

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, September 29, 1981

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).

The meeting was called to order at 9:15 a.m.

APPROVAL OF VOUCHERS

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

SHIPPING POINT SITE ADVISORY COMMITTEE
RECOMMENDATIONS

Present: David Hammett, Chairman
Tom Hodges, Member
George Smith, Member
Edward V. Cox, Member
Joseph P. O'Dell, Member
Frank Gerred, Member
Billye McGaharn, Member
Jim Chmelik, Deputy Director, State Office on Aging
Lou Huber, Consultant
William Simpson (adjacent property owner)

The Shipping Point Site Advisory Committee, which had been appointed by the Commissioners to determine the feasibility of the Shipping Point property for housing for the elderly as stipulated in the Will of Bruce Colton, appeared before the Commissioners to present its recommendations. Mr. Hammett stated that the Committee has met with the State Office on Aging on several occasions and therefore presented a prepared Draft Program Definition Report which illustrated potential uses of the property to meet the needs of the elderly in the tri-county area. He stated that the Committee was in unanimous agreement with the submitted report, and it was the recommendation of the Committee to recommend to the Governor acceptance of the Shipping Point Property for development of housing for the elderly and further that the Committee remain established to act as liaison with the State during the development process.

SHIPPING POINT SITE ADVISORY COMMITTEE (Cont'd.)

Mr. Huber, consultant for the Office on Aging, went on to explain the recommendations as set forth in the report:

1. Life Care Community - This would be the basic starting point, beginning with 100 living units and would include heavy housekeeping, at least one meal per day at a community center and various recreational and other activities. There would be an entrance fee as well as a monthly maintenance fee.
2. 60-Unit Nursing Home - This would not only provide for the needs of the Life-Care Community but for citizens in need of nursing home care in the tri-county area, particularly since the nursing home in the County has been operating at its full capacity.
3. Elderly Day Care Center - This would allow working family members to leave their elderly family member during the day to be picked up in the evening. He stated that possibly bus transportation could be provided.
4. Independent Housing and Shelter Housing for Low-Income Elderly - Because of the current administration in Washington, receiving funds from the Federal Government for this type of project may be difficult. If Section 202 or Section 8 housing funds are available this could be an additional housing project for this property.

In response to questions regarding funding and administration of the Life Care Community, Mr. Huber stated that it is recommended that the entire complex be operated by a non-profit corporation. Funds received from the Colton Will could be used to start the project.

Mr. Chmelik advised that if the State did accept the property the State Office on Aging would be designated as the lead agency and he would work with the Advisory Committee in seeing the project through.

In conclusion, the Commissioners agreed to accept the recommendation of the Advisory Committee and requested the County Administrator to prepare correspondence to the Governor recommending acceptance of the Shipping Point Site for the State to develop housing for the elderly in accordance with the Will of Bruce Colton.

PROVISION OF SEWAGE CAPACITY TO THE GOVERNMENTAL CENTER PROPERTY

Present: John Norris, County Engineer
Mike Marlay, Metropolitan Commission
Steve King, Metropolitan Commission
Betty Russell, Leonardtown Commissioner
Fayreen Mattingly, Leonardtown Commissioner
Suzanne Henderson, Leonardtown Commissioner
Ray Hall, Leonardtown Commissioner
Dickie Duke, Leonardtown Commissioner

The County Engineer explained to those in attendance plans now in development stage for a Social Services facility, a senior service center, and the establishment of a county central library at the vacated Armory. One of the central issues related to the above projects is the provision of sewage capacity which has been defined as non-existent. It is therefore necessary that the Leonardtown Commissioners and the County Commissioners agree as to a future course of action. Steven King of the Metropolitan Commission was requested to describe the current plans of the Town to expand sewage lines to the North of Leonardtown (Plan #1) and to present an alternative (Plan #2) which would serve not only the North of Leonardtown but East in order to solve the Governmental Center problems and provide for future Town expansion in that direction.

Mr. King explained the costs and related details associated with each of the plans.

After some discussion, the Town Commissioners and the County Commissioners agreed to meet again with the understanding that there is a short time constraint upon the Town of Leonardtown for making a decision in this matter.

COMMENDATION TO MIKE MARLAY

Present: Mike Marlay, Director, Metropolitan Commission

In light of the retirement of Mr. Marlay as Director of the Metropolitan Commission, the Commissioners presented a Commendation expressing their appreciation for his dedication to St. Mary's County.

ROADSIDE HERBICIDE SPRAYING

Present: Erik Jansson
John Norris, County Engineer

Mr. Jansson appeared before the Commissioners to express opposition to the use of herbicide for the eradication of vegetation along the roadsides and recommended the return to the use of the rotary mower. He stated that his opposition is based on studies by Friends of the Earth which indicated that the

ROADSIDE HERBICIDE SPRAYING (Cont'd.)

herbicide is a health hazard and appears to cause miscarriages, sterility and cancer. Other areas affected where herbicides are used are low tobacco yields and a danger to fish.

The County Engineer advised that the State Highway Administration sprays county roads as well as State roads. Therefore, the Commissioners suggested that State Highway personnel appear before the Board to discuss the matter and explain what chemicals are being used. Mr. Norris was requested to arrange this meeting.

CARDIAC RESCUE TECHNICIAN PROGRAM
ADVANCED LIFE SUPPORT PROGRAM

Present: Tom Oliver, Director, EOC
Ellen Hewitt, EMS
Marie Warner, Regional Coordinator

Mrs. Hewitt advised the Commissioners that the grant application for the referenced project submitted to the U.S. Department of Health and Human Services was approved for the training and equipment but not for the CRT Coordinator position. Inasmuch as the Coordinator is essential in the organization of the Advanced Life Support Program, Mrs. Hewitt requested consideration by the Commissioners for funding of this position.

After discussion, the Commissioners indicated their support and directed the County Administrator, Director of EOC and the Personnel Officer review this request and make a recommendation to the Commissioners.

FY 1981 COUNTY AUDIT REVIEW

Present: Bill Anderson, Wooden & Benson
Ron Fudge, Wooden & Benson
Joseph O'Dell, Director of Budget and Data Services

The auditors from the firm of Wooden & Benson reviewed with the Commissioners the Accounts' Report/Financial Statements and Supplemental Information dated June 30, 1981. At the conclusion of the Report, Mr. Anderson stated that based upon the combined balance sheets, the County is in excellent condition and complimented the Commissioners and staff on a job well done.

ESPERANZA FARMS
ADDENDUM TO PUBLIC WORKS AGREEMENT

Present: John Norris, County Engineer

Mr. Norris presented the Addendum to the Public Works Agreement by and between Robert G., Margaret C. Franklin W., and Mary G.

ESPERANZA FARMS (Cont'd.)

Dean and St. Mary's County, extending the deadline for the completion of the roads in Esperanza Farms, Sections 2-F and 3-b, Eighth Election District to June 30, 1982.

Commissioner Sayre moved, seconded by Commissioner Arnold, to accept said Addendum and authorize Commissioner President Aud to sign same.

WOODLAND SUBDIVISION
REAFFIRMATION OF WAIVER OF URBAN STREET SECTION
OF ROAD ORDINANCE

Present: John Norris, County Engineer

As suggested by the County Engineer, it was the consensus of the Commissioners to reaffirm the waiver of the Urban Street Section of the Road Ordinance for Woodland Subdivision even though the density had been increased from 12 lots to 16 and the road frontage decreased from 150 feet to 103 feet. The County will, therefore, accept rural streets for this subdivision. Commissioner Dean abstained in this matter.

VALLEY DRIVE ESTATES
WAIVER OF ROAD ORDINANCE STANDARDS

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the developer for Valley Drive Estates had been granted a private drive access 25 feet in width curb to curb by the Planning Commission. Mr. Norris requested that the Commissioner allow a waiver of the County Road Ordinance standards to permit the 30 foot curb to curb street section as Valley Drive has the same section and is to be a public street. He stated that the decision on the private versus the public street at this time still rests with the developer based on Planning Commission approval.

The Commissioners gave their concurrence for the waiver; however, Commissioner Dean abstained.

COUNTRY LAKES SUBDIVISION
EXPIRATION OF PERSONAL SURETY

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the personal surety in the amount of \$600,000 for the referenced subdivision expired on September 27, 1981, and further stated that he had been in contact with the developer who has indicated his intent to complete the construction items on the streets that have been asphalted and then turn them over to the County. Mr. Norris

COUNTRY LAKES SUBDIVISION
EXPIRATION OF PERSONAL SURETY (Cont'd.)

stated that this action would result in a lower bond value for the project. The Commissioners directed Mr. Norris to prepare the necessary documents for the extension of the bond and return to the Commissioners with the reduced bond amount. Commissioner Dean reaffirmed his opposition to personal sureties.

SOIL EROSION PROBLEM
OFF OF MD. RT. 245

Present: John Norris, County Engineer

Mr. Norris stated that with regard to the storm water run off problem causing soil erosion off of Md. Rt. 245, adjacent to the Governmental Center, correspondence was received from John Hall, Soil Conservation Service, stating his office has inspected the property. Mr. Hall advised that this type of area stabilization is eligible for consideration as an RC&D project and if the county would sponsor, his office would make the recommendation. Mr. Norris stated that the better of the two alternatives would be piping rather than roadside rip rap. The costs would be 75% (Federal) and 25% (Local) and Mr. Norris recommended encouraging the State Highway Administration to participate in the 25% local share. Mr. Norris was directed to prepare correspondence to the State making this request and further to prepare the proposal for the RC&D project.

CONTRACT FOR SERVICES - PROJECT #SM 82-1-3
EXPIRED DRIVEWAY ENTRANCE PERMITS

Present: John Norris, County Engineer

Mr. Norris presented the contract Agreement dated September 21, 1981 by and between Copenhaver Asphalt Service and St. Mary's County Commissioners for the completion of driveway entrances and related construction items in the amount of \$19,563. In addition, he presented the Release and Assignment Agreements by and between St. Mary's County and Western Surety Company of Sioux Falls, South Dakota for receipt of checks for all but twelve of the 50+ driveways that the County is involved with.

Commissioner Dean moved, seconded by Commissioner Aud, to authorize Commissioner President Aud to sign said contract with Copenhaver. All Commissioners voted in favor.

Commissioner Dean moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign the Release and Assignment Agreements by and between St. Mary's County and Western Surety Company of Sioux Falls, South Dakota. All Commissioners voted in favor.

ST. GEORGE'S CREEK DREDGING

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that correspondence dated September 17, 1981 was received from the Tidewater Administration confirming their verbal commitment to include funds for the referenced project in the Waterway Improvement budget for FY '83. This would allow the county to be reimbursed for the construction cost July 1, 1982 following legislative approval of the budget. The reimbursement to the County would be contingent upon this legislative approval.

The Commissioners directed the County Administrator to prepare correspondence to our Legislative Delegation requesting their support of this project.

Commissioner Sayre moved, seconded by Commissioner Dean, to authorize Commissioner President Aud, to sign the plans for the Dredging of St. George's Creek as recommended by the County Engineer. All Commissioners voted in favor.

EMERGENCY OPERATIONS CENTER
CENTRAL COMMUNICATIONS OPERATOR I

The County Administrator presented correspondence from the Personnel Officer requesting authority to begin the hiring process to fill the Central Communications Operator I, Grade 8.

Commissioner Aud moved, seconded by Commissioner Sayre, to approve the filling of the referenced vacancy. All Commissioners voted in favor.

OFFICE ON AGING POSITIONS
CLERK TYPIST AND BENEFITS COUNSELOR

The County Administrator presented correspondence from the Personnel Officer requesting authority to begin the hiring process to fill a Clerk Typist position, Grade 5, and Benefits Counselor position, Grade 6 in the Office on Aging.

Commissioner Aud moved, seconded by Commissioner Sayre, to approve these two positions. All Commissioners voted in favor.

MODERNIZATION TECHNICAL COORDINATOR POSITION
HOUSING AUTHORITY

Present: Joe Mitchell, Public Housing Coordinator

Mr. Mitchell advised the Commissioners that Elmer Brown has served as Acting Program Manager for Tubman Douglas under an IPA Grant which will terminate on September 30. He stated

MODERNIZATION TECHNICAL COORDINATOR POSITION (Cont'd.)

that funds are available in the Modernization Program for a Modernization Technical Coordinator position and requested approval from the Commissioners to hire Mr. Brown to that position in order to allow him to continue the work he is doing at Tubman Douglas. Mr. Mitchell stated that only grant funds would be involved.

The Commissioners gave their concurrence to hire Mr. Brown in the referenced capacity, effective October 1, 1981 at the rate of \$9.00 per hour. A personal service contract will be prepared for Commissioner President Aud's signature.

EXECUTIVE SESSION

Present: Billye McGaharn, Senior Services Coordinator
Joseph O'Dell, Director of Budget and Data Services

The Commissioners agreed to meet in Executive Session in order to discuss a matter of personnel. The Session was held from 1:25 p.m. to 1:40 p.m.

ORDINANCE NO. 81-75
AGRICULTURAL LAND PRESERVATION DISTRICT
WILLIAM D. BOYD, SR.
FOURTH ELECTION DISTRICT

The County Administrator presented the referenced Ordinance establishing an Agricultural Land Preservation District for William D. Boyd, Sr. Commissioner Aud moved, seconded by Commissioner Arnold, to approve and sign said Ordinance. All Commissioners voted in favor.

ELMS PROPERTY - POWER PLANT SITING PROGRAM

The County Administrator reviewed correspondence from the Energy Administration regarding the public hearing for the acquisition of 20 acres of the Elms Property by the Power Plant Siting Program. The County Administrator recommended that the Commissioners voice no objection to the sale of this property. The Commissioners gave their concurrence.

LEASE AGREEMENT AND ADDENDUM
ELMS ENVIRONMENTAL EDUCATION CENTER

The County Administrator presented the Lease and Addendum by and between the Department of Natural Resources and St. Mary's County for a portion of the Elms property designated for the Environmental Education Center.

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

ZONING AMENDMENT Z81-13
LEONARD SOMERVILLE (CLEMENTS RSC)
ZONE #81-0300

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and sign Zoning Amendment No. Z81-13 granting the Rural Service Center (RSC) for the Clements area. All Commissioners voted in favor.

RESOLUTION NO. Z-81-76
ADDITIONAL REZONINGS TO CL-0

Commissioner Dean moved, seconded by Commissioner Aud, to approve Resolution No. 81-76 for the comprehensive zoning of certain properties in the California area and to amend the zoning maps accordingly. All Commissioners voted in favor.

LEASE AGREEMENT - ST. JAMES KENNELS

The County Administrator advised the Commissioners that currently the County pays \$3600 per year for four kennels at St. James Kennels and recommended reducing the amount to \$1800 for two kennels.

The Commissioners gave their concurrence and agreed to sign the revised lease effective January 1, 1982.

BUDGET AMENDMENT NO. 81-12
RECREATION AND PARKS - COUNTY ENGINEER

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

Increase

The transfer from the General Fund to the Capital Projects funds is hereby approved by the Board of County Commissioners in the amount of \$1,851,870 effective with the year ending June 30, 1981.

Decrease

Based on audit adjustments to fiscal year ending June 30, 1981, the balance accounts have been reduced from General Ledger balances.

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

RESOLUTION NO. 81-74

PAYMENT IN LIEU OF TAXES - HOME FOR THE ELDERLY, II, INC.

Commissioner Aud moved, seconded by Commissioner Sayre, to sign and approve Resolution No. 81-74 - Payment in Lieu of Taxes for the Home for the Elderly in the amount of \$697.89, per annum. All Commissioners voted in favor.

BOND ANTICIPATION NOTES - CO-PAYING AGENT

The County Administrator presented a memorandum from the Budget Officer dated September 24, 1981 recommending the inclusion of Mercantile Trust of Baltimore as the co-paying agent for the upcoming Bond Anticipation Notes. This will afford the potential bond anticipation note holders the opportunity to receive their interest in Baltimore as well as in the County.

VANS FOR TRANSPORTATION OF THE ELDERLY

The County Administrator advised that bids have been received on the purchase of two vans for transportation of the elderly for the Office on Aging. The lowest bidder was Fenwick Ford in the amount of \$23,986.96. \$20,800 has been budgeted for this purpose and therefore a budget transfer is necessary in the additional amount of \$3,186.96.

Commissioner Sayre moved, seconded by Commissioner Arnold, to accept the bid from Fenwick Ford as set forth above and further to approve the appropriate transfer of funds, contingent upon approval of the grant for this project. All Commissioners present voted in favor.

OFFICE ON AGING

NOTIFICATION OF GRANT AWARD (INTERIM)

TITLE III-B, III-C-1, and III-C-2

On behalf of the Senior Services Coordinator, the County Administrator presented the following Interim Notification of Grant Awards:

Title III-B - For the period of October 1, 1981 through September 30, 1982 in the amount of \$19,789 (total project cost: \$45,475);

Title III-C-1 - For the period October 1, 1981 through September 30, 1982 in the amount of \$37,338 (Total project cost: \$84,974);

Title III-C-2 - For the period October 1, 1981 through September 30, 1982 in the amount of \$4,672 (Total project cost: \$11,200).

NOTIFICATION OF GRANT AWARD (INTERIM) (Cont'd.)

Commissioner Arnold moved, seconded by Commissioner Dean, to approve and authorize Commissioner President Aud to sign said Notifications of Grant Award. All Commissioners voted in favor.

OFFICE ON AGING
TITLE III-B GRANT APPLICATION (REVISED)

The County Administrator presented the referenced Grant Application in the amount of \$66,102 for the completion of the Fiscal Year ending September 30, 1981.

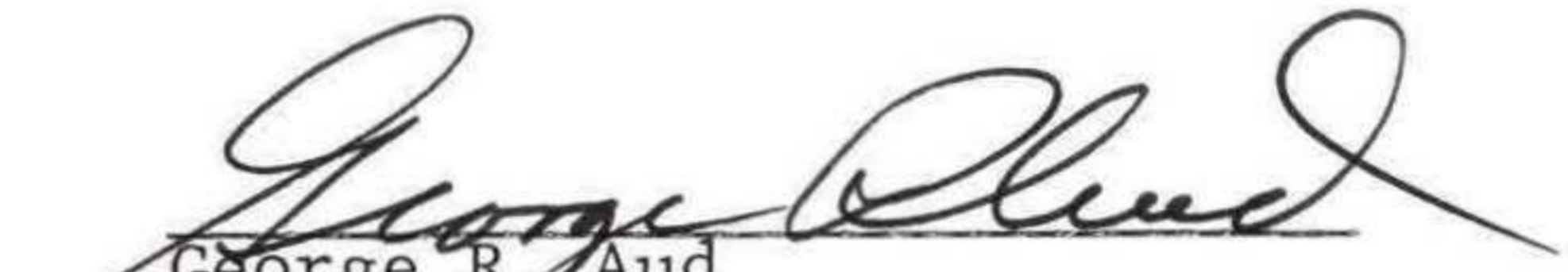
Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign said Grant Application. All Commissioners voted in favor.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the County Commissioners' meeting of September 22, 1981. All Commissioners voted in favor.

The meeting adjourned at 3:30 p.m.

Approved,


George R. Aud
President