

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, August 10, 1982

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

(Commissioner Sayre was not present at the beginning of the meeting.)

APPROVAL OF BILLS

Commissioner Aud moved, seconded by Commissioner Millison, to approve payment of the bills (partial payments under the old voucher system) as submitted by the Director of Finance. Motion unanimously carried.

Commissioner Millison moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign the computer printout ledger (listing vouchers under the new system) as submitted by the Director of Finance. Motion unanimously carried.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' meeting of Tuesday, July 27, 1982 as submitted. Motion unanimously carried.

CONTINUATION OF LEGAL SERVICES  
PROTECTION OF PATUXENT RIVER

The County Administrator reviewed correspondence dated July 14, 1982 from the Tri-County Council regarding the continuation of legal services for the protection of the Patuxent River. He stated that Calvert and Charles Counties have agreed to participate in the funding for an additional six months and a decision is needed by St. Mary's County as to participation.

After discussion, the Commissioners gave their concurrence in participating in the continuation of legal services for an additional six months.

NOTIFICATION OF GRANT AWARDS

The County Administrator explained that because of timing in returning the signed Notification of Grant Awards for the Office on Aging, consent was received from three Commissioners to authorize Commissioner President Aud to sign said NGA's on August 4, 1982. This action should be reflected in the minutes. Commissioner Dean moved, seconded by Commissioner Arnold and unanimously carried, to concur in the signing of the Notification of Grant Awards for the Office on Aging as follows:

Sheltered Housing -	7/1/82 - 6/30/83	-	\$8,000
Title III-B	10/1/81 - 9/30/82	-	\$48,852
Title III-C1	10/1/81 - 9/30/82	-	\$86,501
Title III-C2	10/1/81 - 9/30/82	-	\$12,788

RESOLUTION NO. R82-19  
BRETON BAY SHORE EROSION CONTROL DISTRICT

Having conducted a public hearing on July 13, 1982 on the establishment of the Breton Bay Estates Shore Erosion Control District, Commissioner Dean moved, seconded by Commissioner Millison, and unanimously carried, to approve and sign Resolution N. R82-19 which levies the following taxes on the assessable property:

Group A - Lots 1-14 and Parcel 1 fronting on Breton Bay and adjoining Lot 1 - \$413.97 per year

Group B - Lots 15 through 25 - \$137.99 per year

DEPARTMENT OF AGRICULTURE  
AGREEMENT FOR ERADICATION OF JOHNSONGRASS

The County Administrator presented an Agreement dated July 1, 1982 between Maryland Department of Agriculture and St. Mary's County for the purpose of allocating funds and providing a program for the eradication of Johnsongrass. Commissioner Millison moved, seconded by Commissioner Dean, to approve and authorize Commissioner President Aud to sign said Agreement. Motion unanimously carried.

ST. CLEMENTS ISLAND - POTOMAC MUSEUM EMPLOYEES

As a follow up to the Commissioners decision on July 13, 1982 to include two museum employees (Michael Humphries and Christine Clarke) as county employees, Commissioner Dean moved, seconded by Commissioner Aud, to approve the terms of the Employment Contracts prepared by the Personnel Officer as follows:

Michael Humphries (Museum Director) - Grade 14-3

Christine Clarke (Educational Curator) - Grade 11-2

REQUEST TO ESTABLISH AND HIRE  
INFORMATION AND REFERRAL COORDINATOR (PROJECT GATEWAY I)  
OFFICE ON AGING

As per the memorandum dated August 9, 1982 from the Personnel Officer, the Commissioners gave their concurrence to establish the referenced position (Grade 5) and beginning the advertising and recruiting process.

PAY SCALE FOR MINIMUM WAGE EMPLOYEES

The Commissioners reviewed a memorandum dated July 19, 1982 from the Personnel Officer establishing a pay scale for all employees receiving the minimum wage (currently Landfill employees and Office on Aging employees) effective July 1, 1982.

Commissioner Arnold moved, seconded by Commissioner Aud, to approve the establishment of said scale. Motion unanimously carried.

CLEARINGHOUSE PROJECTS

PROJECT NO. 82-6-697  
DEPARTMENT OF NATURAL RESOURCES - TIDEWATER ADMINISTRATION  
FISH ENVIRONMENTAL ASSESSMENT

PROJECT NO. 82-7-759  
TRI-COUNTY COMMUNITY ACTION COMMITTEE  
SENIOR COMPANION PROGRAM

PROJECT NO. 82-7-748  
HUD FY 82 SECTION 202 DIRECT LOAN  
8 APPLICATIONS FOR ELDERLY AND HANDICAPPED HOUSING

The County Administrator presented the referenced clearing-house projects and recommended that they be forwarded to the State with the comment that the projects are not inconsistent with this Agency's plans, programs or objectives.

The Commissioners gave their concurrence.

(Commissioner Sayre entered the meeting.)

ZONING AMENDMENT RESOLUTION NO. Z82-20  
WILLIAM R. WIRTH - ZONE NO. 82-0040

(Requesting rezoning of 6.8 acres of a 167.52 acre parcel located on Md. Rt. 246, Great Mills Rd., Eighth Election District on Tax Map 51, Block 8, Parcel 384, from R-2, Low Density Urban Residential to C-2, Extensive Highway Commercial.)

(Commissioner Millison did not participate in that he did not participate in the hearing because of possible conflict of interest.)

Having conducted a public hearing on May 18, 1982 and subsequent decision discussions on the referenced rezoning application, Commissioner Dean moved, seconded by Commissioner Aud, to approve and sign Zoning Amendment Resolution No. Z82-20 DENYING said Application. The vote was three to one with Commissioner Arnold voting against the motion.

STATE HEALTH DEPARTMENT STANDARDS REVIEW TEAM  
EXAMINATION OF ST. MARY'S COUNTY HEALTH DEPARTMENT

The County Administrator advised the Commissioners that the State Department of Health and Mental Hygiene Standards Review Team will be examining the St. Mary's County Health Department on August 11 and it is requested that one or more of the Commissioners be present. Commissioner Aud advised that he would attend on behalf of the Commissioners and meet the State officials.

(Commissioner Sayre left the meeting.)

PRESENTATION OF BIDS  
SMITH CREEK - BOAT LAUNCHING RAMP CONSTRUCTION

Mr. Baggett advised the Commissioners that the referenced project had been advertised for bids and because the proposals received were too high, the specifications were modified and new proposals solicited. Therefore, Mr. Baggett requested the Commissioners to reject the original bids and to accept the bid from Colliflower & Peterson, the lowest bidder in the amount of \$24,500.

Commissioner Aud moved, seconded by Commissioner Dean, to reject the first set of bids and further to accept the negotiated bid of Colliflower and Peterson as set forth above. Motion unanimously carried.

PRESENTATION OF PROPOSALS  
SMITH CREEK - DREDGING

Present: John Baggett, Director, Recreation & Parks

Mr. Baggett advised that the referenced project was put out on bids and only one bid was received; i.e., John O. Crandell, which was over the estimated amount. Therefore, the project was rebid, with the lowest bidder being Raymond Woodburn in the amount of \$15,000. Mr. Baggett requested the Commissioners to reject the first bid and further to accept the bid from Raymond Woodburn as set forth above.

Commissioner Aud moved, seconded by Commissioner Dean, to accept Mr. Baggett's recommendation as set forth above. Motion unanimously carried.

PRESENTATION OF BIDS  
ONE-TON DUMPTRUCK

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented the bid tally sheets for the purchase of a one-ton dump truck with bids as follows:

Fenwick Ford	-	\$12,999.80 (1983)
		\$12,612.80 (1982)
Aldridge Ford	-	\$13,466.00 (1982)
Bell Motor Company	-	\$12,147.00 (1983)*

\*Wheel base is one and one-half (1½) inches shorter than specifications called for.)

After discussion, Commissioner Aud moved, seconded by Commissioner Millison to reject all bids, that Mr. Baggett modify the specifications and solicit new proposals within a week. Motion unanimously carried.

LAUREL GROVE PARK - 235 DUALIZATION

Present: John Baggett, Director, Recreation and Parks

DIVERSION DITCH - Mr. Baggett reported that in the dualization of Md. Rt. 235 in front of the Laurel Grove Park, he discovered that the State Highway Administration had ordered the construction of a diversion ditch. He stated that after a conversation with Commissioner President Aud, Mr. Baggett requested that this not be done without permission in that the park is county property. Mr. Baggett advised that evidently the ditch was formed up and poured without county permission.

PARK ENTRANCE DESIGN - Mr. Baggett advised that the park entrance design did not provide for large enough turning radius and was of the opinion that SHA should enlarge it. Further he stated that it appeared that both patrons of the 235 Diner and the park are using the park entrance road and it was not wide enough to accommodate two cars and, therefore, the road should be widened. The Commissioners noted that they were aware of a parking problem being created by patrons of the Diner along the deceleration lane and entrance to the park.

Later in the meeting, the Commissioners discussed the above referenced problems with John Norris, County Engineer, to go to the site and determine whether there is any adverse affect resulting from the ditch. Further, Mr. Norris was requested to look at the road width and parking situation and advise them of his findings.

INDUSTRIAL DEVELOPMENT REVENUE BOND FINANCING  
MATTINGLY DISTRIBUTORS

Present: William R. Mattingly, applicant  
David W. Morgan, Economic Development Coordinator

Mr. Morgan explained that the purpose of this meeting was to seek the Commissioners' approval in the issuance of Industrial Revenue Bonds in an amount not to exceed \$250,000 for the construction of an additional building for a warehouse and office space of an existing business. The building will be located on the east side of Md. Rt. 5, south of New Market. Mr. Mattingly stated that the site plan has been approved and there are firms prepared to bid on the project.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, to approve the request and directed that the appropriate inducement resolution be prepared for their consideration of approval. Motion unanimously carried.

INTRODUCTION  
COMMANDER OF LEONARDTOWN BARRACKS  
MARYLAND STATE POLICE

Present: Lt. Richard Stufft

Lt. Richard Stufft appeared before the Commissioners to introduce himself to the Commissioners as the new Commander of the Leonardtown Barracks of the Maryland State Police. After discussion of mutual areas of concern, the Commissioners offered their assistance to Lt. Stufft in any way possible.

AMERICAN WIND SYMPHONY ORCHESTRA

Present: Betty Wilson, Coordinator  
Dave Morgan, Economic Development Coordinator

As a follow up to previous discussion on July 20, 1982, Mrs. Wilson appeared before the Commissioners to present a progress report on the possibility of having the American Wind Symphony Orchestra perform next summer in St. Mary's County. She stated that a tentative schedule of June 9, 10, and 11 has been set if their efforts are successful. Mrs. Wilson advised that the cost of this program is \$15,000 and that the conductor of the Orchestra is requesting an initial \$3,000 (earnest money) and an additional sum of \$1,500 in 90

days, which is their normal requirement. She stated that she would make attempts to get these payments reversed and requested a financial pledge from the Commissioners to assist in obtaining the Orchestra, with the balance to be raised in the Community.

The Commissioners advised that they would make a decision with regard to this request at a later meeting.

DRUG ABUSE TASK FORCE  
PRESENTATION OF RECOMMENDATIONS

Present: Edward V. Cox, Chairman  
Sue Gelrud  
Harry Lancaster, Jr.  
Dr. Larry Lorton  
Dr. William Marek  
Elizabeth Sally Raley  
Patty Runco

The referenced representatives of the Drug Abuse Task Force appeared before the Commissioners to present a final report and recommendations regarding administration of the drug abuse program in St. Mary's County. In June the Commissioners had appointed the Task Force and charged them with the responsibility of determining how the program would be managed as a single county program in that Charles and Calvert County had made the decision to disband as a tri-county program.

Mr. Cox read the August 10 letter addressed to the Commissioners in which it was recommended that administrative model be the Private, Civic, Not-for-Profit Corporation, to be formed by the current members of the Walden Advisory Commission. Mrs. Gelrud stated that it was the consensus of the Committee that this was the best alternative so that the services of Walden Counseling Center and Sierra House could continue without disruption to the clients. Deadline for submission of the budget to the State is October 2 and it was noted that there would be no increase in funding from the County. Due to the time element several logistical matters have not been pursued; however, if the administrative model is approved by the Commissioners, the formed corporation would negotiate with the County the specific details.

After discussion, the Commissioners advised that they concurred with the concept of the recommendations; however, they would make a final decision at next week's meeting, after reading the report in its entirety.

COUNTY ENGINEER'S ITEMS

Present: John Norris, County Engineer

LONDONTOWN SUBDIVISION

Mr. Norris presented correspondence dated July 6, 1982 addressed to Daniel J. Guenther setting forth the County's and the developer's responsibilities in the design and construction of the storm drainage system from the Leonardtown Subdivision to the outfall in Spring Valley. Concurrence is needed by the Board regarding these responsibilities.

Commissioner Aud moved, seconded by Commissioner Millison to concur with the specifics set forth in the July 6, 1982 letter. Motion unanimously carried.

PUBLIC WORKS AGREEMENT  
HOLLY HILL - WILDEWOOD SUBDIVISION

Mr. Norris presented Public Works Agreement with attached appropriate bonding, for the Holly Hill Section of the Wildewood Subdivision, Neighborhood 3, Cluster Two.

1. Dated June 25, 1982 by and between Paragon Builders, Inc. and St. Mary's County, Maryland guaranteeing the construction of Wildewood Parkway;

2. Dated June 25, 1982 by and between Paragon Builders Inc. and St. Mary's County, Maryland guaranteeing the construction of Holly Hill Lane.

The Commissioners gave their concurrence in approval and accepting said Public Works Agreement. (Commissioner Dean abstained.)

EASEMENT AGREEMENT  
PLACID HARBOR (STSP 81-0592)

Mr. Norris presented an Easement Agreement and Letter of Credit in the amount of \$31,000 with the International Association of Machinists and Aerospace Workers guaranteeing the construction of the storm drainage at Placid Harbor. Said Easement Agreement conveys to the County the right of entry to maintain, repair or replace the storm drains.

Commissioner Millison moved, seconded by Commissioner Arnold to accept and approve said Easement Agreement and Letter of Credit. Motion unanimously carried.

COUNTRY LAKES SUBDIVISION  
DEEDS OF ACCEPTANCE

The County Engineer submitted a Deed dated August 10, 1982 by and between Country Lakes, a Maryland Partnership, and the Board of County Commissioners of St. Mary's County conveying to the County the following roads in Country Lakes Subdivision, Fourth Election District: Asher Road, Kelli Court, Tintop School Road, and Heathcourt.

Commissioner Millison moved, seconded by Commissioner Aud, to accept said Deed. Motion unanimously carried.

FENWICK MANOR SUBDIVISION

Mr. Norris advised that the First National Bank is in the process of transmitting a \$28,000 Letter of Credit for the completion of the work in Fenwick Manor Subdivision. Concurrence is needed by the Board that the St. Mary's County will complete the work and if so, using the Asphalt Contractor, Somar. The Commissioners gave their concurrence.

ROAD RESOLUTION NO. R82-15  
CEDAR LANE APARTMENTS

Mr. Norris advised that his office has received request for a "No Parking" zone between the two driveways at the Cedar Lane Apartments, and therefore presented Road Resolution No. 82-15.

Commissioner Dean moved, seconded by Commissioner Arnold, establishing a "No Parking" zone on Cedar Lane between the two entrances to the Home for the Elderly. Motion unanimously carried.

McINTOSH ROAD AND BRIDGE RECONSTRUCTION

Mr. Norris advised the Commissioners that he anticipated receiving approval from the Federal Highway Administration/State Highway Administration on the referenced project this coming week. The estimate for the cost of the construction of the bridge and relative approaches is \$462,000. \$300,000 will be received in Federal funds as a minimum.

The estimate for the cost of the construction of the roadway is \$408,000. Approximately 75% of the cost will be reimbursed in highway aid funds. Mr. Norris requested that he be authorized to bid the sub-contracts on the project and to do the preparatory work with the rental contractor. He advised that the Federal Highway Administration/State Highway Administration has been requested to waive the Minority Business Enterprise requirement for most of the contracts. The County has requested the State Highway Administration to utilize Certification Acceptance procedures with the contract. Mr. Norris advised that the following budgetary transfers to the McIntosh Road and Bridge account would be required:

Decrease Villa Road by \$61,065  
Decrease Mattapan Rd. by \$134,073

The remaining funds, approximately \$21,000 will come from this fiscal year's asphalt overlay account. Mr. Norris further advised that the Committee working with the Mattapan Road Reconstruction Project are in agreement with the delay of the project.

Commissioner Arnold moved, seconded by Commissioner Dean, to accept Mr. Norris' recommendations. Motion unanimously carried.

LEONARDTOWN ARMORY/LIBRARY CONVERSION

Mr. Norris advised the Commissioners that a fully executed copy of the 25-year lease on the Leonardtown Armory for conversion into a Library has been received. He further advised that he had not to date received final assurance from the Department of Housing and Urban Development on the grant for the improvement of Tudor Hall wherein the County would not have to refund any of those grant monies for the Tudor Hall renovations. He stated that no matter what HUD's decision was, it would be wise for the County to proceed with the construction project at the Armory.

Mr. Norris further indicated that the budget authority for the Leonardtown Armory/Library conversion was approximately \$280,000 and only met Phase I construction requirements. He indicated that correspondence was forthcoming from the Board of Library Trustees concurring in awarding to



the architectural firm of Smellie, Orrick and Janka, to proceed with the design for the renovation of the Armory. The proposal is in the amount of \$15,000 less credit on the design study in the amount of \$652.00.

Commissioner Aud moved, seconded by Commissioner Millison, to accept the proposal dated July 20, 1982 from Smellie, Orrick and Janka as set forth above. Motion unanimously carried.

INDUSTRIAL SITE PLAN 82-0926  
DEAN CONSTRUCTION COMPANY

Present: Robin Guyther, Planner, Office of Planning & Zoning

Requesting the Amendment to Simplified Site Plan for the addition of an 18' x 18' second story to an existing building, located on the east side of Md. Rte. 235 across from Wildewood Subdivision entrance, Tax Map 34, Block 15, Parcel 292, Sixth Election District.

Mr. Guyther presented the referenced Site Plan for the Commissioners' review and approval. In that the Planning Commission will not be meeting until the end of the month, the Site Plan has not received Planning Commission approval. However, Mr. Guyther indicated it was a minor modification to an existing site plan and could be approved without Planning Commission approval.

Commissioner Millison moved, seconded by Commissioner Arnold, to approve the referenced Simplified Site Plan as presented. Motion unanimously carried.

REQUEST FOR RENAMING FIRST DISTRICT PARK

Present: Robert Gant

Mr. Gant advised the Commissioners that members of the community in the First District Park area have requested that the park be named after the late Father Horace McKenna. The Commissioners advised that they were in support of the recommendation and stated that the request should be presented to the Recreation and Parks Board. Mr. Gant, who is a member of that Board, replied that he would do this at the next meeting.

EVAPO-TRANSPIRATION SYSTEM

Present: Charles and Charlotte Young  
Gladys Hendrickson  
Dr. William Marek, Health Officer  
Walter Raum, Director, Environmental Hygiene

Mrs. Young advised that the purpose of this meeting was to request permission for the installation of an Evapo-Transpiration System, an alternative method of sewage disposal, at Windmill Point Farm in Drayden. Mrs. Young and her husband live in the only house located on the 278 acre site which has a functioning septic system. She stated that they are interested in building another house on the property for Mrs. Young's sister, Gladys Hendrickson, but have been unable to obtain a favor percolation test or approval for a mound system.

Mrs. Hendrickson explained the history as to how she became aware of the Evapo-Transpiration System (trade name - "Sun Drive") and that the person who has developed this system will not be available until the first part of September.

She stated that she should be able to obtain the design standards at that time.

At this point, Mrs. Hendrickson presented an Agreement to the Commissioners stating that should she receive approval for the construction of a non-conventional, on site sewage disposal system at Windmill Point Farm, that it may be used as a demonstration test project. County and State authorities would have complete access to inspect and monitor its functioning. Mrs. Young advised that if approved, the system would be installed at their own expense.

During discussion, it was agreed that all parties would work together to arrive at a possible solution. It was agreed that once Mrs. Hendrickson receives the plans for the "Sun Drive" system, that they be turned over to the Health Department for review and approval. If approved, appropriate permits would be issued. Mr. Raum noted that once the system was installed and should it fail, a holding tank would be allowed.

The Commissioners expressed their appreciation for the cooperation by all parties and requested to be kept apprised of the progress being made.

LEONARDTOWN COMMISSIONERS  
TAX DIFFERENTIAL OUTLINE

Present: Larry Mummert, Town Manager  
Fred McWilliams, Town Commissioner  
Fayrene Mattingly, " "  
Suzanne Henderson, " "  
Joseph Densford, Attorney for Leonardtown

The referenced representatives of the Town of Leonardtown appeared before the Commissioners to present a proposal for a tax differential for town residents. Mr. Densford referred to HB 1245 signed by the Governor in June that states that the County should meet with local municipal officials to discuss the possibility of granting a tax differential from the County to the municipal corporation.

Mr. Densford displayed a map of Leonardtown indicating what properties are tax exempt (county and state property) which is approximately 30% of the assessed valued property in Leonardtown. He stated that this represents a loss in revenue in an approximate amount of \$23,460. Further, Mr. Densford pointed out that another theory for the tax differential is the overlapping of services; i.e., administrative, street lighting, police protection, planning and zoning functions, etc.

After discussion, the Commissioners advised that they would take this request under advisement and make a decision at a later date.

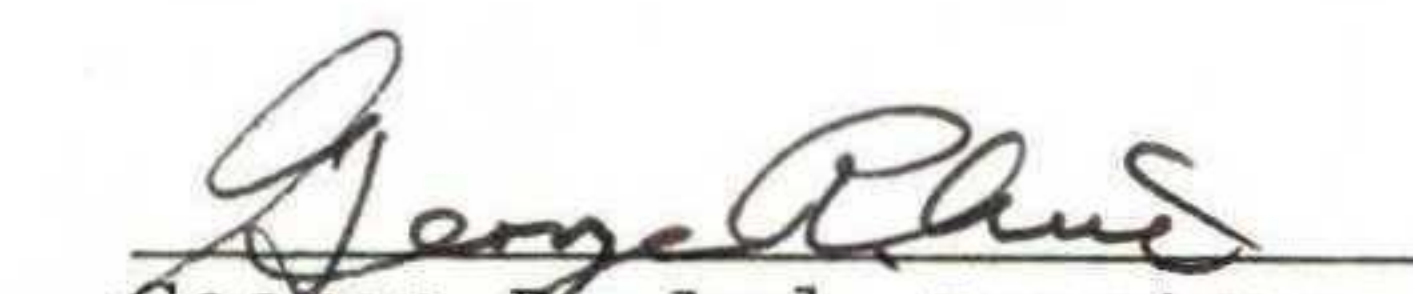
EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator  
Gerda Manson, Personnel Officer

The Commissioners agreed to meet in Executive Session in order to discuss matters of Personnel. The Session was held from 2:00 p.m. to 3:45 p.m.

The meeting adjourned at 3:45 p.m.

Approved,

  
George R. Aud, President