

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, May 12, 1981

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 10:55 a.m.

FY 1982 BUDGET REVIEW PROCESS

Present: Joseph P. O'Dell, Budget Officer

The Budget Officer presented to the Commissioners correspondence dated May 8 and May 12, 1981 relative to considerations needed concerning budgetary matters. In addition, Commissioner Dean presented a discussion paper setting forth his recommendations relative to the FY '82 Budget. (These were discussed again later in the meeting and the discussion and actions are set forth later in these minutes.)

STSP #81-0414  
Michael Lewis

Present: Frank Gerred, Director, Planning and Zoning  
Robert Taylor, Representative for Mr. Lewis

Mr. Gerred presented the referenced Site Plan in which the applicant requests approval to allow operation of a coal yard on Lot 24, Section 1 of the St. Mary's Industrial Park in the Sixth Election District on Tax Map 34, Block 7, Parcel 548 and is currently zoned I-1, Industrial.

Mr. Gerred stated that the Site Plan was recommended for approval by the Office of Planning and Zoning and the Planning Commission, with the provision that the storage area and buildings not exceed 50 feet in height because of restrictions of the County Airport.

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

PUBLIC HEARING  
PROPOSED APPLICATION FOR FINANCIAL ASSISTANCE  
NON-URBANIZED AREA PUBLIC TRANSPORTATION PROGRAM

Present: Joseph O'Dell, Budget Officer

The Commissioners conducted a public hearing on a proposed application for Federal and State financial assistance under provisions of the Maryland Department of Transportation Non-urbanized Area Public Transportation Program. The proposal is to seek federal and state matching fund assistance for 1980-1981 Fiscal Year and will be locally matched by Mr. Leonard E. Kessler, owner and operator of Kessler Bus Lines. No local tax funds are involved in this proposal.

A tape of the hearing is on file in the Commissioners' Office.

RIGHT-OF-WAY REQUIREMENTS  
MINOR SUBDIVISIONS

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred appeared before the Commissioners to recommend eliminating the 50-foot right-of-way requirement for minor subdivisions and in its place require an access maintenance easement to the lots.

The Commissioners advised that they agreed with the concept in that the County should not require any more land than necessary; however, they did not want to create situations in the future which would preclude the lot owners from bringing the roads into the County Highway Maintenance System.

The Commissioners agreed to review Mr. Gerred's recommendation and to make a decision within a couple of weeks.

ZONING ORDINANCE AUTHORITY  
UNSAFE STRUCTURES

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred requested direction from the Commissioners as to authority granted to his office to declare a structure in the County unsafe. He stated that this authority is granted only after several other agencies have advised that the structure is unsafe, and that it is difficult to get agencies to do this.

After discussion, the Commissioners requested Mr. Gerred to develop a formal process for declaring a structure unsafe and return with a proposal for the Commissioners' review.

COUNTY-OWNED PROPERTY  
REQUEST TO PURCHASE

The Commissioners reviewed the market value appraisal and request justification from Southern Maryland Electric Cooperative relative to approximately one acre of land owned by St. Mary's County as part of the County Airport property. After appropriate discussion, the Commissioners gave their concurrence to approve said request of purchase by Southern Maryland Electric and instructed that the appropriate conveyance documents be prepared.

PORTABLE TOILETS AND TRASH COLLECTION  
PUBLIC WHARVES

On behalf of the Director of Recreation and Parks, the County Administrator presented bid tally sheets for the referenced projects, stating that only one bid was received for each project. It was the recommendation of the Director of Recreation and Parks to award the bids as follows:

Trash Collection at Wharves

Buddy's Disposal Service -	\$45.00	per month at Piney Point (Swann's)
	\$20.00	per month at Smith Creek
	\$24.00	per month at Chaptico Wharf
	\$24.00	per month at Bushwood Wharf
	\$24.00	per month at Colton Point
	\$24.00	per month at River Springs Wharf
	\$24.00	per month at White Neck Creek Wharf
	\$25.00	per month at Forest Landing Boat Ramp

Portable Toilet Rental at Wharves

Banagan's Portable -	\$110	per unit/per month at Piney Point (Swann's)
Toilets	\$110	per unit/per month at Smith Creek
	\$110	per unit/per month at Bushwood Wharf
	\$770	(Blessing of the Fleet)

Commissioner Dean moved, seconded by Commissioner Arnold, to award the bids as recommended by the Director of Recreation and Parks as set forth above. All Commissioners voted in favor. The Commissioners requested the County Administrator to inquire of Mr. Baggett the need for portable toilet facilities at other public locations.

HOUSING AUTHORITY  
PROGRAM MANAGER POSITION  
HOUSING COUNSELOR POSITION

The County Administrator presented a memorandum dated May 12, 1981 from the Personnel Officer requesting to establish and begin the process to fill the Program Manager position, Grade 12, Housing Authority, which is totally funded through FY '82 by a HUD Section 8 Grant.

Also presented was a memorandum dated May 12, 1981 from the Personnel Officer requesting to establish and begin the process to fill the Housing Coordinator position, Grade 8, Housing Authority, which is funded through FY '82 by a HUD, Section 23 Grant.

The Commissioners gave their concurrence for the establishment and filling of these positions contingent upon receipt of the grants.

SHERIFF'S DEPARTMENT OVERTIME

Commissioner Aud moved, seconded by Commissioner Arnold, to approve payment of overtime for the Sheriff's Department for the period of March 29, 1981 through April 24, 1981 as follows: \$639.27 - Regular Deputies; \$62.40 - CID Deputies. All Commissioners voted in favor.

CONTRACT MODIFICATION NO. 1  
COASTAL ZONE MANAGEMENT PROGRAM

The County Administrator presented the referenced Modification to the Contract between the State of Maryland, Department of Natural Resources and St. Mary's County providing funding for the temporary hiring of two interns for the summer for the Coastal Zone Management Program. There will be no cost to the County.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve and sign said Modification No. 1 to the Coastal Zone Management Program Contract. All Commissioners voted in favor.

APPOINTMENT  
LIBRARY BOARD OF TRUSTEES

Commissioner Arnold moved, seconded by Commissioner Dean, to appoint Dr. Robert T. Novotny to the Library Board of Trustees for a term to expire January 1, 1986. All Commissioners voted in favor.

OPTIMIST CLUB OF SEVENTH DISTRICT  
BLESSING OF THE FLEET

The County Administrator presented correspondence from the Optimist Club of the Seventh District requesting assistance by way of equipment and labor used at the County Landfill for the Annual Blessing of the Fleet to be held September 27, 1981.

The Commissioners gave their concurrence.

OFFICE OF AGING  
WAIVER OF FRINGE BENEFIT POLICY

The County Administrator presented a request by the Senior Services Coordinator dated May 8, 1981 that a State CETA employee in the Office of Aging be assured of transfer of fringe benefits as County CETA personnel were granted. The Commissioners gave their concurrence.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' meeting of April 28, 1981 as submitted. All Commissioners voted in favor.

Commissioner Dean moved seconded by Commissioner Arnold to approve the minutes of the Commissioners' meeting of May 5, 1981 as corrected. All Commissioners voted in favor.

OFFICE ON AGING  
AREA PLAN FOR PROGRAMS ON AGING

Present: Billye McGaharn, Senior Services Coordinator

Mrs. McGaharn presented and reviewed with the Commissioners the Area Plan for Programs on Aging for FY '82 (Budget Period from October 1, 1981 through September 30, 1982) - Total Budget for Titles III-A-B-and-C - \$137,330. Mrs. McGaharn distributed copies of the Grant Application and requested a decision by the Commissioners.

The Commissioners agreed to defer a decision until next week's meeting.

ZONING HEARING DECISION DISCUSSION  
GEORGE AND DAVID ADAMS - ZONE #81-0117

Present: George and David Adams, Applicants  
Frank Gerred, Director, Planning and Zoning  
Anita Meridith, Recording Secretary

Having conducted a public hearing on the Application of George and David Adams requesting rezoning of approximately 16.75 acres located on the northeast side of Maryland Route 5, two miles south of Great Mills Road intersection, Eighth Election District, Tax Map 51, Block 21, Parcel 355, from R-2, Residential, to R-1, Residential, to permit gravel extraction, the Commissioners commenced discussion.

Commissioner Dean moved, seconded by Commissioner Millison, to authorize the County Attorney to draft the appropriate Resolution granting the rezoning and that the staff report and the Planning Commission recommendations set forth sufficient basis for approval of the rezoning. Further, that the Rezoning Resolution be returned to the Commissioners for final consideration. All Commissioners voted in favor.

TEXT AMENDMENTS TO THE ZONING ORDINANCE

Present: Frank Gerred, Director, Planning and Zoning  
Anita Meridith, Recording Secretary

Having conducted a public hearing on April 14, 1981 on certain Text Amendments to the Zoning Ordinance, the Commissioners commenced discussion. The proposed changes are as follows:

- (1) Article 40.04  
5. Any yard in a commercial or industrial district...  
DELETE the words "or industrial".
- (2) Article 40.04 - add new paragraph 6 to increase yard requirements to a minimum of 80 ft. in an industrial district adjacent to a residential district and to provide buffer requirements.
- (3) 53.06 EXTRACTION OF NATURAL RESOURCES  
  
Add "When established as a Conditional Use by the Board of Appeals, extraction..."
- (4) 53.06.6 - change to read "Sand and gravel extraction when a permitted use..."
- (5) Schedule of Lot Dimensions - I-1, General Industrial  
Change Minimum Side Yard Requirements to

80/377

and add footnote 7)  
"Abutting residential districts/all other districts."

The full complement of the Board in attendance, Mr. Gerred proceeded to review the purpose and intent of the proposed changes with the members of the Board.

Commissioner Dean asked for a further explanation of that text change relative to sand and gravel extraction. Mr. Gerred responded that the proposed change would simply change the heading in Article 5, where it was a permitted use and also where it applied as a conditional use (existing text does not provide for same). Mr. Gerred stressed that this amendment would simply clarify the text and would not change anything.

Commissioner Dean moved, seconded by Commissioner Arnold, to adopt all of the proposed text changes and requested that the staff draft the appropriate Resolution for the adoption of same.

All Commissioners voted in favor.

FRATERNAL ORDER OF POLICE  
PROMOTION SYSTEM IN SHERIFF'S DEPARTMENT

Present: George Kramer, President  
Greg Capado  
Dick Vorhaar

The referenced representatives from the Fraternal Order of Police appeared before the Commissioners to request that the filling of all positions in the Sheriff's Department be frozen until such time as the promotional system is changed in that they took issue with the criteria and procedures for the promotions. Specifically, the representatives requested a standardized testing procedure for applicants and that the Selection Committee be made up of police personnel from agencies other than the St. Mary's County Sheriff's Department.

The County Administrator pointed out that it appeared that this request is already compatible with the County's Personnel Policies and Procedures and that changes to the Manual may not be necessary.

The Commissioners agreed to withhold a decision on the filling of the positions in the Sheriff's Department for two weeks until such time as a meeting with the Sheriff, the FOP, County Administrator and Personnel Officer is held to review this matter.

LETTER TO DEVELOPER OF WILDEWOOD  
PLANNING AND ZONING FEES

In response to questions and concerns expressed by Mr. Edmund Wettengel, developer of Wildewood Subdivision, regarding a bill from the County Engineer's Office with respect to plans review, Commissioner Dean presented a letter for the Commissioners' review and signatures. The Commissioners agreed to sign and forward said letter.

NURSING HOME BY-LAWS

As a follow up to last week's discussion regarding amendments to the Nursing Home Board of Directors By-Laws, Commissioner Dean presented a copy with his recommended amendments along with a cover letter to the Board of Directors. The Commissioners agreed to review these amendments and if they had any comments, they would contact Commissioner Dean by Thursday. Commissioner Dean stated he would then at that time forward them to the Nursing Home Board of Directors.

BUDGET AMENDMENTS

Present: Joseph P. O'Dell, Budget Officer

Mr. O'Dell presented the following Budget Amendments for the Commissioners' review and approval:

No. 81-49  
County Engineer

Increase Account Nos. 1252-63720 (Villa Road) by \$41,000;  
1243-60620 (Transfer Station Equipment) by \$76,000;  
1252-80120 (Surface Treatment) by \$30,000.

Decrease Account Nos. 1252-62720 (Cloverhill-McIntosh)  
by \$30,000; 1252-69720 (Laurel Grove-Morganza) by \$22,000;  
1252-75720 (Mattapany) by \$40,000.

No. 81-50  
County Engineer

Increase Account No. 1252-80120 (Surface Treatment) by  
\$301,000;

Decrease Account Nos. 1260-10720 (Spring Valley) by \$60,000;  
1260-20120 (Hollywood Shores) by \$104,000; 1260-30120 (Golden  
Beach I) by \$45,000; 1260-40120 (Golden Beach II) by \$20,000;  
1256-62720 (East Essex Townhouses Development) by \$72,000.

No. 81-51  
County Engineer

Increase Account Nos. 1243-60720 (Vehicular Equipment-Replace-  
ment) by \$251,000; 1252-80120 (Surface Treatment) by \$19,000.

Decrease Account No. 1243-60920 (Equipment-Landfill) by  
\$270,000.

No. 81-52  
County Commissioners  
County Administrator

Increase Account Nos. 1011-21110 (Travel) by \$3,000;  
1016-27711 (Salaries-Ethonal Project) by \$7,900;

Decrease Account Nos. 1016-27710 (Research and Special  
Projects) by \$4,500; 1039-11110 (Salaries-General) by  
\$4,000; 1039-31010 (Office Equipment) by \$1,500; 1030-27910  
(Awards and Recognitions) by \$400.

Commissioner Dean moved, seconded by Commissioner Arnold,  
to approve the referenced Budget Amendments 81-49, 81-50, 81-51  
and 81-52. All Commissioners voted in favor.



CORRESPONDENCE TO STATE HIGHWAY ADMINISTRATION  
COUNTY'S HIGHWAY MAINTENANCE ACCOUNT

The Commissioners agreed to forward correspondence to Mr. Raley, Resident Maintenance Engineer, State Highway Administration requesting that the County's Highway Maintenance Program be pared down to realize a savings of \$100,000 in the current year's Budget.

FY '82 BUDGET REVIEW

Present: Joseph P. O'Dell, Budget Officer

Mr. O'Dell reviewed with the Commissioners his correspondence dated May 8, 1981 and May 12, 1981 setting forth certain items to be addressed and decisions to be made with regard to the FY '82 Budget. Final decisions on these items will be made prior to the approval and signing of the Budget on May 26, 1981.

1. With regard to the Draftsman position, County Engineer's Office, referred to in the May 12, 1981 memorandum, the Commissioners agreed that the position is to be supported by project cost accounting and that it would not be a generally funded position.

2. With regard to the School Bus Contractors' request for FY 81-82 for an additional .07¢ per mile, Mr. O'Dell advised that .06¢ will be received from the State. The Commissioners agreed to give consideration for the .01¢ additional and further approved the \$217.00 per school bus for a one-time application, subject to the acquisition of funding sources.

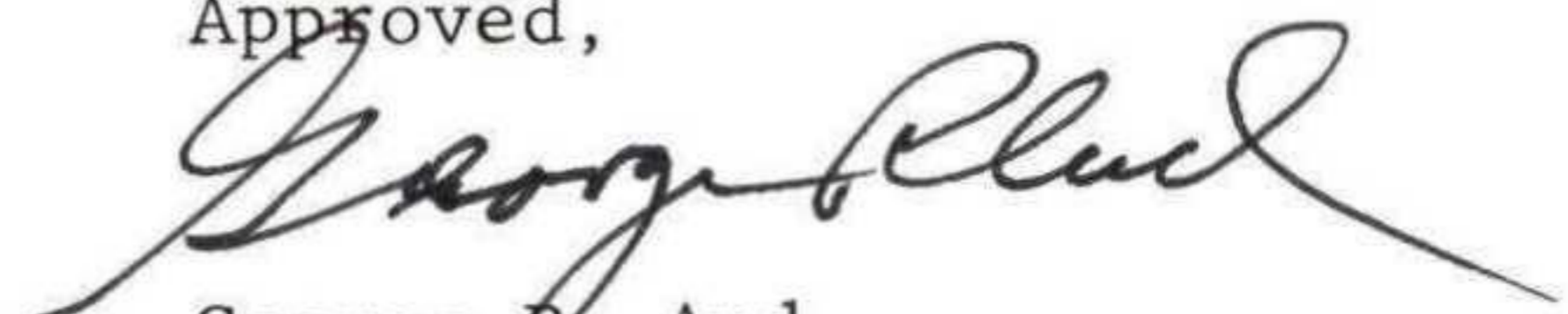
Commissioner Dean reviewed with the Commissioner and the Budget Officer his memorandum dated May 12, 1981 setting forth his comments and recommendations with regard to the FY '82 Budget.

1. With regard to Commissioner Dean's recommendation for the hiring of one additional Jailor for the Sheriff's Department, the Commissioners voted three to two not to fund this position.

2. The remaining items in Commissioner Dean's working paper were reviewed and discussed. Final decisions on these items will be taken into consideration at the time of the review of the overall budget and sources of funding prior to May 26, 1981.

The meeting adjourned at 5:50 p.m.

Approved,



George R. Aud  
President