

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, November 19, 1980

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

(Commissioner Millison was not present because of the death of his mother)

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

ENCUMBRANCE VOUCHERS

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

AGRICULTURAL ZONING

Present: Robert Jarboe, Farm Bureau  
Steve Vallandingham, Farm Bureau

On behalf of the members of the Farm Bureau, the referenced individuals requested the Commissioners to delay action until the Farm Bureau has an opportunity to work with the Office of Planning and Zoning in developing agricultural zoning proposals which will contain input of the agricultural community.

The Commissioners accepted the Farm Bureau's recommendation and thanked the members for their cooperation and assistance in the development of agricultural zoning proposal.

RESIDENT MAINTENANCE ENGINEER'S REPORT

Present: John D. Raley, Resident Maintenance Engineer

Mr. Raley brought the Commissioners up to date with regard to previous requests by the Board and received input as to additional areas of concern with regard to roads, signs and drainage.



PROJECT NO. 80-1-5  
ESTIMATE NO. 3  
DEAN CONSTRUCTION COMPANY

Present: John Norris, County Engineer

Mr. Norris presented Voucher No. 034138 for Estimate No. 3 payable to Dean Construction Company in the amounts of \$130,999.08, \$24,184.63, \$18,701.20 and \$71,416.16.

Commissioner Aud moved seconded by Commissioner Arnold, to approve payment of said voucher. All Commissioners voted in favor.

PROJECT NO. SM 81-4-2  
FUEL DISTRIBUTION FACILITY

Present: John Norris, County Engineer

Mr. Norris presented the Agreement by and between Custom Metals, Inc. and St. Mary's County Commissioners for the construction of the Fuel Distribution Facility at the Governmental Center, in the amount of \$52,933, along with an Authorization for Extra Work in the amount of \$700 for the installation cost for ticket printers on the two fuel distributing pumps.

Commissioner Dean moved, seconded by Commissioner Arnold, to accept the Agreement to approve the Extra Work Authorization. All Commissioners voted in favor.

REQUEST FOR REIMBURSEMENT  
ST. MARY'S COUNTY AIRPORT

Present: John Norris, County Engineer

Mr. Norris advised that the County has completed the clearing and seeding of the additional five acres at the end of the runway at the St. Mary's County Airport. Mr. Norris therefore requested the Commissioners' approval for Commissioner President Aud to sign the reimbursement request form to be submitted to FAA for the referenced work.

Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign the authorization request for reimbursement. All Commissioners voted in favor.

WALDEN COUNSELING CENTER CONSTRUCTION

Present: John Norris, County Engineer

Mr. Norris presented an Agreement by and between William J. Johnson (Johnson Builders) and St. Mary's County Commissioners for the construction of the Walden Counseling Center.



No. 81-9 (Golden Beach Special Taxing Districts Nos. 1 and 2) - posting the follow streets in the referenced Special Taxing Districts of Golden Beach at 25 miles per hour.

District No. 1

Boundary Drive, Alison Circle, Hillview Drive and Skyview Drive.

District No. 2

Alison Circle and Scott Circle.

No. 81-10 (Golden Beach Special Taxing Districts Nos. 1 and 2)

District No. 1

Boundary Drive as it intersects with County Oak Drive;  
Hillview Drive as it intersects with County Oak Drive;  
Hillview Drive as it intersects with Alison Circle  
Skyview Drive as it intersects with County Oak Road.

District No. 2

Alison Circle as it intersects with County Oak Road;  
Scott Circle as it intersects with County Oak Road.

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

WETLANDS LICENSE NO. 81-112  
DREDGING OF ST. JEROMES CREEK

Present: John Norris, County Engineer

Mr. Norris presented the referenced License for the dredging of St. Jeromes Creek and requested the Commissioners to accept the terms and conditions of the Wetlands Permit from the Department of Natural Resources. Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign said Permit. All Commissioners voted in favor. Mr. Norris added that there are six easements remaining to be obtained and once this is accomplished, design could be completed by March.



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WETLANDS LICENSE NO. 81-050  
DREDGING OF ST. GEORGE'S CREEK

Present: John Norris, County Engineer

Mr. Norris presented the referenced Wetlands License for the dredging in St. George's Creek and Potomac River at St. George's Island and requested the Commissioners to accept the terms and conditions of the Wetlands Permit from the Department of Natural Resources. Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign said Permit. All Commissioners voted in favor. Mr. Norris advised that the State has not allocated funds for this project, but may be included in next year's budget. If this is the case, dredging will not begin until October 1, 1981.

LINDA MARLYN MEADOWS

Present: John Norris, Conty Engineer

Mr. Norris advised that the referenced subdivision has been deplatted and therefore presented a letter to the First National Bank advising that the \$3,000 surety guaranteeing the completion of roads can be returned to the owner, Mr. Thomas Lancaster.

The Commissioners gave their concurrence with this action.

HELEN FARMETTES SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris advised that the bonding for the referenced subdivision not only covers the roads in Helen Farmettes, but also Foley Mattingly Road. Mr. Norris stated that the bond will be due on February 10, 1981, and that there have been numerous extensions granted for this subdivision, and therefore suggested that the County set up a performance schedule as opposed to granting another extension. This will guarantee the construction of Foley Mattingly Road by Spring and the remaining roads later in the summer.

The Commissioners gave their concurrence and requested Mr. Norris to return with the proposed schedule for their approval.



ST. MARY'S PRESS  
REQUEST FOR LANDLORD WAIVER AND LICENSE

Present: Joseph E. Bell, II, County Attorney  
Charles Palmer, St. Mary's Press

Mr. Palmer explained to the Commissioners that they are under re-organization to improve the financial conditions of St. Mary's Press and that in order to do so they needed from the County a Waiver and License for the pledged collateral of equipment and furnishings at the St. Mary's Industrial Park within the building owned by the County under a previously executed MIDFA Agreement.

The Commissioners agreed with the proposal and were advised by the County Attorney to execute an official Landlord Waiver and License.

The Commissioners unanimously agreed to execute the Waiver and License by Landlord with Congress Financial Corporation.

TANNER CREEK LEGAL MATTER

Present: Joseph E. Bell, II, County Attorney  
Pamela Quinn, Assistant Attorney General  
John Norris, County Engineer

Mr. Bell explained the litigation involved in the Tanner Creek project and that the outcome is being appealed by Williams Enterprises, who has made an offer of settlement. Therefore, the Commissioners agreed to meet in Executive Session in order to discuss a matter of litigation. The Session was held from 10:35 a.m. to 10:50 a.m.

(Commissioner Dean left meeting - 10:55 a.m.)

ADDENDUM NO. 5  
NORTH INDIAN CREEK SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris presented Addendum No. 5 to the Public Works Agreement by and between Oliver R. Guyther and the Board of County Commissioners extending the deadline for the completion of roads in North Indian Creek Subdivision from November 17, 1980 to December 17, 1980. The Commissioners gave their concurrence to accept and approve said Addendum.



ROADWAY TO FUTURE BOAT LAUNCHING RAMP  
ST. INIGOES

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented the bid tally sheet for the roadway to the future boat launching ramp at St. Inigoes. He stated that seven bids have been received with the lowest bidder being Adams Brothers in the amount of \$14,042.45. Mr. Baggett stated that funds have been appropriated by the federal and state governments. The Commissioners gave their concurrence to accept the lowest bidder as recommended by Mr. Baggett.

REQUEST FOR PAYMENT  
ENGINEERING WORK AT PARKS

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett requested approval of payment to Booker Associates in the amount of \$4,350 for additional engineering work at Hollywood Park, St. Peter Claver Park and Fifth District park. He stated that source of funds is from the project account. The Commissioners gave their concurrence.

PROPOSED TRANSFER OF LIQUID FERTILIZER

The County Administrator advised in response to a request from the law firm in which Mr. Tydings is involved, a public meeting has been scheduled for December 2, 1980 at 8:00 p.m. to discuss a proposal for the transfer of liquid fertilizer. Mr. Cox stated he would provide the Commissioners with more details as soon as arrangements have been made.

SHERIFF'S DEPARTMENT OVERTIME

The County Administrator presented a request for payment of overtime by the Sheriff's Department for the period of October 11, 1980 and ending November 7, 1980 in the following amounts: \$811.98- regular deputies and \$110.07 CID deputies.

Commissioner Arnold moved, seconded by Commissioner Sayre to approve payment of overtime as requested. All Commissioners voted in favor.

DONATION OF BOAT MOTOR AND TRAILER  
ST. CLEMENT'S ISLAND POTOMAC MUSEUM

The County Administrator presented correspondence dated October 23, 1980 from the St. Clement's Island Potomac Museum Board of Directors' President, Mrs. Bailey, requesting the County's consideration in accepting the donation of a 1966 boat, motor and trailer from Mr. Hantske and that it be included in the liability insurance coverage of the County.



The Commissioners agreed to agreed to accept the donation by Mr. Hantske of the boat, motor and trailer as requested in the referenced correspondence. The Commissioner placed two conditions upon the acceptance of this equipment.

1. That the acceptance in no way convey an understanding that there would be an increase of the level of funding for the current fiscal year to operate and maintain this equipment.

2. That continued maintenance and operation of this equipment will depend upon the level of expenditures, and an alternative judgment could be made during the budget considerations for FY 81'-82'.

#### YOUTH SERVICES COORDINATOR POSITION

The Commissioners reviewed correspondence dated November 13, 1980 from the Personnel Officer advising that Phebe Barth had resigned from the position of Youth Services Coordinator, effective September 30, and has asked to be reinstated. The Personnel Officer stated that it was recommended that the Board of County Commissioners reappoint Ms. Barth to this position Grade 12, effective November 24, 1980.

Commissioner Aud moved, seconded by Commissioner Sayre, to accept this recommendation. All Commissioners voted in favor.

#### RETIRED SENIOR VOLUNTEER PROGRAM (RSVP) PROJECT DIRECTOR POSITION CLERK TYPIST POSITION

The County Administrator presented a memorandum from the Personnel Officer dated November 19, 1980 requesting authority from the Commissioners to begin the established hiring procedures for the Project Director position and the Clerk Typist position under the RSVP Grant of the Commission on Aging. The Commissioners gave their concurrence.

#### PURCHASE OF CRIME LAB VAN

Present: Sheriff Somerville  
Lt. Gene Pellillo  
PFC George DeLozier  
Paul Raley, Director, Purchasing and Logistics

The Sheriff presented several alternatives for equipping the new crime lab van and explained that acceptance of any of the proposals effected an expenditure beyond the budget amount of \$18,500. This overexpenditure is coupled with the previous overexpenditure associated with the purchase of



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nine replacement vehicles. The Commissioners requested the Budget Officer to review the entire vehicle related over-expenditures and prepare a recommendation for their review.

#### FIRE BOARD ANTENNA PROBLEMS

Present: Tom Oliver, Deputy Director, EOC  
Greg Adams  
Phil Cooper  
Joseph P. O'Dell, Budget Officer

Representatives of the Fire Board appeared before the Commissioners to request a Reserve for Contingency transfer in the amount of \$2,297 for funds to repair the main antenna at the Control Center which is completely inoperable. He stated that the Control Center is temporarily using the 80 foot standby antenna, which is not giving good coverage.

The Commissioners gave their concurrence for the Budget Officer to make the necessary account transfer for this project.

#### CHRISTMAS HOLIDAY REQUEST FOR EARLY PAYCHECKS

The County Administrator presented correspondence from the Employees Association requesting the Commissioners' consideration for granting a holiday for Friday, December 26, and further requesting that paychecks be issued to the employees on Wednesday December 24.

After discussion, the Commissioners advised that they would follow the policy of the State with regard to a December 26 holiday and await a decision from the Governor as to this matter. With regard to the issuance of early paychecks, the Commissioners were in concurrence with this request if the Director of Finance finds it possible to accomplish this.

#### BUDGET AMENDMENTS NOS. 81-22 and 81-23

On behalf of the Budget Officer, the County Administrator presented the following Budget Amendments for the Commissioners' review and approval:

No. 81-21 (Director of Finance) - Increase Account No. 2610-50010 (Miscellaneous) by \$120,000; decrease Account No. 1610-26910 (Reserve for Contingency) by like amount.

No. 81-22 (County Engineer) - Increase Account No. 1239-20010 (Property Tax Abatement - SMECO) by like amount.

No. 81-23 (Recreation and Parks) - Increase Account No. 1832-6322 (Equipment) by \$36,641; decrease Account No. 1832-6032



(Fifth District Acquisition) by \$18,040 and Account No. 1832-6112 (Fifth District Development) by \$18,601.

Commissioner Aud moved, seconded by Commissioner Sayre to approve the referenced Budget Amendments. All Commissioners voted in favor.

PROCLAMATION NO. 80-83  
NATIONAL REACT MONTH

Present: Bill Fowler

The Commissioners presented the referenced Proclamation proclaiming November as National REACT Month in St. Mary's County.

PROCLAMATION NO. 80-82  
AMERICAN EDUCATION WEEK

Present:

The Commissioners presented the referenced Proclamation proclaiming November 17-21 as American Education Week.

REZONING HEARING  
ZONE #80-1693  
JACK AND SUSAN GELRUD

(Due to the fact that the County Commissioners' regularly scheduled meeting November 18 was postponed because of the death of Commissioner Millison's mother, Mr. Gerred officially opened the public hearing on the date and time as advertised - November 19, 1980. Present on November 18, 1980 were: Frank Gerred, Director, Planning and Zoning; Molly Raley, Office of Planning and Zoning; Mr. Emit Neilson and Mrs. Isabel Neilson, and Judith Mullins, Recording Secretary.)

Present: Jack and Susan Gelrud, Applicants  
James Kenney, Attorney for Applicants  
Frank Gerred, Director, Planning and Zoning  
Molly Raley, Assistant Zoning Administration  
Bill Crowley, SMECO  
Al Gough, SMECO

The Commissioners conducted a public hearing on the application of Jack and Susan Gelrud to rezone approximately 25.5 acres located on the south corner of the intersection of Maryland Route 245 and 235 in the Sixth Election District, on Tax Map 26, Block 11, Parcel 89 from R-1, Residential, to C-2, Commercial.

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



(Commissioner Sayre left meeting 2:15 p.m.)

CARE FOR THE ELDERLY TASK FORCE

Present: Dr. Krompholz, University of Maryland School of Medicine

Dr. Krompholz appeared before the Commissioners to bring them up to date with regard to the Care for the Elderly Task Force Project - Phase II which was a project involving the identification of the elderly, non-institutionalized impaired persons in the County. The next step will be to interview the caregivers to determine the difficulties they encounter, which will be followed by training and counselling programs for the caregivers or families of the elderly. Dr. Krompholz advised that full time interviewers and a supervisor will be needed for this task.

In addition, Dr. Krompholz requested the Commissioners' consideration for the use of a room at the Governmental Center for this program.

The Commissioners gave their approval for the use of a room at the Governmental Center and thanked Dr. Krompholz and her associates for their continued interest in the elderly of St. Mary's County.

ZONING AMENDMENT RESOLUTION NO. Z80-07  
LILLIE D. HARDING (ZONE #80-2474)

Commissioner Dean moved, seconded by Commissioner Arnold, to approve Zoning Amendment No. Z-80-07, ZONE NO. 80-2474, Lillie D. Harding, as prepared and submitted by the County Attorney. All Commissioners present voted in favor.

ECONOMIC DEVELOPMENT COMMISSION

Present: Arthur "Buck" Briscoe, Director, EDC  
William Curtis, Chairman, EDC  
Walter Blair  
Ed Long  
Ken McRae  
Bill Raley  
Buddy Thompson  
Bruce Scheible

At the request of the Board of County Commissioners, the referenced members of the Economic Development Commission appeared to discuss informally goals and objectives. There was discussion as to areas that should be looked into such as housing, tourism, expansion of existing industry, etc.



The Commissioners explained that they are interested in a cooperative working relationship with the EDC and offered staff assistance from the Office of Planning and Zoning for any information they can provide the Commission.

After an exchange of ideas between the Commissioners and the EDC, the Commissioners expressed their anticipation for a cooperative relationship between the two boards.

AREAS OF CRITICAL STATE CONCERN

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred explained that the Areas of Critical State Concern has been an on going program and the County had previously submitted approximately 20 areas. Mr. Gerred stated that the State has responded with two additional areas: (1) Trent Hall Creek and (2) Chaptico Run which are flood control and sediment control measures within those watershed areas. He stated that he had one concern in accepting these nominations in that the State has not set out rules in nominating these areas and how they are going to address the areas nominated by the County.

The Commissioners requested Mr. Gerred to draft a letter to the State for their review signatures relative to these questions.

HAZARDOUS WASTE FACILITIES SITES

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred advised that all of the counties in the state have been requested to respond as to whether they have a site for hazardous waste that is being generated by the County and any other details. Mr. Gerred stated that he would prepare correspondence for the Commissioners' signatures advising that the county does not have a site for hazardous waste, does not generate hazardous waste, and does not believe site should be located in the County. The Commissioners gave their concurrence.

STSP 80-2488

WILDEWOOD BUILDERS CONSTRUCTION SITE  
PARAGON BUILDERS

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred advised that Paragon Builders is requesting the Commissioners approval of the referenced industrial Site Plan No. STSS 80-2488 to allow for the construction of a building construction site located off Wildewood Parkway on Tax Map 34, Parcel 79 in the Eighth Election District. The Planning



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Commission has recommended approval.

Commissioner Arnold moved, seconded by Commissioner Aud, to approve said Site Plan, Two Commissioners present voted in favor, with Commissioner Dean abstaining. Motion carried.

The meeting adjourned at 3:30 p.m.

  
George B. Aud  
President