

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, May 24, 1978

Present: Commissioner James M. McKay, President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe, M.D.
Commissioner John K. Parlett
Edward V. Cox, County Administrator
Judith A. Mullins, Recording Secretary

(Commissioner Millison was not present.)

The meeting was called to order at 9:00 a.m.

READING AND APPROVAL OF MINUTES

The minutes of the Commissioners' meeting of May 17, 1978 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Dean. All Commissioners present voted in favor.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the encumbrance vouchers for the Commissioners' review and approval. Commissioner Dean made a motion to approve payment of the bills, as submitted, seconded by Commissioner Jarboe. All Commissioners present voted in favor.

(Commissioner Millison entered the meeting - 9:30 a.m.)

MOBILE HOME HARDSHIP CASES
(MH-78-3, 78-4, 78-5)

The County Administrator presented Mobile Home Hardship Cases Nos. MH-78-3, 78-4, and 78-5, which have been reviewed by the Hardship Committee and recommended for disapproval for all three cases.

Commissioner Dean made a motion to accept the recommendation of the Hardship Committee for Cases No. MH-78-4 and MH 78-5 and that the Commissioners delay action on Case No. MH 78-3 for a week's time, seconded by Commissioner Jarboe. All Commissioners voted in favor.

REQUEST FROM MARYLAND HISTORICAL SOCIETY

The County Administrator advised that Mr. Beitzell, County Historian, reviewed the request for \$300 from the Maryland Historical Society and recommended granting such request. After discussion Commissioner Jarboe made a motion to decline providing said funds in that this money could be better used for historical purposes in St. Mary's County, seconded by Commissioner Parlett. All Commissioners voted in favor.

NOTIFICATION OF GRANT AWARD - TITLE III

The County Administrator advised that the Notification of Grant Award has been issued to St. Mary's County for the Title III Program in the amount of \$24,000.

Commissioner Parlett made a motion to authorize Commissioner President McKay to sign said NGA, seconded by Commissioner Jarboe. All Commissioners voted in favor.

STATE'S ATTORNEY'S OFFICE
COOPERATIVE REIMBURSEMENT PROGRAM APPLICATION

The County Administrator presented the Cooperative Reimbursement Program Application for support services in the State's Attorney's Office, which requires the Commissioners' approval. Commissioner Jarboe made a motion to approve said Grant Application, seconded by Commissioner Parlett. All Commissioners voted in favor.

CLEARINGHOUSE PROJECT NO. 78-ESL-18
CZARRA COTTAGE (ST. MARY'S COLLEGE)

The County Administrator presented the above-referenced clearinghouse project with a request for that facility to be razed. Mr. Cox recommended from reading the report that the cottage would serve no purpose and therefore the County should respond indicating a negative interest in the property. The Commissioners gave their concurrence.

CLEARINGHOUSE PROJECT NO. 8-5-M184
DIXON'S PURCHASE - QUEEN TREE COTTAGE

The County Administrator presented the above-referenced clearinghouse project, which has been reviewed by Mr. Beitzell, County Historian, and recommended that it be forwarded to the State with the comment that it is not inconsistent with this agency's plans, programs or objectives. The Commissioners gave their concurrence.

NACO ACHIEVEMENT AWARDS

The County Administrator advised that the County has received for the second year NACO Achievement Awards for two projects: Commission on Aging Overall Program and the County's Financial Reporting System.

RENOVATION OF LEXINGTON PARK HEALTH DEPARTMENT BUILDING

Present: Dr. William Marek, County Health Officer
John Norris, County Engineer
Jay McGrath, Engineer Technician
Joe O'Dell, Budget Officer

Dr. Marek explained that the Health Department has been going over the space that had been vacated by the Mental Retardation Program and determining what renovations were needed to the Lexington Park Health Department

building which entails conversion of that area into clinical operating space.

The project was put out on bids, and one bid was received; namely, from Bates and Associates with a base bid of \$87,700 and with add alternates a total bid of \$97,475. \$71,000 had been budgeted for this project and Dr. Marek stated that he was just notified by the State that since three positions within the Health Department were not filled during this fiscal year, there was a close out figure of \$21,852. Dr. Marek suggested that with appropriate fund transfers this amount could be used toward the renovation.

After discussion, the Commissioners agreed that the Budget Officer work up the necessary fund transfers and due to the fact that the Budget Officer will be meeting before the Commissioners on June 7 for a review of Capital Improvement projects, the bid would be awarded at that time.

RENOVATION OF LEONARDTOWN HEALTH DEPARTMENT BUILDING

Present: Dr. Marek, County Health Officer
John Norris, County Engineer
Jay McGrath, Engineering Technician
Joe O'Dell, Budget Officer

Dr. Marek advised the Commissioners that a committee had been appointed to assess the Health Department's needs regarding renovations to the Leonardtown Health Department building and submitted a proposal formulated by this committee for interior and exterior improvements to the building. Mr. Norris indicated that the approximate cost for this project will be \$40,000.

After review of these items the Commissioners requested Dr. Marek to work with the Director of Purchasing and Logistics, Budget Officer and County Administrator to determine what work can be done by county forces and the best way to proceed with this project.

GOLDEN BEACH ROAD RECONSTRUCTION INSPECTION SERVICES

Present: Larry Day
Bob Taylor (Larry Day Associates)
John Norris, County Engineer

Relative to previous discussion by the Commissioners and County Engineer concerning Larry Day Associates' inability to complete the contract for engineering inspections for Golden Beach Road because of loss of personnel, Mr. Day appeared before the Commissioners to express his concerns with the County's decision that he make compensation and restitution to the County for the cost difference between his contract and that of John E. Harms who the County has agreed to complete the inspection services.

Mr. Day stated that because of various reasons, such as right-of-way acquisition and two severe winters, the construction project was delayed eight months. He stated that the delay had nothing to do with his firm and had it not been delayed, he would not be in the situation he is now.

In closing Mr. Day stated that he would be willing to complete the contract using Bob Taylor, who he has recently hired, or allow John E. Harms to complete the work, which Mr. Day stated he would prefer; however, he felt that he should not be responsible for the monetary difference.

The Commissioners tabled a decision on this matter until later in meeting.

Later in the day, Mr. Norris recommended that in the spirit of equity that Mr. Day be released from his contract and allow John E. Harms to finish the job. Commissioner Parlett made a motion to accept the County Engineer's recommendation, seconded by Commissioner Jarboe. Four Commissioners voted in favor, with Commissioner McKay abstaining.

ROAD BONDING FOR SUBDIVISIONS

Present: John Norris, County Engineer

As had been previously requested by the Commissioners Mr. Norris presented draft letters for the Commissioners' review to various developers relative to bonding for the roads in certain subdivisions. The Commissioners agreed that the letters be prepared in final form and authorized Commissioner McKay to sign and forward same.

LAUREL GROVE MORGANZA ROAD RECONSTRUCTION

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the contract for the reconstruction of Laurel Grove-Morganza Road was awarded to Raymond Woodburn; however, Mr. Woodburn is unable to obtain bonding. Therefore, Mr. Norris recommended that Mr. Woodburn enter into a Rental Rate Contract utilizing rates that were established in the B.F. Asher contract and bonding would be available to him under this type of contract. Mr. Norris stated that Mr. Woodburn was agreeable to this. The Commissioners gave their concurrence and directed the County Engineer to effect a contract, review it with the County Attorney and return to the Commissioners for action.

FLAT IRON ROAD

Present: John Norris, County Engineer

Mr. Norris stated that after inspecting Flat Iron Road to determine amount of improvements needed there may be a problem getting the necessary shoulder width and therefore requested authority to proceed with the road improvements on Flat Iron Road based on the assumption that the County owns a 30-foot right-of-way, even though we do not have the deed. The Commissioners gave their concurrence and directed him to proceed with the necessary work.

ILLEGAL DUMP PROGRAM

Present: John Norris, County Engineer

In order to clarify the County Commissioners' minutes of May 3, 1978 Mr. Norris stated it was his impression that the County will fund \$8,000 for the project and \$2,000 will be received through CETA funds. He stated he would like to take \$6,000 of the \$8,000 to purchase two trucks. The Commissioners gave their concurrence.

REQUEST TO PURCHASE POWER SAW

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the county's power saw was stolen from the landfill and requested permission to purchase another at a cost of approximately \$200. Funds could be taken from Account No. 1243-6072 and Account No. 1232-3131 in order to make this purchase. The Commissioners gave their concurrence.

SIGNING CONTRACT FOR ST. MARY'S COUNTY

Present: John Norris, County Engineer

Mr. Norris distributed the tally sheet for the bids on the Installation of Traffic Control Signs on various county roads (Project No. SM 77-1-8) and advised that the lowest bid was from Bates & Associates in the amount of \$119,874.21, be accepted. He stated he had received a letter from Dean Construction Company expressing concern about the irregularities of the bids. Mr. Norris explained that the totalling of the bids had no effect on the actual bid price. Therefore, after discussion, Commissioner Jarboe made a motion to award the bid to Bates & Associates contingent upon review by the County Attorney and upon approval by the Federal Highway Administration, seconded by Commissioner Dean. All Commissioners voted in favor.

COURTHOUSE DRIVE

Present: John Norris, County Engineer

Mr. Norris presented a Letter of Credit by and between Robert Miedzinski and St. Mary's County dated May 22, 1978, guaranteeing construction to perform work within the county's right-of-way on Courthouse Drive. Commissioner Parlett made a motion to accept said Letter of Credit, seconded by Commissioner Millison. All Commissioners voted in favor.

TALL TIMBERS CITIZENS ASSOCIATION
REPAIRS TO BULKHEAD

Present: John Norris, County Engineer

Mr. Norris presented correspondence from the President of the Tall Timbers Citizens Association requesting that the plans for the construction of the bulkhead be extended from 200 feet to 275 feet. Mr. Norris indicated that this

would add an additional \$50,000 to the payback costs for the taxing district. After discussion the Commissioners requested Mr. Norris to determine a source of funds and to proceed with the project.

INSTALLATION OF MAINTENANCE PIPES AT NEW RESIDENCES

Present: John Norris, County Engineer

Mr. Norris advised that the Assistant District Engineer for District Five notified the Resident Maintenance Engineer that SHA personnel will no longer install maintenance pipe on new residences and Mr. Norris recommended that the County adopt the same policy in order to be consistent with the State. The Commissioners gave their concurrence.

PAYMENT OF BILLS FOR RAILROAD RIGHT OF WAY

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that his office has encountered some problems with State Highway Administration in getting bills paid for the railroad right-of-way. Bills are being returned to the County without action and Mr. Norris stated that this is contradictory to the Memorandum of Understanding and asked for direction from the Board. The Commissioners requested that the County Attorney contact State Highway Administration in order to reach a solution.

ESSEX SOUTH SUBDIVISION DRAINAGE PROBLEM

Present: John Norris, County Engineer

Relative to determining a solution to the drainage problem in Essex South, Mr. Norris advised the Commissioners that he received correspondence from Mr. Damazzo, a property owner, stating that he would give easements to do drainage work if it was permanent drainage and if he would be able to receive building permits for his other lots. The Commissioners directed that the County Attorney pursue the court case as a solution to the problem and felt that they could not accept Mr. Damazzo's terms because it was inconsistent with county policy.

PROCLAMATION NO. 78-39

YOUTH SERVICE RECOGNITION AWARD

DONALD PURDY

Present: Donald Purdy
Delores Hill, Youth Services Coordinator

The Commissioners presented the above-reference Proclamation proclaiming that Donald Purdy is the recipient of the 1978 Youth Service Recognition Award.

PROCLAMATION NO. 78-38
YOUTH SERVICE RECOGNITION AWARD
CATHLEEN A. AMEYE

Present: Cathleen Ameye
Delores Hill, Youth Services Coordinator

The Commissioners presented the above-referenced Proclamation Proclaiming that Cathleen A. Ameye is the recipient of the 1978 Youth Service Recognition Award.

WATERSHED PROJECT

Present: John Baggett, Director, Recreation and Parks
Pat Plocek, Department of Natural Resources
Matt Wilkerson, St. Mary's County project officer
John Hall, Soil Conservation Service
Francis Hewitt, Property owner

At the request of the County Commissioners, a representative of the Department of Natural Resources appeared before the Commissioners to explain DNR's plans for access to the Watershed project.

Mr. Plocek explained that DNR intends, either through purchase or if necessary, condemnation, to acquire land in order to extend Camp Casoma Road to the lake site and also acquire additional property for a parking lot and boat launching ramp.

Mr. Hewitt stated that he was totally opposed to the road going through at that location and that this was the feeling of the majority of the property owners in that area.

The Commissioners discussed the property owners opposition to access to the watershed site through Camp Casoma Road and the possibility of exploring an alternate route.

After discussion, the Commissioners recommended that the property owners contact Secretary of Department Natural Resources, Mr. Coulter, voicing their opposition and the County would determine if it was possible to use another route.

SPRING VALLEY SUBDIVISION
SPECIAL TAXING DISTRICT

Present: John Norris, County Engineer

Commissioner Jarboe submitted figures for the Commissioners' review and consideration for a Special Taxing District for improvement of the road in the Spring Valley Subdivision. The Commissioners reviewed the proposal and requested that it be forwarded to the County Attorney for comment concerning tax deductible status of Special Taxing Districts. The County Engineer was directed to review the design of this project with the above-referenced figures in mind to determine how much work can be done at various funding levels.

PUBLIC HEARING - PROPOSED ORDINANCE
REQUIREMENT OF SANITARY FACILITIES AT CONSTRUCTION SITES

Present: Dan Raley, Chief, Permits and Inspection
Walter Raum

At this time the Commissioners conducted a public hearing on a proposed Resolution entitled "Requirement of Sanitary Facilities at Construction Sites" which requires the placement of necessary sanitary facilities at certain construction sites to accomodate the work persons who may be at such sites until adequate interior plumbing facilities shall be operational and finally inspected for approval.

The secretary read the Notice of Public Hearing.

After an explanation of the proposed Ordinance by Mr. Raley, Commissioner McKay inquired if anyone wished to speak for or against this Ordinance. Hearing none the hearing was closed. It was noted for the record that the file will remain open for at least ten days after the hearing.

A tape of the proceedings is on file in the Commissioners' office.

SPECIAL EDUCATION SITE

Present: Dr. Robert King, Superintendent of Schools
James Raley, St. Mary's Public Schools
Marvin Joy, " " " "
Dave Morgan, " " " "
Josh Potter, " " " "
Joseph O'Dell, Budget Officer

Dr. King advised the Commissioners that the State has approved the construction of a Special Education Center to house 80 youngsters and be designed for future expansion. Dr. King stated that the Board of Education members are all in favor of locating the facility in the central part of the county in order to best serve the needs of these youngsters.

Commissioner McKay explained that it was the consensus of the Board of County Commissioners that if funds are required during the upcoming budget year for site acquisition for this facility that the funds could come from the County or Board of Education or a combination thereof.

In closing Mr. Raley advised that the actual costs will be submitted to the Commissioners as soon as available.

EPISCOPAL CHURCH PROPERTY

Commissioner Parlett informed the Commissioners that he had requested Mr. Baggett, Director, Recreation and Parks, to forward a letter to the Department of Natural Resources requesting permission to use Open Space money at a future date for part of the Episcopal Church property, if the county desired to do so.

SPRING VALLEY SUBDIVISION (CORONADO VILLAGE)

Present: Bill Winters, Winters Plumbing and Heating (Subcontractor)
Pete Griffin, Griffin Carpets (Subcontractor)
John Adams, A & A Painting Co.
Tim Casey, developer (Coronado Village)
John Norris, County Engineer
Dan Raley, Chief, Permits and Inspection

The above-mentioned subcontractors appeared before the Commissioners to discuss the financial difficulties encountered by subcontractors in this subdivision because of the Commissioners' Stop Work Order and to request the Commissioners to lift the Stop Work Order on the eight homes under construction so that the subcontractors' work could proceed. The Commissioners explained the background and that the reason for the Stop Work Order was the non-compliance of the County's Road Ordinance and Sedimentation Control Ordinance.

Mr. Casey also requested the Commissioners to lift the Stop Work Order on the eight units now under construction with the promise that he would comply with the county regulations.

After some discussion, the Commissioners indicated that their position was that as stated in their May 11 correspondence sent to Mr. Casey and signed by Commissioner McKay.

Later in the day, the Commissioners discussed again the purpose of the Stop Work Order and the possible alternatives. The Commissioners agreed to maintain the county's current position with the understanding that the matter will be reviewed again next week subsequent to a staff report as to the degree of completion of the eight building permits in question.

FY'79 BUDGET

Present: Joseph P. O'Dell, Budget Officer

(The Board of County Commissioners recessed as the Board of County Commissioners and convened as the Board of Estimates.)

The Board of Estimates reviewed and discussed the proposed FY '79 budget documents and accompanying resolutions.

Commissioner Dean made a motion, seconded by Commissioner Parlett, to approve the FY '79 Budget for St. Mary's County, as submitted. All Commissioners voted in favor.

RESOLUTION NO. 78-41

1978-79 APPROVED BUDGET AND LEVY RATE

Present: Joseph P. O'Dell, Budget Officer

Commissioner Jarboe made a motion, seconded by Commissioner Dean to adopt Resolution No. 78-41 to approve the County Budget in the amount of \$20,057,727 and setting the tax rate at \$2.15 per \$100.00 of assessed valuation. All

Commissioners voted in favor.

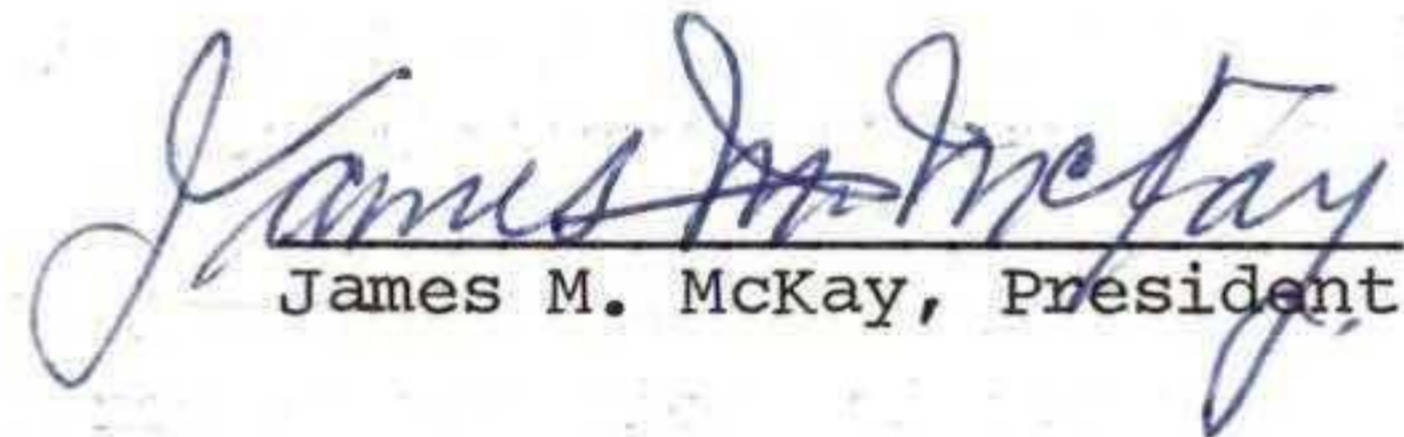
RESOLUTION NO. 78-40
TANNER CREEK SHORE EROSION DISTRICT TAX

Present: Joseph P. O'Dell, Budget Officer

Commissioner Millison made a motion, seconded by Commissioner Parlett to approve the above-referenced Resolution setting forth the tax rates in the Tanner's Creek Shore Erosion District. All Commissioners voted in favor.

The Commissioners adjourned the meeting as the Board of Estimates at 5:50 p.m.

Approved,


James M. McKay, President