

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, June 27, 1979

Present: Commissioner George R. Aud, President  
Commissioner Richard D. Arnold  
Commissioner Ford L. Dean  
Commissioner David Sayre  
Commissioner Larry Millison  
Edward V. Cox, County Administrator  
Judith A. Mullins, Recording Secretary

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

BUS TRANSPORTATION PROPOSAL

Present: Neal Myerberg, State's Attorney  
Delegate John William Quade

Mr. Myerberg stated that a meeting was held last Thursday evening to discuss the current fuel shortage situation and the Governor's Executive Order which was attended by county officials, police, service station operators and the public.

Among the problems discussed was the dilemma of many individuals of getting to work and suggestions were made as to the possibility of bus service. Mr. Myerberg stated that after the Thursday meeting and after speaking with interested people there was another meeting yesterday to discuss this possibility. Two bus contractors have expressed interest in this project and Mr. Myerberg displayed a map of the proposed routes going to Patuxent River Naval Air Station and Webster Field. He stated that all details should be worked out by mid-July and bus service could begin at that time.

Other areas relating to the fuel shortage were discussed including the increased interest in using wood stoves, Southern Maryland's allocation of gasoline, and possible reasons for the shortage of fuel.

In closing the Commissioners expressed their interest and cooperation in the bus service project and invited Mr. Myerberg to attend the meeting concerning the manufacturing of alcohol for fuel to be held Saturday at 9:00 a.m. at Leonardtown High School.

READING AND APPROVAL OF MINUTES

The minutes of the County Commissioners' meeting of June 20, 1979 were read. The Commissioners unanimously approved the minutes as read.

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ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the encumbrance vouchers for the Commissioners' review and approval. Commissioner Arnold moved, seconded by Commissioner Sayre, to approve the bills as submitted. All Commissioners voted in favor.

EXECUTIVE SESSION

Present: Capt. V.W. Klein, NAS  
Joseph E. Bell II, County Attorney  
Frank Gerred, Director, Planning and Zoning

The Commissioners agreed to meet in Executive Session in order to discuss a matter of litigation (Cedar Cove). The Session was held from 10:20 a.m. to 11:40 a.m.

PROCLAMATION NO. 79-39  
SENIOR COMPANION PROGRAM

Present: Beverly Williams

The Commissioners presented Proclamation No. 79-39 proclaiming that official recognition be given to the Senior Companion Program.

COMMENDATION - MR. J. CLAUDE JOHNSON

Present: The Family of J. Claude Johnson

The Commissioners presented a Commendation to Mr. J. Claude Johnson for his dedicated service to the County, State and Nation.

HUMANE SOCIETY

Present: Jean Lundy  
Marilyn Balchum  
Interested Citizens

The referenced individuals from the Humane Society appeared before the Commissioners to request the County's assistance in two areas: (1) the need of an investigator of cruelty complaints salaried by the County and (2) an adoption system at the Hughesville shelter whereby no animal could be adopted without provision for spaying or neutering. Mrs. Balchum presented a petition with approximately 300 signatures requesting support by the County.

The Commissioners agreed to request the County Administrator to investigate what is being done in other counties and in the meantime give consideration to their requests. The Commissioners agreed to meet with the Humane Society members on July 25 and give their decision at that time.

REZONING HEARING - CASE NO. 79-26  
FRANK ABELL

Present: Frank Abell, Applicant  
Oliver Guyther, Attorney for Applicant  
Gwyn E. Gardiner, Interested Citizen  
Frank Gerred, Director, Planning and Zoning  
Anita Meredith, Recording Secretary

The Commissioners conducted a hearing on the application of Frank Abell for rezoning of Parcel 24 of Tax Map 9 located on the west side of Md. Rt. 5 at the intersection of same with Old Rt. 5 in the Fifth Election District, which contains approximately 2.82 acres from AR-2, Agricultural-Residential, to C-2 Commercial.

The complete file, record and tape are on file in the Office of Planning and Zoning.

ZONING EXPEDITOR

Present: Frank Gerred, Director, Planning and Zoning

As had been requested by the Commissioners at last week's meeting, Mr. Gerred presented a Job Description for the referenced position and advised that the position would be at Grade 12, starting salary at \$12,574. Mr. Gerred stated that in order to fully understand the whole permit process, he invited the Commissioners over to the Permits Office and requested that Commissioner Arnold play the part of a typical applicant. The Commissioners agreed to go through the process and upon returning to the Commissioners' meeting resumed discussion of the position. Mr. Gerred discussed the time element involved regarding the various aspects of his department and the importance of taking time. The Commissioners continued discussion, suggesting to Mr. Gerred that he look into regulations and permits that could be eliminated.

After some discussion, the Commissioners generally concurred that the duties and responsibilities of the position with some alteration can be accomplished by refilling the vacant position of Chief of Permits and Inspection. Therefore, Commissioner Dean moved, seconded by Commissioner Sayre, to fill the position of Chief of Permits and Inspection, taking into account the job description presented by the Director of Planning and Zoning, and advertise in-house only, to fill the position. Three Commissioners voted in favor, with Commissioners Millison and Arnold voting against.

REQUEST FOR PARK IN FIRST DISTRICT

Present: John Baggett, Director, Recreation and Parks  
Robert Gant

Mr. Gant appeared before the Commissioners to request that there be a community park in the First District. The Commissioners directed Mr. Gant, with the assistance of Mr. Baggett to contact the pastor of St. Peter Claver Church in the First District to try to obtain a lease for this purpose.

MATTAPANY ROAD

Present: John Norris, County Engineer  
Dan Ichniowski, Highway Engineer  
Mike Marlay, Director, Metropolitan Commission  
Harry Knight, Metropolitan Commission

Prior to the meeting tomorrow night at St. Cecelia's Church regarding the reconstruction of Mattapany Road, the referenced individuals appeared before the Commissioners to give the history and review the problems involved. Mr. Marlay explained that the citizens of the area were under the impression that the road was to be completely reconstructed; however, because of the high bids that were received, the County had agreed to resurface with asphalt to its existing width and adjust shoulders and put in drainage. Mr. Norris indicated that the amount budgeted did not include the hill and the turn on that road and would require additional funding if the Commissioners wanted to have that work done.

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The Commissioners agreed that the County should present where the County is today on this project at the meeting, inform the citizens of the number of road projects that have been requested but deferred pending bond issue and obtain suggestions from them.

RAILROAD RIGHT-OF-WAY AGREEMENT

Present: John Norris, County Engineer

Mr. Norris presented amendments to the railroad right-of-way agreement relative to the expansion and improvement of Rt. 235 as requested by Southern Maryland Electric Co-op in correspondence dated June 25, 1979.

After discussion and review, the Commissioners agreed to accept the amendments to the Railroad Right-of-Way Agreement requested in the June 25, 1979 correspondence from SMECO's General Counsel and directed the County Engineer to make the necessary word changes to the previously signed agreement.

PROJECT NO. 79-3-2  
ST. GEORGE'S CREEK PUBLIC PIER

Present: John Norris, County Engineer

Mr. Norris advised that no bids were received for the referenced project and stated that he contacted contractors for proposals, with only one being received, i.e. Elwood Joy, in the amount of \$6,523. The County has received a DNR Grant in the amount of \$5,000 and any cost beyond this amount would have to be borne by the County.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, to authorize the awarding of the bid and that the funds needed beyond the State Grant, the Budget Officer should identify the source. All Commissioners voted in favor.

ST. MARY'S INDUSTRIAL PARK SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris advised that the road bond for the referenced project will expire June 30, 1979; however the contractor has indicated that the project is 95% complete and final inspection could be scheduled July 9, 1979. The Commissioners agreed to schedule the final inspection on that date and extended the bond expiration accordingly.

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PATUXENT PARK SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that there is a question of responsibility of the County for the storm drainage system in Patuxent Park Subdivision. He stated that there is a particular problem off of Midway Drive adjacent to lots 34 and 35 and indicated that SHA feels that this is not an activity they would perform for the County.

The Commissioners indicated that since the County maintains the sidewalks and streets, it may be the County's responsibility and requested Mr. Norris to obtain prices to do the work and return to the Commissioners for a decision and if approved that the funds would come from the Highway Maintenance Account.

RICHARDSON ROAD

Present: John Norris, County Engineer

Mr. Norris stated that he had been requested by the Commissioners to obtain a cost estimate for the clearing and resurfacing of Richardson Road as had been requested by Mrs. Roger Richardson in correspondence dated April 14, 1979. Mr. Norris advised that there are indications that the road had been resurfaced at one time and therefore must have been in the County System. Therefore, Commissioner Dean moved, seconded by Commissioner Arnold, that the County resurface the section of the road as requested in Mrs. Richardson's letter, source of funds from County's Road Maintenance Account. All Commissioners voted in favor.

HOLLYWOOD SHORES SPECIAL TAXING DISTRICT

Present: John Norris, County Engineer  
Dan Ichniowski, Highway Engineer

In preparation of this evening's meeting with the property owners of Hollywood Shores for a special taxing district for road improvements, Mr. Norris and Mr. Ichniowski displayed and reviewed the plans for the roads to be presented at the meeting.

The Commissioners agreed to advise the citizens of the following decisions:

1. That the County does not have the financial capability to perform the work until next Spring;
2. That the roads will be asphalted rather than surface treated and the County will pay the difference;
3. That of the three possible means of assessment, the County chose the contiguous lots with common ownership (\$118 per lot), which was the method recommended by the majority of property owners.

ACCOUNT TRANSFERS

The County Administrator presented a memorandum to the Commissioners requesting approval for certain account transfers to cover over-expenditures prior to close of fiscal year 1978-1979:

INCREASE:

Account # 1011-1111 (Salaries)	\$1284.00
Account # 1011-2111 (Travel)	1203.00
Account # 1039-2101 (Office Supplies)	342.00
Account # 1145-2861 (Animal Control Supplies)	596.00
Account # 1016-2791 (Awards and Recognitions)	200.00
Account # 1016-2181 (Southampton)	398.00
Account # 1071-2981 (Educational Assistance)	1100.00
	<u>\$5133.00</u>

DECREASE:

Account # 2610-26192 (Reserve for Contingency)	2928.00
Account # 1740-2351 (Community College Tuition)	2205.00
	<u>\$5133.00</u>

The Commissioners gave their concurrence to the above request.

BUDGET CHANGE ORDERS

The County Administrator presented a memorandum from the Budget Officer requesting the County Commissioners' approval of inter-departmental transfer to cover the anticipated costs associated with operating the Walden Counseling Center - \$12,110:

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INCREASE:

Account # 1535-1131 (Salary Allotment)	\$11,953
Account # 1535-2981 (Operating Expense Allocation)	157
	<u>\$12,110</u>

DECREASE:

Account # 1492-2981 (Operating Allocation)	\$12,110
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The Commissioners gave their approval to the Budget Change Order request.

BUDGET CHANGE ORDER

The County Administrator presented a memorandum from the Budget Officer requesting the County Commissioners' approval of certain change orders required to cover commitments previously approved by the Commissioners but they did not approve at the same time the necessary funds:

INCREASE

Account # 1125-40100 (Lexington Park Ambulance)	\$13,373
Account # 1054-2131 (Audit-Contract Service)	2,898

DECREASE

Account # 1492-29810 (Nursing Home)	13,047
Account # 1055-2111 (Budget Office/Travel)	326
Account # 1149-2131 (Contract Services)	1,759
Account # 1254-2231 (Sanitary District Expense)	1,139

The Commissioners gave their concurrence to the referenced Budget Change Orders.

VEHICLE FOR COUNTY ENGINEER'S OFFICE

The County Administrator presented a memorandum from the Budget Officer stating that on May 24, 1978 the Commissioners had authorized the County Engineer to acquire a vehicle not to exceed \$6,000, and that the following transfer is needed in order to accomplish the equipment acquisition:



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INCREASE

Account # 1243-3141 (Vehicle Equipment) \$5,396

DECREASE

Account # 1740-2351 (Tuition and Fees) \$5,396

The Commissioners gave their concurrence.

PREAPPLICATION FOR FEDERAL ASSISTANCE  
LEXINGTON PARK STORM DRAINAGE IMPROVEMENTS

The County Administrator presented the Preapplication for Federal Assistance for the storm water drainage improvements in the amount of \$536,200. Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign said preapplication. Four Commissioners voted in favor, with Commissioner Millison abstaining.

PUBLIC ETHICS LAW

The County Administrator informed the Commissioners of the requirement for local subdivisions to comply with the 1979 Public Ethics Law and distributed copies of same. The County Commissioners requested that this matter be referred to the County Attorney for review and recommendations.

RENEWAL OF RESIDENTIAL TREATMENT CENTER GRANT

The County Administrator presented the Renewal of Residential Treatment Center Grant for FY 1980 for the Commissioners' approval. Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign said Grant. All Commissioners voted in favor.

ECONOMIC IMPACT FEE AND MONEY IN LIEU OF LAND AGREEMENT  
PAW PAW HOLLOW SUBDIVISION

The County Administrator presented the Economic Impact Fee and Money in Lieu of Land Dedication for Park Sites by and between Cherry Cove Land Development Company and the Board of County Commissioners of St. Mary's County setting forth the method of payment of fees for 40 lots in Paw Paw Hollow Subdivision, Third Election District. Commissioner Aud moved, seconded by Commissioner Sayre, to approve said Agreement. Four Commissioners voted in favor, with Commissioner Dean abstaining because of the fact the savings and loan association where he is employed is currently considering a loan application in connection with the subject subdivision.

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ROAD RESOLUTION NO. 79-33  
BUNKER HILL ROAD

The Commissioners agreed to accept and sign Road Resolution No. R-79-33 designating Bunker Hill Road extended as a Stop Street as it intersects with Midway Drive in Patuxent Park Subdivision.

MOTOR EQUIPMENT OPERATOR POSITION

The County Administrator presented a memorandum dated June 21, 1979 from the Personnel Officer regarding the filling of the position of Equipment Operator, Grade 6 in the County Engineer's Office. The incumbent is a CETA employee and because of certain requirements must terminate the position on July 1, 1979. The position had been budgeted last year, and was advertised. It was recommended that the incumbent, Mr. Leon Daye, be hired to fill the position at Grade 6, Step 4.

Commissioner Arnold moved, seconded by Commissioner Dean, to approve the hiring of Mr. Daye as recommended above. Four Commissioners voted in favor with Commissioner Millison voting against.

COST OF LIVING INCREASES  
(GRANT AND CETA EMPLOYEES)

After review of the Personnel Officer's memorandum dated June 27, 1979 regarding cost of living increases for Commission of Aging Grant employees and CETA employees, the Commissioners approved cost of living increases for the following grant positions in the Commission on Aging Office:

Program Director, Site Managers (3), and Bus Drivers (2).

In addition, the Commissioners approved supplementing salaries for the following CETA employees because they surpass the \$10,000 limitation of federal wages:

Rubye Beaman	Administrative Assistant
Kathleen Bernasconi	Food Stamp Interviewer
Reba Hill	Volunteer Act. Coordinator
Larry Rice	Recreation Coordinator
Linda Schucker	Volunteer Service Coordinator
Evelyn VanHousen	Program Director
Robert Butler	Maintenance Foreman
Laura Clark	Planning Technician

Norine Death	Addiction Counselor
Hope Hendrickson	Asst. Director, St. Clements Museum
George Gibson	Deputy
Shelby Hicks	Tutor
Evaughn Lennon	Deputy
Sharon O'Brien	Counselor
William Rustin	Deputy
Lestremayne Young	Jailor

HIRING OF PATROLMAN

The County Administrator presented a memorandum dated June 27, 1979 from the Personnel Officer stating that five additional Patrolman positions were authorized in the FY 79-80 budget for the Sheriff's Department. Due to salary restrictions of CETA, Jeffrey McLane must be terminated effective July 1, 1979 and it was the recommendation of Sheriff Somerville after reviewing the eligible list that Mr. McLane be authorized to fill one of the five authorized positions at Grade 10, effective July, 1979. The Commissioners gave their concurrence.

RECLASSIFICATIONS

After review of the Personnel Officer's memorandum dated May 22, 1979 regarding reclassifications, Commissioner Dean moved, seconded by Commissioner Arnold, with motion unanimously carried, to accept the recommendations as follows:

Sheriff's Department

<u>Position</u>	<u>Current Grade</u>	<u>New Grade</u>
Lieutenant	14	15
Sergeant	13	14
Corporal	12	13
PFC	11	12
Patrolman	10	11
Jailor	9	10
Clerk Stenographer	6	7 (Office Secretary I)

Emergency Operations Center

<u>Position</u>	<u>Current Grade</u>	<u>New Grade</u>
Communication Clerk III	9	10
Communication Clerk II	8	9
Communication Clerk I	7	8

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Also approved by the County Commissioners was the increase of part-time position by .25¢ per hour and to raise the shift differential from \$2.00 to \$3.50.

Office of Purchasing and Logistics

<u>Position</u>	<u>Current Grade</u>	<u>New Grade</u>
Director	13	14

Office of County Administrator

<u>Position</u>	<u>Current Grade</u>	<u>New Grade</u>
Animal Warden	6	7

Department of Recreation and Parks

<u>Position</u>	<u>Current Grade</u>	<u>New Grade</u>
Maintenance Mechanic II	8	9

The effective date for the above actions will be when action is taken on the updating of the Manual of Personnel Policies and Procedures.

REZONING DECISION RESOLUTION NO. 79-05  
FOX LUMBER COMPANY - CASE NO. ZA 78-161

(Commissioners Millison and Arnold did not participate)

Commissioners Aud, Dean and Sayre unanimously agreed to approve and sign Rezoning Decision Resolution No. 79-05, prepared by the County Attorney, approving the application of Fox Lumber Company to have approximately 20.9 acres, located in the Fifth Election District, rezoned from AR-2, Agricultural Residential, to I-1, General Industrial, with conditions as set forth in said Resolution.

ZONING DECISION RESOLUTION NO. 79-04  
ARTHUR MIRFIELD - CASE NO. ZA 78-167

(Commissioners Aud and Millison did not participate)

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and sign Zoning Decision Resolution No. 79-04, prepared by the County Attorney, denying the application of Arthur Mirfield, Case No. ZA 78-167, to have land containing approximately 22.95 acres, located on Chancellors Run Road, Eighth Election District, rezoned from Residential, R-2, to MF, Multiple Family. The three Commissioners present (Commissioners Dean, Arnold and Sayre) voted in favor of the motion.

CAPITAL IMPROVEMENT PROGRAM RESOLUTIONS

The County Administrator advised that by the passage of public local law relative to the Capital Improvement Program, which is to be effective July 1, 1979, that it would be in order to rescind Resolution Nos. 75-34 and 75-54 pertaining to the Capital Improvement Program as they will be obsolete as of July 1. Commissioner Dean moved, seconded by Commissioner Aud, to accept the staff's recommendation and rescind Resolution Nos. 75-34 and 75-54.

VETO OF BILL ABOLISHING YOUTH COMMISSION

The County Administrator advised the Commissioners that the Governor vetoed the County's bill abolishing the Youth Commission because of a defect in the bill in that the title did not correspond with the text. The bill can be corrected and resubmitted next legislative session. Meanwhile, the County Council of Children and Youth will continue to perform its duties, and the Youth Commission will remain inactive. The Commissioners concurred.

HOUSING COORDINATOR POSITION

The County Administrator advised that the referenced position was advertised and applicants screened, ranked and interviewed and the first candidate has not been able to accept the position. It was the consensus of the Interview Committee to readvertise the position in that no other candidates were felt to be recommendable to the Commissioners. The County Administrator stated that in order to attract the type of candidate needed for this position, the salary should be raised.

The Commissioners agreed to accept the recommendation of the County Administrator to readvertise the position at a higher salary, contingent upon the right of first refusal exercised by Mr. Butler, prior incumbent to the position.

The meeting adjourned at 5:30 p.m.

Approved,

  
George R. Aud, President

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