

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, July 19, 1983

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

(Commissioner George R. Aud was not present as he was attending the NACo Conference.)

The meeting was called to order at 11:15 a.m.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the commissioners' meeting of Tuesday, July 12, 1983. Motion unanimously carried.

APPROVAL OF BILLS

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve payment of the bills as submitted. Commissioner Millison abstained on the approval of Voucher No. 001261 payable to the Belverdere. Motion unanimously carried.

WASTE MATERIALS DEPOSITED ON ST. ANDREWS CHURCH ROAD

The County Administrator recommended that with the recent discovery of deposit of possible hazardous waste materials on St. Andrews Church Road, that the Commissioners hold a public informational meeting with State Health Department officials for them to explain what has been found, precautions, removal costs, available funds, etc. The Commissioners agreed and the meeting was scheduled for Thursday, 11:00 a.m. at the Leonardtown Middle School. Mr. Cox was instructed to invite our Congressional delegation, local legislators, local officials and any others who may be interested.

MEETING WITH LEGISLATORS

The County Administrator presented correspondence dated June 14, 1983 from Senator Fowler recommending that legislators meet with the Board of County Commissioners to discuss the 1983 Session and the upcoming 1984 Session of the Maryland General Assembly. He stated that if all the legislators are present at the meeting regarding the possible hazardous waste deposited at a site on St. Andrews Church Road, perhaps the Commissioners could meet with them afterwards. The Commissioners gave their concurrence.

CORRESPONDENCE TO THE DEPARTMENT OF NATURAL RESOURCES  
SITE # 2- ST. MARY'S RIVER WATERSHED PROJECT

The County Administrator presented correspondence for the Commissioners' review and signatures addressed to the Coastal Resource Division of the Department of Natural Resources requesting assistance for further environmental impact analysis of Site #2 of the St. Mary's River Watershed project. The Commissioners agreed to sign and forward said letter.

CONFISCATED FUNDS ACCOUNT  
SHERIFF'S DEPARTMENT

The County Administrator reported that in March the Commissioners had agreed to use funds from the Confiscated Funds Account as recommended by the County Attorney for covert substance abuse operations; however, a specific amount had not been designated to establish the proper budget authority. Therefore, it is recommended that \$5,000 be allocated for the Sheriff's Escrow Account for covert operations.

Commissioner Sayre moved, seconded by Commissioner Millison, to approve and allocation of \$5,000 to the Sheriff's Department Escrow Account for the purpose of covert substance abuse operations. Motion unanimously carried.

BUDGET AMENDMENTS

The County Administrator presented the following Budget Amendments for the Commissioners' review and approval as recommended by the Director of Budget and Data Services:

No. 84-3 - Director of Finance

For the reassignment of Mrs. Marylou Norris from Finance to Budget & Data Services.

No. 84-4 - Office on Aging

To authorize detailed expenditures in applicable account areas and transfer authority from reserve account to county support of Aging programs in FY '84.

No. 84-5 - Office on Aging

To budget Title B Grant funds terminating September 30, 1983.

No. 84-6 - Office on Aging

To budget Title III-C1 grant funds terminating September 30, 1983.

No. 84-7 Office on Aging

To budget Title III-C2 grand funds terminating September 30, 1983.

No. 84-8 - Office on Aging

To budget RSVP grant funds covering the period between July - March '84. Excludes memo-entry of volunteer meals and volunteer travel costs which is incurred elsewhere.

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and authorize Commissioner Vice-President Millison to sign said Budget Amendments. Motion unanimously carried.

CASH MANAGEMENT STUDY PROPOSAL

The County Administrator presented a proposal from the firm of Wooden & Benson dated July 14, 1983 to do a study of the County's Cash Management System in an amount anticipated not to exceed \$2500.

Commissioner Dean moved, seconded by Commissioner Sayre, to accept the proposal from Wooden & Benson as set forth above. Motion unanimously carried.

BIDS ON SALE OF CONFISCATED VEHICLE

The County Administrator presented the bid tally sheet for the sale of a confiscated 1976 International Scout Van and advised that it was recommended by the Director of Purchasing and Logistics that it be awarded to the highest bidder, John Cheseldine in the amount of \$525.

Commissioner Arnold moved, seconded by Commissioner Sayre to accept this recommendation. Motion unanimously carried.

ELMS PROPERTY MANAGEMENT GRANT

The County Administrator advised the Commissioners that a policy is required regarding the equal division of management grant funds from the State between the two programs located at the Elms Property; Recreation and Parks and Environmental Education

Commissioner Sayre moved, seconded by Commissioner Dean that the \$10,000 from the State of Maryland be equally divided between the two programs operating at the Elms property; Recreation and Parks and Environmental Education. Motion unanimously carried.

PRESS RELEASE

The County Administrator presented a proposed Press Release stating that St. Mary's County is one of the nine Maryland subdivisions which did not raise their property tax rates for FY '84 and that St. Mary's County ranks seventh lowest out of 24 subdivisions with regard to tax rates. The Commissioners agreed to issue the Press Release.

ACCEPTANCE OF DEED  
PARCELS 3 AND 4 - PATUXENT PARK WEST

The County Administrator presented a Deed dated June 24, 1983 by and between Melvin L. Jacobsen and Leonard R. Snyder and the Board of County Commissioners of St. Mary's County for parcels 3 and 4 on a plat designated as Patuxent Park West, for an extension of Nicolet Park.

Commissioner Dean moved, seconded by Commissioner Arnold, to accept said Deed. Motion unanimously carried.

NEWS COVERAGE OF COUNTY EVENTS

Commissioner Arnold stated that the news media has played an important part in the success of past events in the County and suggested that correspondence be forwarded to the managers of the local radio stations and newspaper expressing appreciation for past coverage and anticipation of coverage in the future of upcoming events such as

Tobacco Festival, Oyster Festival, and Blessing of the Fleet. The other Commissioners gave their concurrence.

REQUEST FOR WAIVER OF BUILDING PERMIT

The County Administrator presented correspondence dated July 18, 1983 from John F. Slade, III on behalf of the Fair Board requesting a waiver of the Building Permit Fee for the construction of a new building at the Fairgrounds for use by the Jolly Gents. The Office of Planning and Zoning has recommended granting this waiver in that the request is in compliance with County's Resolution No. 75-53.

Commissioner Arnold moved, seconded by Commissioner Sayre to grant the waiver as set forth above. Motion unanimously carried.

RESOLUTION NO. 83-16  
MARRIAGE LICENSE FEE  
DOMESTIC VIOLENCE PROGRAM

The County Administrator presented the referenced Resolution which increases the marriage license fee to \$15.00 and that \$5.00 of that be used to fund domestic violence programs.

Commissioner Arnold moved, seconded by Commissioner Dean, to approve and sign said Resolution No. 83-16. Motion unanimously carried.

DEDICATION OF ADDITION TO GARVEY SENIOR CENTER

The County Administrator advised that the addition to the Garvey Senior Center will be completed in August 2 and in that it is an ideal meeting place and would be advantageous for the Center to be open for public use other than the senior citizen programs. He stated, however, that the senior citizen programs would have first call for the building and the other uses are not to interfere with their programs. The Commissioners gave their concurrence.

MACo EDUCATION FUNDING COMMITTEE

The County Administrator advised that the Maryland Association of Counties is forming an Education Funding Committee and is requesting an appointee from St. Mary's County to serve on that Committee. He stated that Commissioner President Aud has recommended that Dr. Larry Lorton Superintendent of Schools, be appointed to serve on the MACo Education Funding Committee. The Commissioners gave their concurrence.

OFFICE OF COUNTY ENGINEERS ITEMS

Present: John Norris, County Engineer

- 1) Lexington Park Storm Drainage Project  
Drainage and Construction Easement Agreements

Mr. Norris presented a Construction Easement and a Permanent Drainage Easement Agreement (both dated July 13, 1983) by and between the Board of Education of St. Mary's County and the Board of County Commissioners of St. Mary's County relative to the roadway and drainage improvements on a portion of Shangri-La Drive.

OFFICE OF COUNTY ENGINEER ITEMS (Continued)

Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign the Agreement as submitted. Motion unanimously carried.

2) Paw Paw Hollow Subdivision  
Completion of Roads

Mr. Norris advised that the developer of the referenced project had requested the County to complete the construction of the roads in the referenced roads at an estimated cost of \$ 13,000. Mr. Waring, the developer, will provide the \$13,000 and will submit the appropriate deed for acceptance of the roads into the county's system. The Commissioners requested Mr. Norris to prepare the appropriate paperwork and return to the Commissioners for final action.

3) Pine Hill Subdivision

Mr. Norris advised that the County had a passbook savings account in the amount of \$10,654 that the Pine Hill Limited Partnership Corporation had posted as a bond with their Public Works Agreement for the work to be done in Pine Hill Subdivision. Inasmuch as the required work has been completed, Mr. Norris requested the Board's concurrence to release the \$10,654 bond. (Mr. Norris indicated that this action confirms authorization given by a majority of the Commissioners on Thursday July 14, 1983.)

4) McKay's Cove Area Dredging Project

Mr. Norris advised that he needs authorization from the Commissioners to submit a permit application for the dredging project at McKay's Cove area where the County will be establishing a special taxing district for for this purpose. A petition has been received from 75% of the residents and Mr. Norris stated that the District should also include a property owner on the other side of the cove, McKay's property. Mr. Norris went on to say that in researching the law for the establishment of such a district, it appears that it is vague and recommended that the County follow the Shore Erosion Control District procedures.

After discussion, Commissioner Dean moved, seconded by Commissioner Sayre, to authorize the County Engineer to submit the permit application and further to initiate the special taxing district procedures. Motion unanimously carried.

5) St. George's Creek Dredging Project

Mr. Norris brought the Commissioners up to date with regard to the referenced project stating that it has had a number of obstacles. He stated that to date the county does not have the easement area from the Borge property to place the additional spoils. The Borges are asking that the County share in the obligation of removal of any silt from the deposited materials and Mr. Norris stated that he did not believe that is not an obligation the County can identify within its scope and therefore did not know what kind of arrangements could be made to obtain the easement. Mr. Norris advised that once the easement is obtained, he will return to the Commissioners with a Hold Harmless Agreement to be executed by the Board with the Army Corps of Engineers.

REZONING HEARING  
ZOHD #83-0379 - NEWTOWN NECK HISTORIC DISTRICT

Present: Commissioner Larry Millison, Vice-President  
Commissioner Richard D. Arnold  
Commissioner Ford L. Dean  
Commissioner David F. Sayre  
Frank Gerred, Director, OPZ  
Peggy Childs, Recording Secretary

Also present was Father John O'Neill, Director of Restoration for Newtown Neck.

Request to establish a Historic District consisting of approximately 9.46 acres, located at Newtown Neck in the Third Election District Tax Map 47, Block 5, Parcel 268. The property is owned by the Catholic Archdiocese of Washington D. C.

The public hearing opened at 1:10 p.m. Frank Gerred read aloud the Notice of Public Hearing which appeared in the Enterprise newspaper on July 1, 1983 and presented a return receipt from adjoining property owner and a picture showing the posting of the property.

Mr. Gerred explained that the request is for the 9.46 acre tract containing the church property manor house and the areadown to the water and it also affects the adjoining Jesuit property in that there is a suggested protection of the view of the water from Breton Bay and St. Clement's Island. The window of the manor house was used for a lighthouse-the priests would put a light in the window of the second floor front hall and the northwest bedroom, and this would be used as a beacon by people on the water. Mr. Gerred said they are asking for this view to be protected as part of this Historic District request. Additionally being suggested is a requirement that, within 200 ft. of the property, should it develop residentially, the facade be of brick or Williamsburg earth color which would be in keeping with the period of development of the church.

Father John O'Neill, Director of Restoration for Newtown Neck, said he has been with the project for two years and, after two years of study, they are at a point where they are about to begin the actual structural restoration of the church. Once that is completed they can begin to address the manor house.

Father O'Neill said their historic studies have not only verified some the major aspects of the historical importance of the site, which dates from the 17th Century, but found out that the wooden frame part of the church, which was constructed prior to the two brick ends, is actually 35 years older than everyone thought. Using a process called Denver Chronology, Father said, they had determined the exact date of construction as 1731. He said they have also done paint analysis of both buildings and have come up with some interesting facts of the historical development of the church. The high point, as far as the architecture of the church structure is concerned, dates from 1767 to 1830. Father said their primary focus, speaking on behalf of the Archbishop and the Archdiocese, is historic integrity of the two buildings and the preservation of the site.

Completion of restoration of the church building is expected by October 1984 or before. He said they are in the process of finalizing the search for structural contractor and hope within the next six weeks to have the signed contract to begin actual structural restoration of the church building. After stabilizing the building they will move to the outside work.

REZONING HEARING (Continued)  
ZOHD #83-0379 - NEWTOWN NECK HISTORIC DISTRICT

Commissioner Millison stated that Newtown Neck is loved and cherished by everybody in St. Mary's County, of all faiths, and said the Commissioners are very enthused to see the project move ahead. He asked if there was anyone present who was opposed to the project; there was no one.

Commissioner Dean stated that, in this case, the Commissioners do not have to establish change or mistake, and instructed staff to prepare a Resolution for consideration at their meeting.

Father O'Neill added that he was very pleased that the Planning Commission had voted unanimously to recommend approval to the County Commissioners, and Mr. Gerred entered the Planning Commission record, including the Historic District Commission record, into the record of this hearing.

The hearing was closed at 1:20 p.m.

JOINT MEETING WITH PLANNING COMMISSION  
PRIVATE COMMON DRIVEWAYS

Present: Frank Gerred, Director, Office of Planning and Zoning

Mr. Gerred advised that the County Engineer, the Office of Planning and the firm of Lorenzi, Dodds and Gunnill have submitted material pertaining a proposal for Private Common Driveways. The Planning Commission would like to meet with the County Commissioners to discuss this and go over policy issues involved. It was agreed to set the meeting for Tuesday, August 26, 1983 at 4:00 p.m.

CHESAPEAKE COUNTRY

Present: J.O.K. Walsh, Executive Director  
David W. Morgan, Economic Development Coordinator  
William Curtis, Chairman, EDC

Mr. Walsh appeared before the Commissioners to give an update on marketing by Chesapeake Country. During his presentation Mr. Walsh presented a folder of information pertaining to FY'84 Plan of Action and a tentative budget. Also included was a progress report indicating marketing campaign overview, marketing output and county benefits from participation in Chesapeake Country.

Mr. Walsh pointed out that at the Southern Maryland Private Industry Council Meeting a proposed budget was submitted which reflected that \$69,300 may be made available at the Third Level for marketing which included both Tri-County Council and Chesapeake Country. He stated that he felt that Southern Maryland would receive more benefits by marketing through Chesapeake Country only because of the broader resources. Mr. Morgan indicated to the Commissioners the amount of contracts from Chesapeake Country were greater than from Tri-County Council or from the State.

The Commissioners expressed their appreciation to Mr. Walsh for his presentation and advised that they would keep his suggestion in mind.

INTRODUCTION OF ENVIRONMENTAL EDUCATION DIRECTOR

Present: Marianne Chapman, Environmental Education Coordinator  
Mary Barber, Environmental Education Director

Mrs. Chapman appeared before the Commissioners to introduce Mary Barber, who has assumed the position of Director of Environmental Education at the Elms property since July 1. The Commissioners wished every success to Ms. Barber in this endeavor and offered their assistance in whatever way possible.

EXECUTIVE SESSION

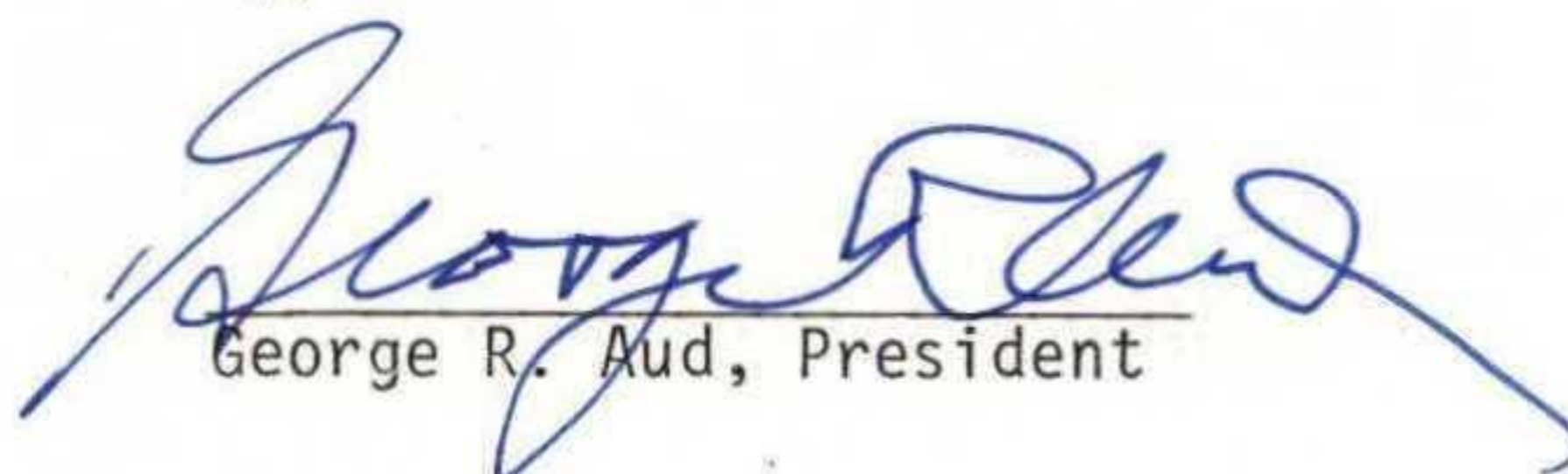
Present: Edward V. Cox, County Administrator

At the request of the County Administrator, Commissioner Sayre moved, seconded by Commissioner Dean, to meet in Executive Session in order to discuss a matter of Personnel which began at 2:15 p.m. At 3:00 p.m. The Commissioners continued in Executive Session with Sheriff Wayne Pettit to discuss a matter of Personnel. The Session ended at 3:30 p.m.

ADJOURNMENT

The meeting adjourned at 3:30 p.m.

Approved:

  
George R. Aud, President