

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, August 15, 1979

Present: Commissioner Larry Millison, Vice-President
Commissioner Richard D. Arnold
Commissioner Ford L. Dean
Commissioner David F. Sayre
Joseph P. O'Dell (on behalf of County Administrator)
Judith A. Mullins, Recording Secretary

(Commissioner President George Aud was not present.)

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

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the County Commissioners' meeting of August 8, 1979. All Commissioners voted in favor.

ENCUMBRANCE VOUCHERS

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve payment of the bills, as submitted by the Director of Finance. All Commissioners present voted in favor.

APPOINTMENTS

HISTORIC DISTRICT COMMISSION

Commissioner Dean moved, seconded by Commissioner Sayre to appoint Ruth Rowe and Guffrie Smith, Sr. and to reappoint Mr. Elmer Olson to the Historic District for terms to expire June 30, 1982. All Commissioners present voted in favor.

HISTORIC DISTRICT COMMISSION

The Commissioners unanimously agreed to request the members of the Historic District Commission to appear before the Commissioners at next week's meeting in order to establish a reasonable timetable for the completion of their report with regard to their proposal to designate certain areas in St. Mary's City an Historic District.

250 YEAR CELEBRATION OF BALTIMORE CITY'S EXISTENCE

Mr. O'Dell, on behalf of the County Administrator, presented a request from the Baltimore Sun that the County participate in the celebration of Baltimore City's existence along with other counties in the State, in amount of \$120 for advertisement in the Baltimore Sun. The Commissioners agreed to the expenditures.

Commissioner Millison recommended that the County prepare a portable booth exhibit which could be taken to different shows throughout the State displaying the attractions of St. Mary's County, particularly the concept of oyster shucking. The Commissioners requested Mr. O'Dell to prepare a proposal with regard to this project and submit it for review at next week's meeting.

ECONOMIC IMPACT FEE AGREEMENT AND
MONEY IN LIEU OF LAND DEDICATION FOR PARK SITES
CLARK FAMILY SUBDIVISION
(GREEN ACRES, SECTION I)

The Commissioner reviewed the Economic Impact Fee Agreement by and between Joseph Abell and Judith Ann Clarke and the Board of County Commissioners of St. Mary's County setting forth the method of payment of the economic impact fee and money in lieu of land dedication for park sites for five lots in Section I of the Clarke Family Subdivision (Green Acres, Section I), Third Election District. Commissioner Dean moved, seconded by Commissioner Sayre, to approve said Agreement. All Commissioners present voted in favor.

MOSQUITO CONTROL

Mr. O'Dell presented correspondence from the Department of Agriculture which stated that there may be an increase in the State and county funds to the 1980 mosquito control program because of expanding the spraying cycle. The maximum exposure to the County would be \$2400 and recommended to the Commissioners that this amount be set aside and that the actual amount would be transferred at a subsequent date. The Commissioners gave their concurrence.

SMECO 230 KV TRANSMISSION LINE
MR. AND MRS. THANT

Present: Frank Gerred, Director, Planning and Zoning

Mr. O'Dell stated that correspondence was received from Mr. and Mrs. Thant expressing their concerns as to what the impact would be to their property with regard to SMECO'S installation of the 230 KV transmission lines. The Commissioners requested Mr. Gerred to arrange a meeting with the Thants on their property and advise the Commissioners of the date and time.

SIMPLIFICATION OF PERMIT ISSUING PROCESS
JOINT COMMITTEE ON ECONOMIC COMMUNITY DEVELOPMENT

Mr. O'Dell presented correspondence from the Joint Committee on Economic Community Development requesting the County's participation in a meeting in Annapolis regarding simplification of the permit issuing process in state and local governments. Mr. O'Dell recommended that someone from the planning office attend and perhaps a representative from the Economic Development Commission. The Commissioners gave their concurrence.

BIDS ON AUTOMOBILE FOR INSPECTORS
OFFICE OF PLANNING AND ZONING

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred advised that with regard to last week's decision by the Board of County Commissioners to award the bid for the referenced project to McKay Implement and Aldridge Ford, Mr. Fenwick of Fenwick Ford has objected to the bid stating that the County advertised the fact that all vehicles bid must contain all advertised standard equipment.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, to rescind last week's motion to award the bid and further to table the matter until next week's meeting. All Commissioners voted in favor.

RESOLUTION NO. 79-48
RECISSION: COUNTY RESOLUTIONS NO. 75-34 and 75-54

Mr. O'Dell presented the referenced Resolution rescinding the County's Resolution No. 75-34 and 75-54 in view of the fact that the County has changed the budgetary and fiscal procedures which are included in the Public Local Laws of St. Mary's County and therefore the referenced Resolutions are no longer necessary.

Commissioner Dean moved, seconded by Commissioner Arnold, to adopt and approve Resolution No. 79-48. All Commissioners present voted in favor.

DITCH PROBLEM - GOLDEN BEACH ROAD
SIMPSON PROPERTY

Present: Mrs. Lorraine Simpson
John Norris, County Engineer

Mrs. Simpson appeared before the Commissioners to ascertain a decision as to the problem of the ditch in front of her property created by the reconstruction of Golden Beach Road.

After discussion, Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize the installation of a pipe, filling in of the ditch and grass put on the area in order to satisfy the concerns expressed by the Simpsons as to the damages they felt were caused by the County during the reconstruction of Golden Beach Road. Three Commissioners voted in favor, with Commissioner Dean voting against stating he was of the opinion that what had been promised to the Simpsons (offer to replace the trees, settlement in the amount of \$300, and moving of driveway entrance) had been accomplished, and further that the County had made no commitment for a closed drainage system. He stated that he felt that since his involvement in the matter over the last three years the County has met its obligations to the Simpsons and he could not vote for the expenditure of additional funds which the County Engineer estimated to be around \$6,000 to \$8,000.

In closing, the Commissioners requested Mr. Norris to provide the Simpsons with a hand sketch of the work that will be done so that there will be no misunderstanding and have the Simpsons sign the sketch.

TAX ASSESSMENT PROBLEM
(ROLAND MCKAY)

Present: Roland McKay
Reese McKay

Mr. Roland McKay appeared before the Commissioners to advise that he felt he was not being properly taxed in that the taxbill has him taxed as being in McKay's Beach and it should be just Valley Lee. Mr. McKay stated that his property does not touch McKay's Beach and was of the opinion that the reference to McKay's Beach increased his property tax. Mr. McKay also mentioned that property across the creek from them sold for \$107,000 which they also felt increased their taxes.

The McKays also made reference to the fact that their property, consisting of approximately 90 acres, would not perc and therefore created a problem of giving land to their children to build a house.

The Commissioners advised that they would contact the Assessment Office and request that the reference to McKay's Beach be removed and would try to see what could be done about the other matter and will advise the McKays of the results.

COMMISSION ON AGING - REVISED GRANTS
TITLE III, TITLE V, TITLE VII

Present: Mrs. Billye McGaharn

Title III - Mrs. McGaharn presented the Revised Grant request for the project period October 1, 1978 to September 30, 1979 (Transportation and Aid Project); requesting an additional \$7,592 for gas, oil and maintenance, making the total request in the amount of \$33,606.

Commissioner Sayre moved, seconded by Commissioner Arnold, to approve the additional request for \$7,592 to be made a part of the total Area Plan to be submitted to the State. This will not be an additional expense to the County but a request for additional funds from the State. All Commissioners voted in favor.

Title III -C (Title VII) - Mrs. McGaharn stated that CETA personnel in her department will be cut from ten to four people which will have quite a drastic effect in her office. She therefore requested approval of an additional \$7,517, 25% of that figure from the County, in order to keep the Human Resource Aide position - Grade 4. This will revise the Title III-C (Title VII) Grant which ends September 30. This position will be picked up as of October 1, 1979 at the end of the CETA period.

The Commissioners gave their concurrence.

Title V - Senior Service Center - (Notification of Grant Award) - Mrs. McGaharn stated that funds under this grant cannot be used toward capital improvements for renovations for a senior service center; therefore she was submitting a revision and is applying for funds for equipment; total amount of grant is \$4,147, with county's share in the amount of \$1,037. The Commissioners gave their concurrence.

Letter to Dr. Tayback - Mrs. McGaharn presented a letter to Dr. Tayback for the Commissioners' signatures submitting the FY 1980 Area Agency Plan with proposed budget. The Commissioners agreed to sign and forward said letter.

EXECUTIVE SESSION

Present: Gerda Manson, Personnel Officer

The Commissioners agreed to meet in Executive Session in order to discuss a matter of personnel. The Session was held from 11:30 a.m. to 12:30 p.m.

USE OF FAIRGROUNDS

Present: Tom Ostertag, Rotary Club, Chairman of Oyster Festival
Mike Marlay, Rotary Club
Buck Briscoe, EDC Director
Joe Goode, 7th District Optimist
Robert Brown, President, Watermen's Assoc.
Al Kessler, St. Mary's Optimist
Jim Hall, St. Mary's Optimist
Carole Kenney, Director, Chamber of Commerce
Rayetta McWilliams, Fairboard
Bill Holley, Manager, Fairgrounds
other interested citizens

Representatives of the Oyster Festival Committee appeared before the Commissioners to express their concerns and problems with the St. Mary's County Fairboard with regard to the use of the Fairgrounds for the Oyster Festival. Mr. Ostertag stated that the disagreement is a matter of a difference of opinion between the Fairboard and Oyster Festival Committee and the Commissioners' assistance in resolving the matter is requested.

Mr. Ostertag mentioned the requested increase in rent of the property for the Oyster Festival from \$600 to \$3,000 which has been now negotiated to \$1500. Also of concern was the fact that the Rotary Club had submitted a list of needed improvements of the Fairgrounds that they felt would be of benefit to the Fairboard as well as the Oyster Festival; however, the Fairboard was of the opinion that some of these improvements were not needed by them. The Rotary Club was of the opinion that the Fairboard did not want them or other organizations using the grounds, but there is a 22 year lease and they have no other place to go.

Mr. Goode stated that he felt the Fairground should be utilized to a greater extent, and suggested having quarterly events and perhaps a Crab Festival along with the Oyster Festival.

Rayetta McWilliams, Secretary to the Fairboard stated the grounds are used often and in response to the items requested by the Rotary Club for improvements, the requests included things that would never be needed by the Fairboard. She stated that improvements are being made to the restroom and provision was being made for a pad for the square dancers, but all these improvements required funds and she felt the Rotary Club could assist by paying the additional rent.

Commissioner Millison stated that the differences of the two organizations should not interfere with the good that they do for the community and that the problems could be worked out.

The Commissioners agreed to review the grievances of both groups and try to reach a solution equitable to both and requested them to appear before the Commissioners next week for a determination.

ETHANOL FUEL PROJECT DEMONSTRATION

The Commissioners at this time went outside to view the ethanol fuel project demonstration which used a solar still and woodburning still and was conducted by Dan Dawson, Henry Leskinen and William Lindsley, who had been hired by the County for this purpose.

PUBLIC WORKS ADDENDUM NO. 2
CORONADO VILLAGE (SPRING VALLEY)

Present: John Norris, County Engineer

Mr. Norris presented the Public Works Addendum No. 2 by and between Maryland National Bank and St. Mary's County extending the deadline for completion of the streets in Coronado Village to October 15, 1979. The Commissioners gave their concurrence and authorize Commissioner Vice President Millison to sign same.

PARTIAL PAYMENT - PROJECT NO. SM 76-7-1
MANHOLE COVERS FOR SPRING VALLEY

Present: John Norris, County Engineer

Mr. Norris presented a request for payment in the amount of \$3,453 payable to Jim Mayonado for the referenced project. The Commissioners gave their concurrence to approve this payment.

PROJECT NO. SM 79-1-3
FINAL PAYMENT - PATUXENT BEACH ROAD DRAINAGE IMPROVEMENTS

Present: John Norris, County Engineer

Mr. Norris presented Voucher No. 26667 in the amount of \$12,800 payable to Raymond Woodburn for the referenced project. The Commissioners gave their concurrence to approve said payment.

ESTIMATE NO. 5
PROJECT NO. SM 76-7-1
SPRING VALLEY

Present: John Norris, County Engineer

Mr. Norris presented Estimate No. 5 in the amount of \$24,146.25 payable to B.F. Asher Company for the work on Spring Valley Roads (Voucher No. 26967). Commissioner Dean moved, seconded by Commissioner Arnold to approve payment of Voucher No. 26967, payable to B. F. Asher. All Commissioners voted in favor.

DRAINAGE IMPROVEMENTS (MORRIS DRIVE)

Present: John Norris, County Engineer

Mr. Norris stated that the county was going to expend \$1,000 for the drainage improvements behind Morris Drive in Essex South, and permission will be needed from Mr. Hewitt to go on his property to do this. In order to perform the work, a wide-track piece of equipment is needed and Mr. Norris recommended leasing the equipment from Raymond Woodburn at \$40 per hour. The Commissioners agreed to authorize the rental of the equipment from Mr. Woodburn at \$40 per hour at a total cost not to exceed \$1,000, pending approval received from Mr. Hewitt to enter his property.

ACCEPTANCE OF DEEDS
ST. MARY'S INDUSTRIAL PARK

Present: John Norris, County Engineer

Mr. Norris presented a Deed dated April 24, 1976 by and between St. Mary's Industrial Park, Inc. and the County Commissioners of St. Mary's County accepting a portion of Airport View Drive and a portion of Commerce Avenue in the St. Mary's Industrial Park into the County Highway Maintenance System.

Further Mr. Norris presented a Deed dated February 7, 1977 by and between St. Mary's Industrial Park, Inc.; Joseph S. Mattingly, and Theresa L. Mattingly, and the County Commissioners of St. Mary's County accepting a portion of Airport View Drive and a portion of Commerce Avenue in the St. Mary's Industrial Park into the County Highway Maintenance System.

Commissioner Dean moved, seconded by Commissioner Sayre to accept the two referenced Deeds, and further to approve the waiver of taxes, if not paid, in order to have the Deeds recorded. All Commissioners voted in favor.

NURSING HOME ACCESS ROAD

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that because the plans had incorrectly sited the location of the waterline for the Nursing Home access road, the waterline must be relocated. He stated that two proposals were received in the approximate amount of \$8,000. At this point, Mr. Norris advised the Commissioners that he would obtain additional proposals, because he felt the \$8,000 figure was in excess of the work performed. The Commissioners gave their concurrence to perform the work by obtaining additional proposals.

RECONSTRUCTION OF MD. RT. 235
HOLLYWOOD TO ST. ANDREWS CHURCH ROAD

Present: John Norris, County Engineer

Mr. Norris stated that 0.692 acres has been obtained by the State of Maryland for the reconstruction of Md. Rt. 235 from Hollywood to St. Andrews Church Road. The Deed has been prepared and \$1,450 will be forwarded to the County from the State at the date of settlement. The County Engineer requested authorization for the President of the Board to sign said Deed. Commissioner Dean moved, seconded by Commissioner Arnold, to authorize the President to sign the Deed. All Commissioners voted in favor.

TRI-PARTY AGREEMENT
SMECO, STATE HIGHWAY AND COUNTY

Present: John Norris, County Engineer

Mr. Norris stated that State Highway Administration raised several points with regard to the Agreement with SHA, Southern Maryland Electric and St. Mary's County regarding the railroad right-of-way.

The Commissioners suggested that the County Engineer arrange a meeting in Baltimore with SHA on this matter in order to bring it up to date.

ELECTRICAL WIRING - CLERK'S OFFICE

Commissioner Arnold advised the Commissioners that it has been brought to his attention that a very unsafe and hazardous condition exists at the Courthouse in the Clerk's Office in that electrical wires are laying on the floor and there are overloaded outlets.

After discussion, the Commissioners requested the secretary to forward a memorandum to the Director of Purchasing and Logistics requesting that he take care of this situation and report back to the Commissioners next week.

RESOLUTION NO. 79-50

TEXT AMENDMENTS TO ST. MARY'S COUNTY ZONING ORDINANCE

Commissioner Dean moved, seconded by Commissioner Sayre, to approve Resolution No. 79-50 "Text Amendments to the St. Mary's County Zoning Ordinance." All Commissioners voted in favor.

EXECUTIVE SESSION

Present: John Norris, County Engineer

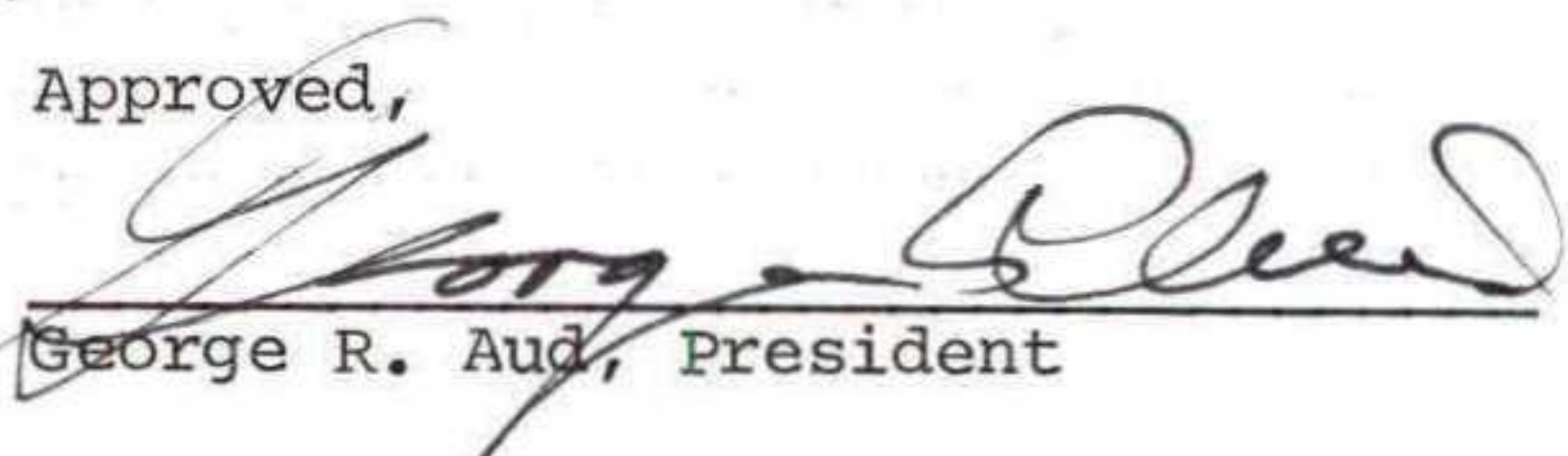
The Commissioners agreed to meet in Executive Session in order to discuss a matter of personnel. The Session was held from 3:30 p.m. to 4:00 p.m.

FILLING OF CHIEF, PERMITS AND INSPECTIONS POSITION
OFFICE OF PLANNING AND ZONING

In accordance with the memorandum dated August 14, 1979 from the Personnel Officer, Commissioner Dean moved, seconded by Commissioner Arnold, to fill the position of Chief, Permits and Inspection with Mr. James Weber, at Grade 12, effective August 20, and further to authorize the filling of the position vacated by Mr. Weber so that announcement and the established selection process can be initiated. All Commissioners present voted in favor.

The meeting adjourned at 4:10 p.m.

Approved,


George R. Aud, President