

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, October 31, 1979

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

The meeting was called to order at 9:15 a.m.

ENCUMBRANCE VOUCHERS

Commissioner Millison moved, seconded by Commissioner Arnold, to approve payment of the encumbrance vouchers as submitted by the Director of Finance. All Commissioners voted in favor.

CLEARINGHOUSE PROJECT NO. 80-10-453  
INTERGOVERNMENTAL CONSULTATION PROCESS - AIR QUALITY  
APPLICANT: ENVIRONMENTAL HEALTH ADMINISTRATION

The County Administrator presented the referenced clearinghouse project 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.

LETTER TO DEPARTMENT OF HEALTH AND MENTAL HYGIENE

The Commissioners agreed to sign and forward a letter to the Secretary of the Department of Health and Mental Hygiene in support of the proposal by the Maryland Developmental Disabilities Council providing for the comprehensive planning of a community based service delivery system in St. Mary's County.

COMMISSION ON AGING  
SUPPLEMENTAL NOTIFICATION OF GRANT AWARD

The County Administrator presented the Supplemental Notification of Grant Award for the Commission on Aging Title III-C Nutrition Program in the amount of \$1,905. Commissioner Millison moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign said NGA. All Commissioners voted in favor.

ACCOUNT TRANSFER - STATE'S ATTORNEY'S OFFICE

The County Administrator presented a request for an account transfer from the Reserve for Contingency (Acct. #2610-26912) in the amount of \$2,202.04 to the new established Contract Services Account in the State's Attorney's Office (Acct. #1024-21310) for the payment of Special Prosecutors where the State's Attorney has a conflict of interest. Commissioner Millison moved, seconded by Commissioner Aud, to approve said Account Transfer. All Commissioners voted in favor.

CLEARINGHOUSE PROJECT NO. 80-10-392  
SLOW SPEED LOW ALTITUDE TRAINING ROUTE OUT OF ANDREWS AIR FORCE BASE

The County Administrator presented the referenced clearinghouse project 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.

PUBLIC WORKS AGREEMENTS  
SOUTHGATE PARK SUBDIVISION  
SECTIONS ONE, TWO AND THREE

On behalf of the County Engineer, the County Administrator presented three Public Works Agreements by and between Southern Maryland General Contractors, Inc. and St. Mary's County for Southgate Park, Sections One, Two and Three, Eighth Election District, guaranteeing the completion of the streets and roads in said subdivision by June 15, 1981. Commissioner Millison moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign said Public Works Agreements. All Commissioners voted in favor.

TURKEY FESTIVAL

The County Administrator presented a request for use of the County Governmental Center grounds for the Turkey Festival being held by Recreation and Parks on November 17. The Commissioners gave their concurrence.

ABANDONED HOUSE ON EPISCOPAL CHURCH PROPERTY

The County Administrator recommended to the Commissioners that the county-owned house at Charlotte Hall on the former Episcopal Church property, which is adjacent to the construction area for the new Fifth District Elementary School be offered for public sale and that the final successful bidder would be responsible for removing the house. The Commissioners gave their concurrence.

COUNTY CENTRAL GASOLINE SUPPLY

The County Administrator advised the Commissioners that the County is responsible for over 100 vehicles and therefore proposed investigating the possibility of a central gasoline supply for the County. He stated that this would give a better handle on how much gasoline is being used and would cut down on costs. The Commissioners gave their concurrence to investigate this matter.

SOUTHAMPTON SUBDIVISION - METROPOLITAN COMMISSION CHARGES

The Commissioners discussed the Metropolitan Commission's correspondence dated October 19, 1979 in which it was suggested that the County consider paying to the Metropolitan Commission the sum of \$20,505.03 representing the outstanding benefit assessment owed by the owners of Southampton Subdivision since that sum is an encumbrance upon the title and since the owner does not feel it is his obligation to pay for a benefit he will not enjoy and since the Navy has apparently refused to make such payment. After some discussion, the Commissioners agreed that the outstanding encumbrance was not a county obligation; that the matter should be settled by the buyer and seller as are other property transactions; and that the Metropolitan Commission should be notified that the County was not interested in making said payment.

The County Administrator was directed to prepare for the Commissioners' review a response to the Metropolitan Commission's correspondence.

SELF-INSURANCE PROGRAM

Commissioner Arnold recommended to the Commissioners that the County Administrator and Budget Officer and their counterparts in the tri-county area look into the feasibility of a self-insurance program, in order to save some premium costs by combining the three counties. The Commissioners gave their concurrence that this matter be investigated.

RESIDENT MAINTENANCE ENGINEER

Present: John D. Raley, Resident Maintenance Engineer

Mr. Raley appeared before the Commissioners to present his bi-weekly report on the status of various road and drainage situations in the County and to obtain input from the Commissioners as to other problem areas.

MENTAL HEALTH TASK FORCE

Present: Dr. Richard J. Martin, Chairman  
Brent Sharf  
Rev. Richard Simpson  
Sylvia Briscoe  
Gloria Sue Kahle  
Elizabeth Sally Raley  
Dr. William Marek, Deputy Health Officer  
Dr. Joseph Miller

Dr. Martin explained to the Commissioners that he and Dr. Marek have been meeting with county staff as a follow up to the Mental Health Task Force's presentation of their final report to the Commissioners on July 18. The purpose of this meeting is to present a plan to implement the recommendations as set forth in the final report of the Task Force which are as follows:

1. To recommend that Dr. H. Joseph Miller be appointed by the County to the position of Mental Health Coordinator commencing July 1, 1980.
2. Implementation of an intra-county crisis intervention "hot line."
3. Expansion of mental health and alcoholism services in the northern area of the county.
4. Appointment of a Task Force to study the public transportation system needed for the County.
5. The formation of a Mental Health Association, with the appointment of a citizen representative to lay the ground work and commence action.
6. An update of the Directory of County Services which had been prepared by the Youth Commission.

There was discussion of the Crownsville facility and Dr. Martin advised the Commissioners that some of the buildings do not meet federal regulations and will be closed down which will result in less services to the residents of St. Mary's County.

In conclusion, the Commissioners requested Dr. Martin provide them with a list of names to contact regarding Crownsville and a list of citizens who would be interested to assist with the Mental Health Association (Recommendation #5). The Commissioners will review the presented recommendations and will get back to the Task Force with their decisions.

1979 COUNTY AUDIT - WOODEN AND BENSON

Present: Joseph O'Dell, Budget Officer  
Harris Sterling, Director of Finance  
Mr. Anderson, Wooden and Benson  
Michael Parker, Wooden and Benson

After presentation and review of the 1979 Audit by the firm of Wooden and Benson, Commissioner Dean moved, seconded by Commissioner Arnold to authorize Commissioner President Aud to sign the Fiscal Research Report and to accept the 1979 Audit from the firm of Wooden and Benson. All Commissioners voted in favor.

COURTHOUSE RENOVATIONS

The Commissioners reviewed a proposal dated October 17 from county staff relative to several items of renovation in the Courthouse. The proposal listed the work items, scope of improvement, approximate costs, and completion time required. The Commissioners agreed to delay the major renovations of the Grand Jury Room and the exterior access route to the Sheriff's Office until the next fiscal year in that funds are not available. Accordingly, the Commissioners directed that contracts be obtained and county staff be directed to complete in a timely fashion the remaining work items.

PROCLAMATION NO. 79-67  
AMERICAN EDUCATION WEEK

Present: Hans Tischer  
Nancy Gordon  
Marvin Joy

The Commissioners presented the referenced proclamation designating the week of November 11-17, 1979 as American Education Week.

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PROCLAMATION NO. 79-73  
NATIONAL REACT MONTH

Present: Anne Wood

The Commissioners presented the referenced Proclamation proclaiming the month of November 1979 as NATIONAL REACT MONTH in St. Mary's County.

PROCLAMATION NO. 79-74  
YOUTH APPRECIATION WEEK

Present: Jim Bannigan, Chairman  
John Cheseldine  
Jim Beaven

The Commissioners presented the referenced proclamation proclaiming the week of November 11-17, 1979 as Youth Appreciation Week in St. Mary's County.

PROCLAMATION NO. 79-70  
INTERNATIONAL YEAR OF THE CHILD

Present: Joan Marsh  
Phebe J. Barth  
Marvin Joy  
Carol Kenney  
Rev. Dick Simpson  
Billye McGaharn  
Dottie Barclift  
Carolyn Stolhand  
Suzanne Henderson  
Janis Smith  
Mary Novotny  
Elfreda Mathis  
Valerie vonAllmen

The Commissioners presented the referenced Proclamation proclaiming the week of November 25 - December 1, 1979 as Celebration of Children Week sponsored by the Internation Year of the Child Committee in St. Mary's County

MATTAPANY ROAD

Present: Mike Marlay, Director, Metropolitan Commission  
Harry Knight, Metropolitan Commission  
Father Goetz, St. Cecilia's Church  
John Norris, County Engineer  
John Imbres, contractor

As requested by the Commissioners at last week's meeting, the above individuals appeared to discuss the improvements that are to be made to Mattapany Road. Mr. Marlay explained the difficulty in obtaining a contractor to do the paving which would allow the road to last the winter time so that the road can be constructed in the Spring.

Mr. Imbres advised that a contractor from Calvert County has been hired to do the paving and should complete the work by the end of this week.

There was discussion as to whether the patching that is being done will hold up through the winter and the fact that the road was to be put back into the condition it was prior to the sewer line being installed. Other concerns expressed by the residents of the road was the fact that the patching was not being done evenly and the trucks are tearing up the other side of the road.

Mr. Marlay explained that the Metropolitan Commission was trying to patch the road to make it passable, but not to put too much money into the road at this time in order to reserve the grant monies and apply them to the road reconstruction in the Spring.

The County Engineer pointed out another problem area in that the road lacks drainage and water is pocketing in certain areas.

After discussion, it was agreed that the paving contractor will complete his scope of the work after which Mr. Marlay and Mr. Norris will review it and determine whether any further work needs to be done.

COOPERS CREEK: ST. JEROME'S CREEK AND  
OTHER NEEDED COUNTY DREDGING PROJECTS

Present: John Norris, County Engineer  
Jay McGrath, County Engineer's Office  
Ben Linthicum, DNR  
Hamilton Trossbach, St. Jerome's Creek  
Donald Drury, St. Jerome's Creek

A variety of issues were discussed relative to county dredging projects such as greater county obligations for funding, problems in locating appropriate spoils areas and more permanent jetty requirements. Mr. Linthicum explained to the Commissioners the federal legislation regarding dredging projects and sought the Commissioners' endorsement of pending legislation which would extend for at least three years the Army Corps of Engineers' funding of their dredging projects at 100%.

The County Engineer reported to the Commissioners that the Army Corps of Engineers indicated that to dredge St. Jerome's Creek will require a county contribution of \$40,000 and provision of a spoils area. After discussion of this matter, Commissioner Millison moved, seconded by Commissioner Arnold to request Army Corps of Engineers that St. Jerome's Creek be dredged and a jetty constructed. All Commissioners voted in favor.

With regard to Coopers Creek, the difficulty in obtaining a spoils area was discussed and the County Engineer reported that he was to meet on Thursday with contractors to see if the Creek could be dredged with a clamshell crane rather than hydraulically and the spoils hauled to an upland site.



REZONING DECISION DISCUSSION  
CASE NO. 79-133  
THOMAS P. AND CAROL GARNER

Present: Thomas P. and Carol Garner, applicants  
Frank Gerred, Director, Planning and Zoning  
Peggy Childs, Recording Secretary

A public hearing having been conducted on October 10, 1979 the Commissioners commenced discussion on the referenced zoning case. Commissioner Dean submitted a paper setting forth the findings of fact in the case and recommending that the Board of Commissioners grant the zoning amendment from R-1 to C-1. After review the Commissioners agreed that Commissioner Dean's paper be forwarded to the County Attorney for preparation of the appropriate Resolution.

RESOLUTION NO. 79-75  
TEXT AMENDMENTS TO THE ZONING ORDINANCE

Upon review of the referenced Resolution, Commissioner Dean moved, seconded by Commissioner Arnold to approve and sign Resolution No. 79-75 "Text Amendments to the St. Mary's County Zoning Ordinance" regarding conditional use requirements for public utilities and public services uses and structures. All Commissioners voted in favor.

PROJECT NO. SM 78-1-8  
ASPHALT CONTRACT

Present: John Norris, County Engineer

Mr. Norris presented Monthly Estimate No. 6 payable to Dean Construction Company in the amount of \$82,722.86 for the period of October 1, 1979 to October 26, 1979 for the referenced project. The Commissioners agreed to approve said payment.

PROJECT NO. SM 77-1-11  
NURSING HOME ACCESS ROAD

Present: John Norris, County Engineer

Mr. Norris presented Monthly Estimate No. 4 payable to Dean Construction Company in the amount of \$3,154.93 for the period of October 1, 1979 to October 26, 1979 for the referenced project. The Commissioners agreed to approve said payment.

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PROJECT NO. SM 76-7-1  
SPRING VALLEY ROADS PROJECT

Present: John Norris, County Engineer

Mr. Norris presented Voucher No. 28377 payable to J. T. Hayden, Jr., Inc. in the amount of \$10,925.75 for curb and gutter work in Spring Valley. The Commissioners agreed to approve payment.

TANNER'S CREEK LITIGATION

The County Engineer presented draft letters to the Attorney General and Secretary of the Department of Natural Resources expressing the Commissioners' gratitude for legal services rendered by the Department of Natural Resources. The Commissioners agreed that the letters be typed in final for Commissioner President Aud's signature.

ACCEPTANCE OF DEED  
COLONY SQUARE SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris presented a Deed dated October 19, 1979 by and between Altobelli Brothers, a partnership surviving venturers with Recon Development Corporation, now defunct, and St. Mary's County, Maryland conveying the following streets and roads in Colony Square Subdivision: Missouri Drive, Rogers Drive and Patuxent Drive. Commissioner Millison moved, seconded by Commissioner Sayre, to accept said Deed and that any unpaid taxes be waived for the purpose of recordation. All Commissioners voted in favor.

PROJECT NO. SM 76-7-1  
SPRING VALLEY SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris presented Voucher No. 28372 payable to Raymond Chase and Martin's Automotive Center, Inc. in the amount of \$69.88 for a vehicle damaged by construction work at the Spring Valley Subdivision project. Commissioner Millison moved, seconded by Commissioner Arnold, to approve said payment. All Commissioners voted in favor.

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PROJECT NO. SM 79-1-4  
ST. JOHNS ROAD

Present: John Norris, County Engineer

Mr. Norris presented Voucher No. 28376 payable to B. F. Asher for Estimate No. 4 in the amount of \$19,966 for the period of October 13, 1979 through October 26, 1979. The Commissioners agreed to approve said payment.

ACCEPTANCE OF DEED  
KNOLLAND SUBDIVISION, SECTION I

Present: John Norris, County Engineer

The County Engineer presented a Deed dated October 5, 1979 by and between E. E. Walter, Inc. and the County Commissioners of St. Mary's County conveying the following streets in Knolland Subdivision, Section I, Fifth Election District: William Court, Vinessa Court and Walters Court. The Commissioners unanimously agreed to accept said Deed and that any unpaid taxes be paid for the purpose of recordation.

ADDENDUM TO PUBLIC WORKS AGREEMENT  
GREENS REST MANOR SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris presented Addendum No. 1 to the Public Works Agreement extending the deadline for the completion of the streets and roads in Greens Rest Manor Subdivision, Second Election District to October 11, 1980, and therefore requested authorization by the Commissioners to release the Stop Work Order. The Commissioners gave their concurrence to accept said Public Works Agreement Addendum and to lift the Stop Work Order.

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QUOTATION FROM VIRGINIA TRACTOR COMPANY

Present: John Norris, County Engineer

Mr. Norris presented to the Commissioners a Quotation from Virginia Tractor Company in the amount of \$28,500 which includes the trade-in for the Caterpillar Grader, and therefore requested approval by the Commissioners to accept this quotation in that it is consistent with the budget. The Commissioners gave their concurrence.

PROJECT NO. SM 79-3-3 (A & B)  
COOPERS CREEK DREDGING PROJECT

Present: John Norris, County Engineer

Mr. Norris recommended to the Commissioners rejection of all bids received on October 15, 1979 for the referenced project. The Commissioners gave their concurrence.

NORTH INDIAN CREEK ESTATES

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that at next week's meeting he will be presenting appropriate documents concerning the bonding for the referenced project and bonding will be at the level of \$75,000 guaranteeing completion of the roads by June 1, 1980 and setting forth the maintenance schedule as requested by the Commissioners.

ALCOHOL FUEL PROJECT

Present: John Norris, County Engineer  
Dan Dawson  
Henry Leskinen  
Jack Witten

The referenced individuals appeared before the Commissioners to present a proposed plant design and an Analysis of the Feasibility with regard to the alcohol fuel project as had been requested by the Commissioners at their August 29 meeting. After discussion of the above, Commissioner Millison moved, seconded by Commissioner Arnold, to request Mr. Witten to assist the county in this project. All Commissioners voted in favor. Mr. Witten agreed to assisting in this endeavor and the Commissioners agreed to take further action once a determination of the availability of federal funds is finalized.

RETIREMENT SYSTEM

FIRE DEPARTMENT AND RESCUE SQUADS

Present: Greg Adams, Fire Board  
Janet Cook, Hollywood Rescue Squad  
Joe Cooper, Bay District  
George McWilliams  
Charles Miedzinski, Hollywood Fire Dept.

The County Commissioners reviewed the submitted proposal from the Fire Departments and Rescue Squads relative to a Retirement System. After discussion, Commissioner Dean moved, seconded by Commissioner Sayre to approve said System as outlined and directed the County Administrator to prepare the appropriate Resolution establishing the proposed Retirement System.

REQUEST FOR ABATEMENT OF BUILDING PERMIT FEE

CHURCH OF GOD

The County Administrator presented a request from the Church of God on Chancellors Run Road for waiver of the building permit fee for an educational annex to the Church. Inasmuch as this request complies with the requirements of County Resolution No. 75-53, the Commissioners gave their concurrence.

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EMPLOYEES' ASSOCIATION - CHRISTMAS EVE

The County Administrator presented a request from the Employees' Association to close general government operations on December 24 in order to conserve energy. The Commissioners gave their concurrence.

AUTHORITY TO FILL VACANCY  
RECREATION AND PARKS - MAINTENANCE FOREMAN

By way of a memorandum, the Personnel Officer requested authority from the Commissioners to initiate the hiring process to fill the Grade 8, Maintenance Foreman position in the Office of Recreation and Parks created by the resignation of Lloyd Moneymaker, effective November 2, 1979. The Commissioners gave their concurrence.

The meeting adjourned at 4:50 p.m.

Approved,

  
George R. Aud, President