

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, August 12, 1980

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

(Commissioner Sayre was not present due to illness)

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

APPROVAL OF ENCUMBRANCE VOUCHERS

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

CHELTENHAM GOVERNING BOARD

Commissioner Arnold moved, seconded by Commissioner Dean, to appoint Mrs. **Eleanor** Ritchie as St. Mary's County's representative and William Combs as alternate to the Cheltenham Governing Board. All Commissioners voted in favor.

BID PROPOSALS FOR COUNTY HEALTH AND LIFE INSURANCE

Present: Joseph O'Dell, Budget Officer
Harris Sterling, Director of Finance
Gerda Mason, Personnel Officer

The referenced representatives of the Insurance Evaluation Committee appeared before the Commissioners to present the bid proposals for the county health and life insurance and to make recommendations. Mr. O'Dell explained that six proposals were received and evaluated and after a thorough evaluation by the Committee, it was recommended that the Commissioners award the County's Health and Life Insurance Package to Blue Cross & Blue Shield of Maryland for the period of October 1, 1980 through September 30, 1981.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, to accept the recommendation of the Insurance Evaluation Committee and award the provision of county health and life insurance, effective October 1, 1980. All Commissioners voted in favor.

TUDOR HALL LIBRARY RESTORATION

The Budget Officer presented correspondence from the Southern Maryland Regional Library Association requesting the Commissioners' approval of the Board of Library Trustee's recommendation to hire Mr. J. Richard Rivoire as a consultant to oversee the restoration work to be done at Tudor Hall Library. Further, Mr. O'Dell presented a voucher in the amount of \$400 payable to Mr. Rivoire, said funds to come from the Capital funds set aside for the restoration work.

The Commissioners gave their concurrence and authorized Commissioner President Aud to sign said Voucher.

PROPOSED SEXUAL ASSAULT CRISIS CENTER

Present: Judy McCue, Commission for Women
Linda Fitrell, Task Force Member
Marvin Kaminetz, " " "

The referenced individuals appeared before the Commissioners to present packet of information prepared by the Rape Prevention Task Force pertaining to the proposed Sexual Assault Crisis Center and to request the County's support through matching grant funds.

Ms. McCue by way of charts explained to the Commissioners the concept of the Program and details of the Program's components. She stated that the Commission for Women has adopted a Resolution supporting the efforts of the Task Force with regard to the establishment of the Sexual Assault Crisis Center.

In conclusion, Ms. McCue requested the Commissioners to review the proposal and requested the County's support in a 90%-10% LEAJ Grant, with the County's share in the amount of \$2500. Ms. McCue also requested the County to administer the grant if approved.

The Commissioners thanked Ms. McCue for her presentation, expressed support of the efforts of the Task Force, and advised that they would make a decision on the request at their meeting in two weeks.

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COMMUNITY DEVELOPMENT BLOCK GRANT
SENIOR SERVICES CENTER

Present: Frank Gerred, Director, Planning & Zoning
Robin Guyther, CDBG Coordinator

Mr. Guyther advised the Commissioners that proposals were solicited for an architect to prepare the plans and specifications for the construction of the Senior Service Center and to supervise the construction of the center. One proposal was received; namely, Chesapeake Architectural Services, at a cost of 10% of the construction cost, specifically \$8350.

The Commissioners gave their concurrence to award the architectural contract to Chesapeake Architectural Services, pending Department HUD approval of the Revised CBDG of 1977.

PROPOSED AMENDMENT TO COUNTY ZONING ORDINANCE

Present: Frank Gerred, Director, Planning & Zoning

Mr. Gerred appeared before the Commissioners to discuss a possible amendment to the County Zoning Ordinance, Article 3, Section 31.00. He stated that in order to alleviate certain problems that have been brought to his attention it was his recommendation to eliminate the AR-2 classification, which requires 1½ acres and reclassify it to R-1, which requires one acre of land. Mr. Gerred stated that this proposal had been presented by the Commissioners two years ago, but was not adopted.

The Commissioners authorized Mr. Gerred to proceed with the regular Zoning Amendment process with regard to this proposed amendment; i.e. a recommendation by the Planning Commission and a public hearing. Mr. Gerred stated he would present a copy of the proposal to the Commissioners for review.

LEXWOODS SUBDIVISION
ECONOMIC IMPACT FEE
RECREATION AND PARK FEE

Present: Frank Gerred, Director, Planning & Zoning

Mr. Gerred presented the Economic Impact Fee Agreement and the Money in Lieu of Land Dedication for

Park Sites Agreement for review by the Commissioners.

With regard to the Economic Impact Fee Agreement, Mr. Gerred explained that the fee will be paid prior to the issuance of a Certificate of Use and Occupancy for each unit, as had been done in Wildewood Townhouses. The Commissioners gave their concurrence to approve and authorize Commissioner President Aud to sign said Agreement by and between Lexwoods Limited Partnership and the Board of County Commissioners of St. Mary's County.

Relative to the Recreation and Park Fee Agreement, Mr. Gerred stated that there is some disagreement with the developer whether it is a subdivision of land or not and therefore, whether or not the Recreation and Park Fee should be paid. Mr. Gerred stated that the developer is willing to pay if it is determined that the fee is applicable in this case. The Commissioners discussed the fact that the County should be protected and should have financial assurance, such as a letter of credit or bonding. The Commissioners directed Mr. Gerred to prepare a recommendation and return to the Commissioners with a determination.

DREDGING OF INLET NEAR BRETON BEACH

Present: John Norris, County Engineer

Mr. Norris presented correspondence for Commissioner President Aud's signature to the Army Corps of Engineers requesting a permit to periodically dredge an inlet near Breton Beach on the Potomac River. The Commissioners gave their concurrence for Commissioner Aud to sign said letter.

PROPOSAL FOR HYDROGEOLOGICAL STUDY

Present: John Norris, County Engineer

Mr. Norris requested authority from the Board of County Commissioners to employ Mr. Bruce Martin to perform the geological survey of St. Andrews Landfill and the monitoring of two other landfills in the amount of \$15,260. The Commissioners gave their concurrence.

COOPERATIVE MAINTENANCE AGREEMENT
DREDGING OF ST. JEROME'S CREEK

Present: John Norris, County Engineer

Mr. Norris presented the Maintenance Agreement by and between the Department of Army and St. Mary's County for local cooperation in the dredging of St. Jerome's Creek. Mr. Norris stated that the County would provide the soils disposal area. The Commissioners gave their concurrence to sign said Agreement.

REQUEST TO RESET FRONT CORNER MARKERS
RAYMOND E. HANEY LOT - TOWN CREEK MANOR

Present: John Norris, County Engineer

Mr. Norris stated that the front corner markers were either buried or removed from the referenced project during a county construction project. Mr. Norris presented a proposal in the amount approximately \$80-\$90 to replace them. The Commissioners gave their concurrence to replace the markers.

GOLDEN BEACH SPECIAL TAXING DISTRICT

Present: John Norris, County Engineer

Mr. Norris stated that September 2, 1980 at 1:30 p.m. was scheduled for the public hearing for an additional special taxing district at Golden Beach. Mr. Norris inquired that if the Special Taxing District is established, would the Commissioners be agreeable to setting the assessment at \$91.80, a 10% increase above the construction estimate, which is similar to what was done for the first Golden Beach special taxing district. The Commissioners gave their concurrence.

HEATING/AIR CONDITIONING
COUNTY COURTHOUSE

Present: John Norris, County Engineer

Mr. Norris requested authorization from the Commissioners to use the services of the engineer who prepared the study for the Courthouse heating and air conditioning needs (D. Brooks Cross) to draw up the plans and specifications for alterations and modifications to the heating/air conditioning system. The Commissioners gave their concurrence.

BRETON BAY SHORE EROSION CONTROL DISTRICT

Present: John Norris, County Attorney

Mr. Norris presented the Agreement for the Breton Bay Shore Erosion Control District and advised the Commissioners that Department of Natural Resources will not entertain bearing the cost of maintenance of the county road during this project. He stated that the Agreement restricts the County's authority to place a weight limit on the road.

The Commissioners gave their concurrence to authorize Commissioner President Aud to sign said Agreement.

STATE HIGHWAY ADMINISTRATION
REQUEST FOR COUNTY'S INTEREST IN PROPERTY

Present: John Norris, County Engineer

Mr. Norris advised that State Highway Administration has asked for the County's interest in 3/10 of an acre adjacent to the railroad right-of-way, approximately 1700 feet south of the intersection from St. Andrews Church Road. The Commissioners indicated that the County had no need for that parcel of land.

REQUEST FOR RIGHT-OF-WAY
FROM RT. 235 to OAKVILLE LANDFILL

Present: John Norris, County Engineer

Mr. Norris presented a request from Attorney Alfred Mudd, representing Mr. Frazier, requesting the County to provide a right-of-way over a strip of land from Md. Rt. 235 to Oakville Landfill to be used as an easement right-of-way.

After discussion, the Commissioners agreed to reply to Mr. Mudd that they would be willing to sell the property with the stipulation that the County retain the ingress and egress authority, but that it would have to be offered through a public bidding process.

RETIRED SENIOR VOLUNTEER PROGRAM (RSVP) GRANT APPLICATION
COMMISSION ON AGING

Present: Billye McGaharn, Senior Services Coordinator

Mrs. McGaharan presented the referenced RSVP Grant application and reviewed some with the Commissioners.

She explained that the purpose of the Program was to get older persons in the mainstream of assisting the community. The Grant is in the total amount of \$31,913, with the County's share in the amount of \$2,901.

After discussion, the Commissioners agreed to approve the submission of the grant and make a decision at the time the Notification of Grant Award is received. In the meantime, Mrs. McGaharn was directed to submit to the County Commissioners justification of the need for St. Mary's County to participate in this Program.

EXECUTIVE SESSION

Present: Neal Myerberg, State's Attorney

The Commissioners agreed to meet in Executive Session in order to discuss a matter of litigation. The Session was held from 11:45 a.m. to 12:20 p.m.

WIDOW WOODS

Present; John Norris, County Engineer

The Commissioners continued discussion from their meeting of July 29, 1980 relative to the above subdivision and Commissioner Dean stated that he had visited the site and the shoulders of Queen Tree Road have been seeded; however, that is no guarantee that there will be grass. The Commissioners agreed to request a \$2,000 bond from the developer, Ben Burroughs, to guarantee completion of the work, primarily the establishment of growth in the drainage ditches and roadside slopes.

With regard to the request of Mr. Burroughs for a waiver of the County Engineer's requirements for Queen Tree Road in Widow Woods Subdivision as per Section 6.9 of the Road Ordinance, the Commissioners had a lengthy discussion on various aspects and basis for that Section being in the Road Ordinance.

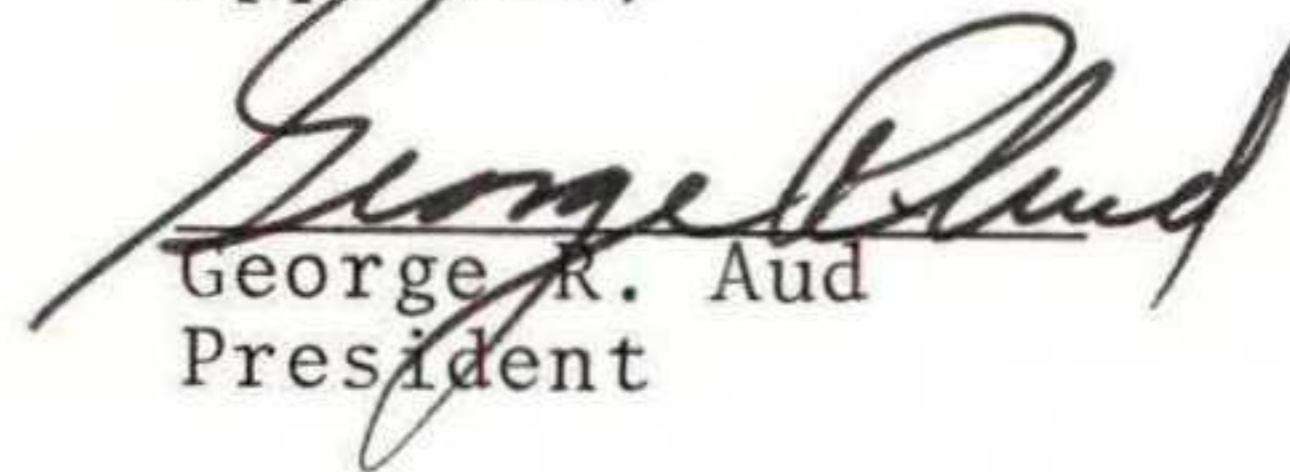
Relative to Section 6.9, the Commissioners directed the County Engineer to draft a policy memorandum regarding subdivisions situated on rural county roads as opposed to urban county roads. The Policy Memorandum is to include a requirement for 25 foot right-of-way and ~~ten~~ ten foot easement for rural roads with less than 1500 vehicles per day.

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With regard to Widow Woods, the Commissioners agreed that the subdivision can be recorded upon the posting of a \$2,000 bond for the completion of the work as set forth above and further upon the conveyance to the County in fee simple of a 25-foot right-of-way from the center line of Queen Tree Road and an additional ten-foot easement.

The meeting adjourned 3:30 p.m.

Approved,



George R. Aud
President