

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, February 24, 1981

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

(Commissioners Aud and Dean were not present.)

The meeting was called to order at 9:20 a.m.

APPROVAL OF VOUCHERS

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

APPOINTMENTSCOUNCIL ON CHILDREN AND YOUTH

The County Administrator presented a request by the Council on Children and Youth that the Commissioners appoint Greg Fant as the fifth youth member to the Council on Children and Youth. Commissioner Arnold moved, seconded by Commissioner Sayre, to accept this recommendation and appoint Greg Fant. All Commissioners present voted in favor.

APPOINTMENTSBOARDS, COMMITTEES AND COMMISSIONS

Commissioner Arnold moved, seconded by Commissioner Sayre and unanimously voted in favor by the Board to make the following appointments to Boards, Committees and Commissions with terms as indicated:

<u>Tri-County Youth Services Bureau</u>	<u>Term to Expire</u>
William R. Burroughs	December 31, 1983
<u>Zoning Board of Appeals</u>	
Donald Insley	December 31, 1983
Gwyn Gardiner (Alternate)	December 31, 1983
<u>Ethics Law Review Committee</u>	
Joseph E. Bell, II	
Edward V. Cox	
Robert Lee Miles	
John Slade	

PUBLIC WORKS AGREEMENT
BIRCH MANOR, SECTION III

On behalf of the County Engineer, the County Administrator presented an Addendum to the Public Works Agreement by and between Hugh and Helen C. Allston and St. Mary's County extending the deadline for the completion of roads in Birch Manor Subdivision, Section III from January 31, 1981 to January 31, 1982.

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve said Addendum. All Commissioners voted in favor.

BUDGET AMENDMENT 81-40
COUNTY ENGINEER

The County Administrator presented the referenced Budget Amendment to the Commissioners for approval as recommended by the Budget Officer:

Increase Account No. 1083-3101 (Equipment) by \$915.00;
Decrease Account No. 1083-2131 (Contract Services) by like amount.

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve said Budget Amendment. All Commissioners voted in favor.

REQUEST FOR AUTHORITY TO HIRE
TAX CLERK POSITION - TREASURER'S OFFICE

The County Administrator presented a memorandum dated February 23, 1981 from the Personnel Officer requesting authority from the Commissioners to begin the hiring process for a Tax Clerk, Grade 7, for the replacement of Mrs. Janesse Marine, who will be retiring, effective March 31.

The Commissioners gave their concurrence to begin the hiring process.

MEMORANDUM TO SPENDING UNITS
BUDGET SUBMITTALS

The County Administrator presented a memorandum to be forwarded to six spending units who have not to date submitted their FY 81-82 budget requests. The Commissioners gave their authorization for Commissioner President Aud to sign said memorandum.

CORRESPONDENCE TO HUMANE SOCIETY

The County Administrator presented correspondence for the Commissioners' signatures addressed to the Humane Society in response to the Society's concerns expressed at the Commissioners' January 20 meeting. The Commissioners agreed to sign and forward said letter.

RETAINING OF LEGAL SERVICES
PATUXENT RIVER WATER QUALITY
POTOMAC RIVER WATER QUALITY

The County Administrator discussed the meeting that was held February 17 with the tri-county area Boards of County Commissioners relative to the retaining of Lee Bishop of the law firm of Harmon and Weiss, regarding the water quality of the Patuxent River and the Potomac River. Mr. Cox advised that the cost would be approximately \$1800 per month, to be shared on a percentage basis among the three counties, with St. Mary's County's share at approximately \$675 per month. Bills will be submitted to Tri-County Council, which will review and oversee payment.

After discussion, Commissioner Arnold moved, seconded by Commissioner Sayre, that St. Mary's County participate along with Charles and Calvert Counties in the funding for the retaining of Lee Bishop as stated above. All Commissioners present voted in favor.

RESPONSE TO PERCOLATION TEST CONCERNS

Present: Dr. William Marek, Deputy Health Officer
Walter Raum, Director, Environmental Hygiene
Oliver Guyther, Attorney

Dr. Marek advised that the purpose of this meeting was to respond to the concerns expressed by Mr. Guyther and others at the Commissioners' meeting of February 3, 1981 relative to the conducting of percolation tests in the county.

At this point Mr. Raum, by way of sketches on the black-board described in detail the Health Department's rationale for their decisions in each instance of the 12 cases cited at the February 3 meeting. In certain instances, Mr. Raum explained alternative solutions concerning percolation tests.

After the conclusion of Mr. Raum's presentation, Mr. Guyther stated that he was not in agreement with some of the explanations, but would discuss these with him after this meeting.

After discussion of the above, Mr. Raum recommended to the Commissioners that in order to avoid future conflicts, that a communication link be established between the Health Department and County Commissioners so that when complaints are received, the Health Department can be informed and then a response given to the Commissioners.

In conclusion, Mr. Raum advised that he would provide the Commissioners with criteria on the establishment of wet season testing and also criteria for testing mound systems and septic systems.

HOSPITAL BOND BILL
REQUEST FOR INCREASE

Present: Bernard Beaven
Paul Hampton

The referenced individuals appeared before the Commissioners to request their submission of legislation increasing the amount of the bond bill for the construction of a new hospital facility from \$12,000,000 to \$14,000,000, and explained the reasons for this request.

The Commissioners advised that they would forward this item to the legislators with the recommendation that it be placed in Category 1 (Items endorsed and recommended by the Board of County Commissioners for pre-filing by legislators.)

MONITORING WELLS
ST. MARY'S COUNTY LANDFILLS

Present: John Norris, County Engineer

Mr. Norris presented schematics showing the proposed locations by the Health Department, the County's consultant, and the Engineering Office for monitoring wells at the St. Andrews, Oakville and Clements Landfills. Mr. Norris indicated that his office's recommendation was not in agreement with that of the consultant or the State and the consultant's recommendation was not in agreement with the State. The net result was that the State is requesting more wells to be installed than either the consultant or the County Engineer recommended.

Mr. Norris requested direction from the Commissioners and they advised that the County would be forced to follow the Health Department's recommendation and share the additional costs.

REQUEST FOR REIMBURSEMENT
ST. MARY'S COUNTY AIRPORT - CONSTRUCTION COSTS

Present: John Norris, County Engineer

Mr. Norris submitted an Outlay Report and Request for Reimbursement for the Construction Costs - \$124,718 from Federal Aviation Administration and \$17,974 from State Aviation Administration.

Commissioner Millison moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign said documents. All Commissioners present voted in favor.

IRREVOCABLE LETTER OF CREDIT
FENWICK MANOR SUBDIVISION)

Present: John Norris, County Engineer

Mr. Norris advised that he has received the Addendum to the Public Works Agreement by and between Hugh and Helen Allston extending the deadline for the completion of the roads in Fenwick Manor Subdivision to February 1982; however, the replacement Irrevocable Letter of Credit has not been received. He stated that if it was not received by Friday, February 27, authorization was needed by the Commissioners to make claim on the Letter of Credit and when it is received, the Commissioners can reverse this decision.

The Commissioners gave their concurrence.

ERRORS IN SHA'S COUNTY/STATE ROAD MAINTENANCE RECORDS

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that individuals requesting loans from federal agencies (FHA) are denied the construction loan if the road does not front on a county or state maintained road. He advised that there were a number of errors in the existing record that the State Highway Administration maintains for St. Mary's County and that the only way the County Engineer's Office could certify to the maintenance of a road would be after a field report is done and verification of its length. He advised the Commissioners that he was anticipating a number of errors in the system and that numerous requests for changes to the records would be processed through them as required.

CORRESPONDENCE TO DEPARTMENT OF NATURAL RESOURCES

Present: John Norris, County Engineer

Mr. Norris presented correspondence for Commissioner President Aud's signature addressed to the Department of Natural Resources, Dredging Division requesting that the project funds for the St. Jeromes Creek dredging project be made available beyond the deadline date of March 1, 1981.

The Commissioners gave their concurrence for the President of the Board to sign said letter.

SITE PLAN APPLICATION - SLUDGE

Present: Frank Gerred, Director, Planning and Zoning
Robin Guyther, Community Development Block Grant Coordinator

Mr. Gerred, for information purposes, reviewed with the Commissioners the application filed by the Steuart Petroleum and Investment Company for a site plan amendment in order to accommodate the transportation, storage and transshipment of sludge. Mr. Gerred stated that a preliminary review schedule has been established by which within 30 days the Technical Evaluation Committee will complete its review in order to forward to the Planning Commission comments.

The Planning Commission will then conduct a public hearing. The tentative date for said public hearing has been set for April 15, 1981. The Planning Commission after its public hearing will forward recommendations to the Board of County Commissioners, and a public hearing will be scheduled and conducted by the Board of County Commissioners.

Mr. Gerred will also inform the Board that he had received "word of mouth" indications that until certain assurances had been met by Stewart Environmental the application had been shelved by the State Health Department.

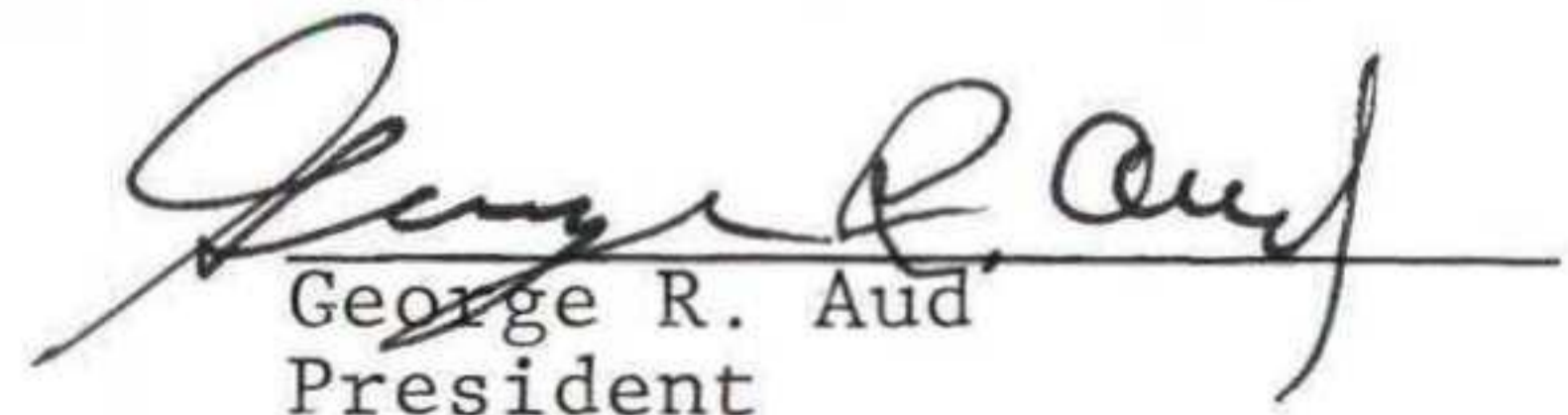
COMMUNITY DEVELOPMENT BLOCK GRANT

Present: Frank Gerred, Director, Planning and Zoning
Robin Guyther, Community Development Block Grant Coordinator

Mr. Guyther reviewed with the Commissioners the status of the County's pre-application and the meeting held in Baltimore on February 23, 1981 at which several county representatives discussed with HUD officials various facets of the application process. It is expected that a determination concerning the County's pre-application will be made by Friday, February 27.

The meeting adjourned at 11:55.

Approved


George R. Aud
President