

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, December 19, 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.

OVERTIME PAYMENT REQUEST - SHERIFF'S DEPARTMENT

The County Administrator presented a request for overtime payment from the Sheriff's Department as follows: \$1,191.36 for Sheriff's deputies and \$657.23 for CID deputies for the period beginning November 10, 1979, and ending December 7, 1979.

Commissioner Arnold moved, seconded by Commissioner Millison, to approve payment for overtime to the Sheriff's Department as requested. All Commissioners voted in favor.

MAINTENANCE POSITION  
RECREATION AND PARKS

By memorandum dated December 13, 1979, the Personnel Officer requested authority to fill the two Maintenance Foreman positions (Grade 8) in the Office of Recreation and Parks. Mr. Baggett, Director of Recreation and Parks, recommended Robert Goode for one of the available positions and will make a decision on the second position at a later date.

Commissioner Arnold moved, seconded by Commissioner Dean, to accept the recommendation of Mr. Baggett and hire Robert Goode to the position of Maintenance Foreman, Grade 8, effective January 2, 1980. All Commissioners voted in favor.

POSITIONS IN SHERIFF'S DEPARTMENT

By memorandum dated December 18, 1979, the Personnel Officer requested authority to promote Ernest Carter to the position of Corporal, Grade 13, and Robert Hall to the newly authorized position of PFC, Grade 12, and James Raley to the position of PFC, Grade 12, that will be vacated by the promotion of Ernest Carter, as recommended by the Sheriff.

Commissioner Aud moved, seconded by Commissioner Arnold to accept the Sheriff's recommendation. All Commissioners voted in favor.

ACCEPTANCE OF DEED  
FRIENDSHIP COURT

On behalf of the County Engineer, the County Administrator presented a Deed dated November 27, 1979, by and between Benjamin H. Burroughs, Jr., and F. Elliott Burch, Jr., and the Board of County Commissioner of St. Mary's County accepting a road designated as Friendship Court in the Friendship Estates Subdivision into the County Highway Maintenance System.

Commissioner Dean moved, seconded by Commissioner Arnold, to accept said Deed. All Commissioners voted in favor.

MEMORANDUM TO ALL DEPARTMENT HEADS AND EMPLOYEES

The County Administrator presented a memorandum addressed to all county employees and department heads advising that the Maryland Public Service Commission has recently given approval to the C & P Telephone Company to increase rates for certain classes of telephone service which will eliminate our 90-call per line allowance and it will now cost the County .08¢ for each local call made, and therefore requesting everyone's cooperation in keeping the cost of telephone service down.

The Commissioners agreed to sign and forward said memorandum.

AIRPORT COMMISSION - BY-LAWS

The County Administrator presented the By-Laws as proposed by the Airport Commission which is required by the Ordinance adopted by the County Commissioners. These By-Laws must be approved by the Commissioners.

In reviewing the By-Laws, the County Administrator recommended amending in Section IV, Item 1d to state that the Airport Commission recommend the appointment of and supervise an airport manager.

Commissioner Millison indicated for the record his opposition to Items 1d and 1f.

The County Administrator advised that he would present the By-Laws at the Commissioners' meeting of January 2, 1980, for a decision.

MOBILE HOME HARDSHIP CASE NO. 79-04

The County Administrator presented the referenced Mobile Home Hardship Case and stated that it was the recommendation of the Mobile Home Hardship Review Committee to recommend granting a waiver in this case. Commissioner Arnold moved, seconded by Commissioner Sayre, to accept this recommendation. All Commissioners voted in favor.

RESIDENT MAINTENANCE ENGINEER REPORT

Present: John D. Raley, Resident Maintenance Engineer

Mr. Raley appeared before the Commissioners to present his bi-monthly status report on road and drainage problems as presented by the Commissioners after which the Commissioners advised Mr. Raley of other problem areas to be looked into.

ROAD RESOLUTIONS NO. R-80-06, R-80-07, R-80-08  
PEABODY ROAD

Present: John Norris, County Engineer

Mr. Norris presented the following Road Resolutions:

R-80-06 - Naming the new Nursing Home and Hospital access road Peabody Street;

R-80-07 - Placing a Stop Sign at the intersection of Peabody Street and Md. Rt. 245; with Peabody Street as the Stop Street;

R-80-08 - Establishing a speed limit of 25 miles per hour on Peabody Street.

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign said Road Resolutions. All Commissioners voted in favor.

PROJECT NO. 79-3-3  
COOPERS CREEK DREDGING PROJECT

Present: John Norris, County Engineer

The County Administrator advised that the permit from the Board of Public Works for the referenced project requires the President of the Board's signature and further that it requires that the project be completed by January 1. Mr. Norris stated that he was trying to obtain an extension.

Further Mr. Norris presented a contract in the amount of \$36,699 by and between B. Alfred Knott and St. Mary's County for the dredging work at Coopers Creek and requested the Commissioners' approval.

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign the permit from the Board of Public Works and in addition to approve and sign said Contract with B. Alfred Knott. All Commissioners voted in favor.

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PROJECT NO. 79-3-1  
PAUL ELLIS PIER

Present: John Norris, County Engineer

Mr. Norris advised that the referenced project is now complete and requested the President of the Board's signature to release the Escrow Account back to the contractor, Colliflower and Peterson, Inc., in the amount of \$9,240. Commissioner Arnold moved, seconded by Commissioner Dean, to authorize Commissioner President Aud to sign letter to Savings Bank of Baltimore, Lexington Park Branch, releasing the Escrow Account to Colliflower and Peterson. All Commissioners voted in favor.

ACCEPTANCE OF EASEMENTS AND DEED  
REPLACEMENT CORRIDOR - ROUTE 235  
LAUREL GROVE TO HILLVILLE

Present: John Norris, County Engineer

Mr. Norris presented the following easements and deed relative to the replacement corridor for the dualization of Route 235 in the Laurel Grove to Hillville section:

An Easement dated November 28, 1979, by and between Michael A. Wood and Marjorie S. Wood and Southern Maryland Electric, Co-op, Inc., and the Board of County Commissioners;

An Easement dated December 12, 1979, by and between Hugh B. Hall and Suzanne H. Hall, Southern Maryland Electric Co-op, Inc., and the Board of County Commissioners of St. Mary's County;

A Deed dated December 5, 1979, by and between the Board of County Commissioners of St. Mary's County and Southern Maryland Electric Co-operative Inc., and Michael A. Wood and Marjorie S. Wood.

Commissioner Dean moved, seconded by Commissioner Arnold to accept said Easements and Deed. All Commissioners voted in favor.

PUBLIC HEARING ANNOUNCEMENT  
ALIGNMENT OF MD RT. 235  
HOLLYWOOD TO ST. ANDREWS

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that there will be a public hearing on January 16, 1979, at the Hollywood Elementary School at 7:30 p.m. concerning the alignment of Md. Rt. 235 in the Hollywood to St. Andrews Road section for the replacement corridor for transmission line facilities. Southern Maryland Electric will be conducting the hearing.

EXTRA WORK ORDER  
PAUL ELLIS PIER PROJECT

Present: John Norris, County Engineer

Mr. Norris requested authorization for Commissioner President Aud to sign the Extra Work Order in the amount of \$60 for the removal of a sunken boat at the Paul Ellis Pier project. The Commissioners gave their concurrence.

ACCEPTANCE OF DEED  
RUSTIC HILL ESTATES

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the County had gone to settlement on the referenced subdivision and the road has been surface treated by the County. Mr. Norris advised that Donna Rd. needs to be accepted by the Commissioners into the County Highway Maintenance System. Commissioner Dean moved, seconded by Commissioner Sayre, to accept Donna Drive in Rustic Hill Estates Subdivision, Section II, into the County Highway Maintenance System. All Commissioners voted in favor.

TRAFFIC RESOLUTION NO. R-80-09

Present: John Norris, County Engineer

Mr. Norris presented the referenced Road Resolution setting the speed limit on Donna Drive at 25 miles per hour. Commissioner Millison moved, seconded by Commissioner Sayre, to approve and sign Traffic Resolution No. R-80-09. All Commissioners voted in favor.

PROJECT NO. SM 77-1-8  
ROADSIDE SIGNING PROJECT

Present: John Norris, County Engineer

Mr. Norris stated that the contractor had ordered signs that had been identified as being needed when the survey was taken for the roadside signing project; however, State Highway Administration had placed many of the signs.

Therefore, Mr. Norris inquired whether the County would pay for the signs from the contractor at a value of approximately \$1,573.56, and they could be stocked at the SHA until needed. The Commissioners gave their concurrence.

ST. ANDREWS LANE  
ST. ANDREWS ESTATES

Present: John Norris, County Engineer

Mr. Norris advised that the Commissioners took a Deed in October of 1969 for St. Andrews Lane in St. Andrews Estates and it was questioned by State Highway Administration whether the Deed as worded covered all of this street. Mr. Norris displayed a map of the street pointing out the footage and stated that the County has been maintaining it.

After discussion and for the purpose of clarification, Commissioner Millison moved, seconded by Commissioner Arnold, to accept the Deed dated October 20, 1969, by and between Riley Brothers, Inc., and County Commissioners of St. Mary's County, and further acknowledging that it is the County's understanding that the property donated to the County by Riley Brothers, Inc., was the property leading to and including both cul-de-sacs (St. Andrews Lane and St. Andrew's Circle). All Commissioners voted in favor.

"A" COURT  
BRETON BAY SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the Deed accepted by the County dated November 28, 1977, by and between Waring Associates and County Commissioners of St. Mary's County did not include "A" Court. He stated that the road met all the qualifications and it is in order for the Commissioners to accept.

Commissioner Millison moved, seconded by Commissioner Sayre, that in order to correct the Deed dated November 28, 1977, it is the County's understanding that "A" Court was to have been included in the Deed and therefore it should now be included, and further to authorize Commissioner President Aud to sign said Deed acknowledging acceptance of the road. All Commissioners voted in favor.

PROJECT NO. SM 79-4-6  
OBSTRUCTION REMOVAL AT COUNTY AIRPORT

Present: John Norris, County Engineer

Mr. Norris advised that he had re-advertised bids for the removal of obstructions at the runway of the County Airport. Bids were opened November 23, 1979, with three bids being received and it was the recommendation of the County Engineer to reject all bids because they were too high and suggested that the County do the work as FAA had suggested which will be reimburseable by them using our Force Account. Mr. Norris stated that he would establish rates with the contractor and obtain approval from the Board for these rates. The Commissioners gave their concurrence.

DUALIZATION OF ROUTE 235  
LAUREL GROVE TO HILLVILLE SECTION  
THIO-KOL CHEMICALS

Present: John Norris, County Engineer

Mr. Norris advised that he received correspondence from Thio-Kol Chemicals who own property in the Laurel Grove to Hillville section of Md. Rte. 235, which is a piece of property the County will have to acquire for right-of-way and they have indicated to Southern Maryland Electric Co-operative that there may be toxic materials or explosives on their property. There was discussion as to whether it should be removed and the Commissioners directed the County Engineer to turn the correspondence over to the County Attorney to determine what direction the County can legally take.

METROPOLITAN COMMISSION  
INSTALLATION OF WATER/SEWER FACILITIES

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the Metropolitan Commission has requested to install the water and sewer line two feet off the pavement surface on Peggs Road and it was Mr. Norris' recommendation that the County not allow them to do it that close because they would tear up the pavement. After discussion, the Commissioners agreed for the Metropolitan Commission to proceed, but to place it in the right-of-way but further away from the pavement than they proposed.

With regard to St. Clements Shores Roads, the Commissioners indicated that the matter should be brought back as it was not urgent at this time.

MARYLAND STATE POLICE BARRACKS

Present: Lt. Col. Samuel Dorsey, MSP  
Major Bernard L. Weimer, MSP  
1st Sgt. Mosby Sandidge, MSP  
Capt. Larry Gibbs, MSP  
Jack Farlow, Dept. of General Services  
John Norris, County Engineer

The above representatives appeared before the Commissioners to discuss the entrance road to the proposed Maryland State Police barracks and to conflict that has arisen due to misunderstanding as to the funding responsibility for the cost of the access road. The Maryland State Police representatives contended that it was their understanding that the County had committed itself to fund the construction of the access road to the Maryland State Police barracks because this road was part of the county's road system for the governmental center complex as defined on the County's Master Plan for the complex, a copy

of which was presented for review. The Commissioners responded that although they could understand the point made by the Maryland State Police representatives, there is no documentation to support the claim that the County had made such a commitment.

The Commissioners indicated a willingness to cooperate as much as possible in order not to delay the construction of the Maryland State Police barracks. However, the Commissioners stated that funds are not available and that even if they were the County had no need for such a road and could not justify building an access road with County funds for a State facility.

The Commissioners requested the Maryland State Police representatives to include the cost of the access road to the Maryland State Police barracks in the request for additional funds they are now preparing for the 1980 General Assembly. In return, the Commissioners made the commitment to the State that if and when the County had need of the road, the county would reimburse the State for the cost of constructing the access road on county property as demonstrated in the County's Master Plan for the Governmental Center Complex. The Commissioners indicated that correspondence containing this commitment would be forwarded to Colonel Smith.

INSTITUTE FOR ENERGY SELF-RELIANCE

Present: Dudley Lindsley  
Ray Hartjen

The above individuals appeared before the Commissioners to explain the projects of the Institute for Energy Self-Reliance whose purpose is to develop and encourage energy-related innovation among citizens in Southern Maryland. They requested the Commissioners' support of a proposal to assist citizens and small businesses by providing technical assistance and information on energy conservation methods.

After the presentation, because of lack of detail, the Commissioners advised that they could do no more than endorse the general concept and advised that a letter from the Commissioners to that effect would be forthcoming.



DEDICATION OF PEABODY STREET  
COMMENDATION - MRS. ELINOR PEABODY

Present: Mrs. Elinor Peabody  
General Hume Peabody  
Peter Lambert, Administrator, St. Mary's Hospital  
Paul Hampton, President, Hospital Board  
Mrs. Harold Miller, President, Hospital Ladies Aux.  
Virginia Thomas, Director, Nursing Home  
Abell Longmore, Chairman Nursing Home Board  
Bobby Dean, representative of Dean Const., contractor

At this time the Commissioners dedicated the newly constructed access road to the Nursing Home and Hospital naming it Peabody Street and further presented a Commendation to Mrs. Peabody acknowledging her dedicated services to St. Mary's County and in particular, the St. Mary's Hospital.

(Commissioner Millison left the meeting due to illness - 12:00 Noon.)

STEUART INVESTMENT COMPANY  
INDUSTRIAL SITE PLAN NO. 79-284

Present: Jack Goodman, Steuart Investment Company  
Frank Gerred, Director, Planning and Zoning

Mr. Gerred presented the referenced Site Plan and advised that it has received the approval of the Planning Commission and it was therefore recommended for Commissioner approval.

Commissioner Dean moved, seconded by Commissioner Sayre to approve Site Plan No. 79-284, December 3, 1979, for two asphalt tanks and further to authorize Commissioner President Aud to sign same. All Commissioners voted in favor.

SIMPLIFIED SITE PLAN NO. 79-287  
BRETON BAY SAND AND GRAVEL PROJECT

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred presented the referenced Site Plan stating that C. J. Langenfelder has requested approval for the construction of a small maintenance building for their equipment at the site. He stated that this is in compliance with the Conditional Use approval given and it is a minor addition to this operation.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign Site Plan No. 79-287. All Commissioners voted in favor.

ALCOHOL FUEL PROJECT

Commissioner Dean suggested that in view of the fact that it appears that the grant for the referenced project is forthcoming in 30 to 90 days, and because of the length of time in receiving the grant that the County proceed with the project. Commissioner Dean recommended that Mr. Gird of the University of Maryland be contacted that we are ready to proceed and further that the representatives of University of Maryland and St. Mary's County get together and prepare a program for this project. He further recommended that the Commissioners authorize the expenditures of at least the amount for improvements that will be needed to the building that will be housing the alcohol fuel project.

The Commissioners gave their concurrence and requested that Jack Witten, Project Coordinator, be notified of this decision.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the County Commissioners' meeting of December 5, 1979. All Commissioners voted in favor.

PUBLIC HEARING (MINOR SUBDIVISION NO. 79-188)  
APPEAL OF PLANNING COMMISSION DECISION  
RICHARD J. DUCOTE (TOWER HILL, SECTION II)

Present: Col. Richard Ducote  
Oliver Guyther, Attorney  
J. Ernest Bell, II, County Attorney  
Frank Gerred, Director, Planning and Zoning  
Anita Meredith, Recording Secretary

The Commissioners conducted a public hearing on the appeal of the Planning Commission's decision in the referenced case requesting concept approval of an eight lot minor subdivision of approximately 39.49 acres, located on Tower Hill Road in the Third Election District on Tax Map 56, Parcel 129.

Commissioner Arnold moved, seconded by Commissioner Sayre to approve a proposed Consent Order to MSUB No. 79-188, Tower Hill Subdivision. All Commissioners present voted in favor, except Commissioner Dean who abstained, stating that his reason for doing so was that Col. Ducote has received construction financing for the previous houses he had built in Tower Hill from the savings and loan where he is employed.

PUBLIC HEARING  
SUBDIVISION NO. 79-282  
APPEAL OF PLANNING COMMISSION DECISION

Present: Thomas Meidzinski  
Charles Norris, Attorney  
J. Ernest Bell, County Attorney  
Frank Gerred, Director, Planning and Zoning  
Anita Meredith, Recording Secretary

The Commissioners conducted a public hearing on the appeal of the Planning Commission's decision on the referenced case requesting approval of a subdivision containing approximately 38.71 acres located in the Sixth Election District on Clarks Landing Road on Tax Map 27, Block 16, Parcel 363.

Commissioner Dean moved, seconded by Commissioner Arnold to approve the Homeowner's Association of the maintenance of the roads for Subdivision No. 79-282. All Commissioners present voted in favor.

BOND FOR COUNTY TREASURER

Commissioner Dean moved, seconded by Commissioner Sayre, to approve the bond in the amount of \$100,000 for County Treasurer, Katherine D'Esposito. All Commissioners voted in favor.

COURTHOUSE HEATING PROBLEMS

Present: Paul Raley, Director, Purchasing and Logistics  
John Norris, County Engineer

Commissioner Dean advised that the Commissioners had been receiving many calls from officials and employees at the Courthouse regarding the lack of heat at the Courthouse. In order to try to resolve the problem, Mr. Norris presented a proposal from D. Brooks and Cross, Consulting Engineers to analyze the situation and made recommendations for correcting the problem.

The Commissioners agreed to accept the proposal from D. Brooks and Cross and authorize an expenditure not to exceed \$2500 for an analysis and preparation of remedial recommendations for the heating system at the Courthouse. The Commissioners also agreed to defer a decision on the installation of storm windows at the Courthouse until this analysis has been completed.

ST. MARY'S COUNTY PUBLIC SCHOOLS  
CAPITAL IMPROVEMENT PROGRAM FY 1981-1986

Present: Marvin Joy, Superintendent of Schools  
Henry Kanowicz  
James Raley  
Dorothy Harper  
Joseph O'Dell, Budget Officer

As a follow up to the meeting between the St. Mary's Public School representatives and the Board of County Commissioners, the referenced individuals appeared before the Commissioners to obtain approval of the Board of Education Capital Improvement Program.

Commissioner Dean moved, seconded by Commissioner Arnold that the Board of County Commissioners approve and sign Resolution No. 79-86, Board of Education Capital Improvement Program. All Commissioners voted in favor.

PROPOSED AMENDMENTS TO SUBDIVISION REGULATIONS/ROAD ORDINANCE

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred appeared before the Commissioners to seek direction as to how to proceed in revising the Road Ordinance and Subdivision Regulations with respect to three items:

1. The requirement for 50-foot right-of-way in minor subdivisions;
2. Requirement that the streets be built to some acceptable level of completion prior to either the issuance of building permits or transfer of title;
3. Access to farmsteads.

After discussion of various alternatives to the above items, the Commissioners requested Mr. Gerred to draft a proposal for the Commissioners' review and comments.

ECONOMIC IMPACT FEE  
WILDEWOOD SUBDIVISION

Present: Frank Gerred, Director, Planning and Zoning  
Eddie Wettengel, Developer, Wildewood

With regard to the Economic Impact Fee for Wildewood Subdivision, Neighborhood Two, Cluster No. One, Plat One, which was presented to the Commissioners at last week's meeting, the Commissioners agreed that a new resolution

would have to be drafted and adopted by the Board amending the existing Resolution allowing for payment of the economic impact fee for multi-family attached dwellings to be paid at the time of Certificate of Occupancy issuance or transfer of title, whichever shall first occur and that on other cases, the existing language of the current resolution will apply.

OVERTIME PAYMENT REQUEST  
MAINTENANCE MECHANIC - HOUSING AUTHORITY

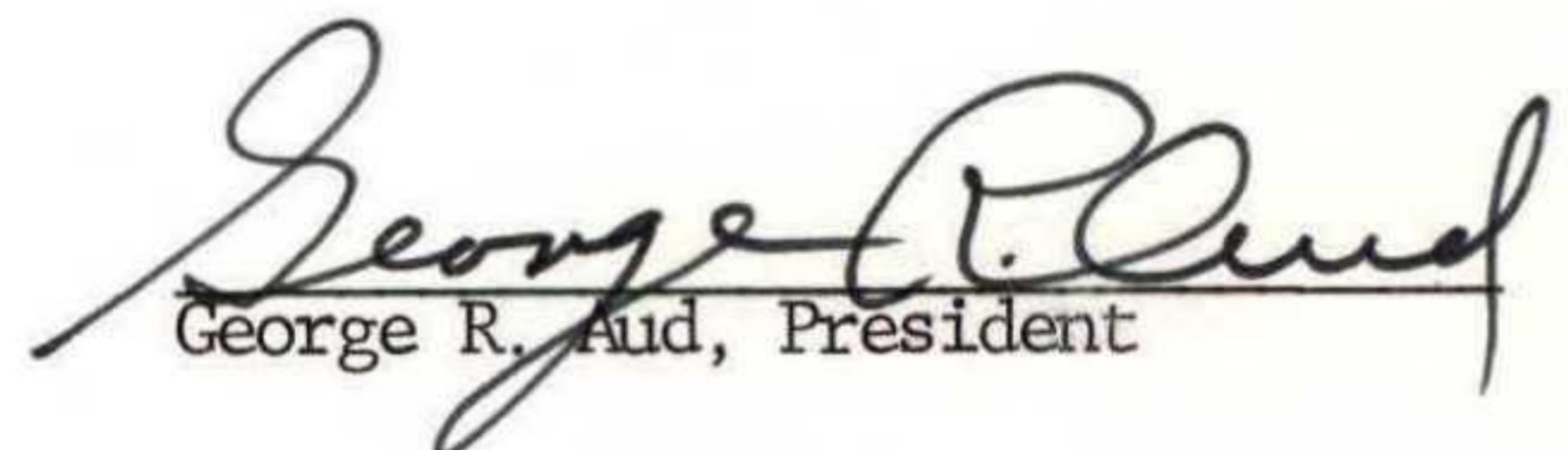
The County Administrator requested approval by the Board for payment of overtime for eighteen hours of overtime for James Curtis, Maintenance Mechanic at Tubman Douglas. The Commissioners unanimously gave their approval.

CORRESPONDENCE TO STATE OFFICE ON AGING  
SENIOR SERVICE CENTER

The County Administrator presented correspondence to the State Office on Aging for Commissioner President Aud's signature indicating the County's expression of intent to apply for renovation funds for the provision of a Senior Service Center and attaching said application. The Commissioners agreed to authorize Commissioner President Aud to sign and forward said letter.

The meeting adjourned at 5:45 p.m.

Approved,

  
George R. Aud, President