersection with St. Rt. 237;  
Sara Court at its intersection with Sayer Drive;  
Oliver Court at its intersection with Sara Court;  
Dee Court at its intersection with Sayer Drive;

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Deed, to approve the Road Resolutions, and to authorize Commissioner Loffler to sign the documents as presented. Motion carried.

Dee Court at its intersection with Sayer Drive;

8) ACCEPTANCE OF DEED  
ROAD RESOLUTIONS  
WILDEWOOD SUBDIVISION - HICKORY NUT

Mr. Ichniowski presented a Deed by and between Paragon Builders, Inc. and St. Mary's County Commissioners accepting White Elm Court, into the County Highway Maintenance System.

In addition, Mr. Ichniowski presented the following Road Resolutions:

R88-33 - Posting White Elm Court at 25 miles per hour;

R88-34 - Designating White Elm Court as a Stop Street at its intersection with Wildewood Parkway.

7) IMPLEMENTATION OF TIPPING FEE

Mr. Ichniowski advised the Commissioners that because of the delay in equipment delivery and construction and scale calibration, the implementation of the tipping fee at St. Andrews has been postponed from January 1 to February 1.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to modify tipping fee date to February 1. Motion carried.

8) RESOLUTION  
OLD ROUTE 5 CLOSING

The Commissioners having conducted a public hearing on December 27, 1988, Mr. Ichniowski presented a draft Resolution for the Commissioners' consideration. Discussion ensued regarding the effective date. Because of work that needs to be done on the extension of some of the driveways, Commissioner Bailey moved, seconded by Commissioner Thompson to set the effective date at July 1 and that Mr. Ichniowski return to the Board with the final document. Motion carried.

EXECUTIVE SESSION

Present: Charles H. Wade, Director of Finance

Commissioner Bailey moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss a matter of Personnel. Motion carried. The Session was held from 11:25 a.m. to 12:15 p.m.

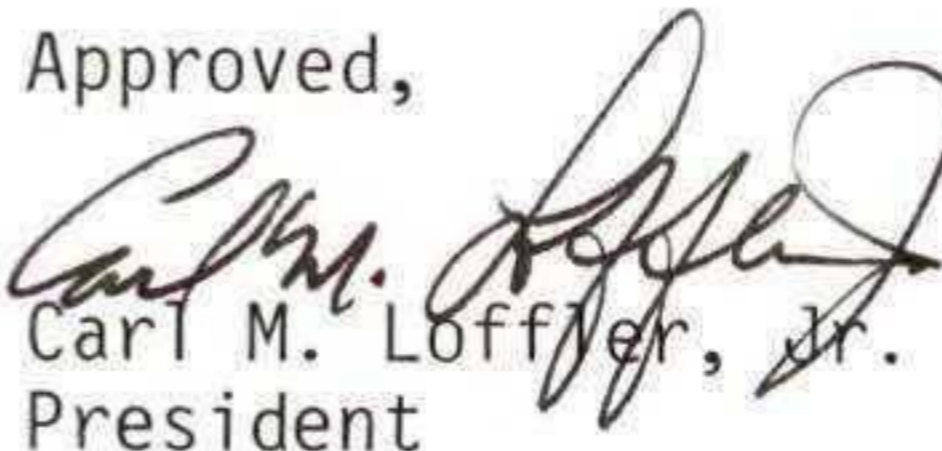
FIFTH DISTRICT TOUR

The Commissioners departed at 12:30 p.m. to attend memorial services for Elizabeth Holden, Planning and Zoning employee who was killed in an automobile accident. The Commissioners then proceeded on their Fifth District tour.

ADJOURNMENT

The meeting adjourned at 12:15 p.m.

Approved,

  
Carl M. Loffler, Jr.  
President