

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, December 20, 1983

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

(Commissioner David Sayre was not present.)

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

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes as amended. Motion unanimously carried.

APPROVAL OF BILLS

Commissioner Millison moved, seconded by Commissioner Arnold, to approve payment of the bills as submitted. Motion unanimously carried.

PROPOSAL FOR MEDICAL SERVICES AT COUNTY JAIL

Present: Sheriff Wayne Pettit

Sheriff Pettit appeared before the Commissioner to present a proposal from the firm of Health Manpower Consultants, Inc. for the provision of medical care at the county jail. He stated that the Maryland police and Correctional Commission in its recent audit required that this service be provided. Under the proposal, a physician assistant would come to the jail three days a week to administer physicals and conduct sick calls. The firm would also provide minor surgery services when needed.

Sheriff Pettit recommended that the Commissioners accept the proposal from Health Manpower Consultants, Inc. for the remaining six months of the fiscal year in the amount of \$12,885.60. He stated that there are some funds available in his jail medical fund account and if additional funds are needed, that adjustments be made at the end of the year through his other accounts.

After discussion, the Commissioners gave their concurrence in accepting the proposal as recommended by Sheriff Pettit and requested that he return with the contract for their review and approval.

(Commissioner Arnold left meeting - 9:45 a.m.)

BUDGET & DATA SERVICES

Present: Joseph P. O'Dell, Director

1) AGREEMENT TO ADVANCE FUNDS-  
LORD BALTIMORE'S WORLD

As a follow up to last week's discussion regarding a request for advance funds for Lord Baltimore's World at St. Mary's City, Mr. O'Dell presented an Agreement to Advance Funds with the Commissioners of St. Mary's County and the Director of the Creative Arts Forum. The Agreement sets forth the particulars of the advance and payback procedures.

BUDGET & DATA SERVICES (Continued)

In response to inquiries from Commissioner Millison, Mr. O'Dell explained that the Creative Arts Forum is a non-profit organization which fosters arts and humanities in St. Mary's County and is the contact agency for the State for grants. He stated that the Creative arts Forum has an agreement with Tri-County Council which has an agreement with the State of Maryland that there must be an audit of their receipts and expenditures. Commissioner Millison inquired if the advanced funds of \$50,000 will be used solely for the purpose of Lord Baltimore's World to which Mr. O'Dell responded in the affirmative.

After discussion, Commissioner Dean moved, seconded by Commissioner Millison, to approve and authorize Commissioner President Aud to sign the Agreement to Advance Funds, and that the Budget Officer be directed to return to the Board with an accounting procedure prior to issuing any advancements. Motion unanimously carried.

2) FY '85 CAPITAL PROJECTS  
BUDGET AMENDMENT NO. 84-25

As a follow up to last week's discussion with the County Engineer and Director of Recreation and Parks, Mr. O'Dell presented a memorandum dated December 15, 1983 incorporating tentative decisions made by the Board.

In conjunction with the above, Mr. O'Dell presented Budget Amendment No. 84-25 (Justification: To provide funding authority for Lexington Park Storm Drainage System. Supplanting of funds to be handled vis-a-vis additional transportation bond funds in FY '85.)

After discussion, the Commissioners gave their concurrence in the recommendations as set forth in the December 15 memorandum and therefore, Commissioner Dean moved, seconded by Commissioner Aud, to approve and sign Budget Amendment No. 84-25. Motion unanimously carried.

3) COUNTY FINANCING OPTIONS

In discussing the various financing options available to County, Commissioner Dean inquired as to the possibility of requesting specific legislative authority to allow the County to issue Revenue Bonds. Mr. O'Dell responded that the legislative item regarding the establishment of a Building Authority, which was enacted in the 1983 Session, may grant that authority. The Commissioners deferred acting on this matter until further research is done.

4) ST. MARY'S COUNTY TRANSPORTATION NETWORK EVALUATION

Also present: Frank Gerred, Director, Office of Planning & Zoning

Commissioner Dean stated that with the growth that is occurring at the Patuxent River Naval Air Station, NESEA, and support industries, as well as the growth at St. Mary's City/College that it would be beneficial to have an evaluation of the transportation network in those areas. He stated that it was his understanding that the present transportation system is approaching capacity and future growth may necessitate expansion. Commissioner Dean recommended the following:

BUDGET & DATA SERVICES (Continued)

1. To acknowledge that this is a matter requiring some attention;
2. If so acknowledged, that funds be included in the FY '85 Budget for the preparation of a Transportation Plan for the Greater Lexington Park area and include access roads to St. Mary's City and NESEA.
3. To begin the preparation of plans and hopefully when funds become available in July, a contract could be implemented for work on the Plan.

Discussion ensued as to the proper mechanism for preparing the study, and it was agreed that the Director of the Office of Planning and Zoning determine his Department's capabilities to do the plan and what assistance may be needed.

5) MEMORANDUM TO ALL SPENDING UNITS  
FY '85 BUDGET

Mr. O'Dell presented a memorandum for the Commissioners' review and signatures addressed to All Spending Units summarizing the budgetary issues and will be accompanied by the budget instructions. The Commissioners agreed to sign and forward the memorandum as presented.

6) RETIREMENT/PENSION SYSTEMS COST FOR FY '85

For the Commissioners' information, Mr. O'Dell provided a memorandum (dated December 16, 1983) setting forth the budgetary impact on the County's Retirement and Pension Systems. He stated that because of unsuspected cost increases \$121,000 will be needed from the reserve account.

OFFICE OF COUNTY ENGINEER ITEMS

Present: John Norris, County Engineer

1) OFFICE SPACE FOR POLYGRAPH TESTING

With regard to the pending item pertaining to use of the Grand Jury Room at the Courthouse for polygraph testing, Mr. Norris advised that the estimated cost is \$800.00. The Commissioners gave their concurrence to proceed with the work.

2) LEXINGTON PARK STORM DRAINAGE IMPROVEMENTS  
PROJECT NO. SM 81-1-2

Mr. Norris requested the Commissioners to award the contract on the referenced project (Bids were opened July 25) and recommended that it be awarded to the lowest bidder, Rapp Contracting Inc. in the amount of \$787,156.25.

Commissioner Millison moved, seconded by Commissioner Dean, to award the bid as recommended by the County Engineer. Motion unanimously carried.

3) OPENING OF DEEP CREEK INLET

Mr. Norris informed the Commissioners that there is a need to open the Deep Creek Inlet, First Election District, and that this will be done as soon as the tide is low enough.

OFFICE OF COUNTY ENGINEER ITEMS (Continued)

4) SOTTERLY ROAD  
INSTALLATION OF STORM DRAINAGE PIPE

Mr. Norris presented a proposal dated December 8 in amount of \$900.00 from Daisey Brothers, Inc. for the replacement of storm drainage pipe on Sotterly Road which had collapsed.

The Commissioners gave their concurrence in accepting the proposal.

5) VILLA ROAD  
REPLACEMENT OF PROPERTY MARKER

Mr. Norris requested authorization from the Commissioners to have Larry Day & Associates replace certain property markers on Villa Road at a cost of \$250.00.

The Commissioners gave their concurrence.

6) RENTAL CONTRACT SERVICES  
BUILDING IMPROVEMENTS/MAINTENANCE TO COUNTY FACILITIES  
(CARPENTRY AND MILLWORK, ELECTRICAL, AND PLUMBING)

Mr. Norris presented the bid tally sheets for the four referenced projects and recommended awarding the bids as follows:

Carpentry and Millwork - Cameron Construction Co.

Electrical Modifications - Owens Electric.

Plumbing Modifications - Steven Lacey.

Commissioner Dean moved, seconded by Commissioner Millison, to accept the County Engineer's recommendations as set forth above. Motion unanimously carried.

(Commissioner Arnold returned to the meeting - 10:30 a.m.)

7) JAIL FEASIBILITY STUDY

Mr. Norris advised the Commissioners that the firm of Moseley-Hening Associates Inc. has submitted a proposal dated December 9, 1983 to perform a jail feasibility study in two phases:

Phase 1 - Site Study

Phase 2 - Conceptual and Functional Plans and Cost Estimates.

Mr. Norris pointed out that since the study has been completed for renovations of the present jail at the Courthouse, it would be in order to have an evaluation of various sites at the Governmental Center for the possible location of the jail. He stated that the study would look at the placement on the property, impact on neighbors, property lines, access, etc.

After discussion, the Commissioners gave the County Engineer concurrence in accepting the proposal from Moseley-Hening Associates, Inc. and requested that he prepare the appropriate contract for execution by the Board.

OFFICE OF COUNTY ENGINEER ITEMS (Continued)

8) SEDIMENTATION CONTROL ORDINANCE  
INSPECTION AND ENFORCEMENT PROCEDURES

Mr. Norris presented the referenced procedures for the Commissioners' review and requested their concurrence in Section III. (Enforcement).

The Commissioners agreed to take this matter under advisement and take action at a later date.

ST. MARY'S COUNTY FOREST CONSERVANCY DISTRICT BOARD  
LOGGING ENTRANCES  
WEIGHT RESTRICTIONS ON COUNTY ROADS

Present: Gene Petrowski, Forestry Services  
Sam Folden, Forest Board  
Charles Young  
Fred McCoy  
Dan Raley, SHA  
John Norris, County Engineer  
John Houser, Reg. Professional Forester

Representatives of the Forest Conservancy District Board and other interested parties appeared before the Commissioners to express concern regarding the imposition of the R-13 Typical Construction Entrance on logging operations. Also of concern is the weight limit restriction on county roads.

Mr. Young stated that the R-13 entrance will impact the forest landowners in the County in that they would have to bear construction costs. The logging operators will deduct the construction cost from the purchase price or will not purchase timber in the County. In correspondence dated December 19, 1983, the Forest Conservancy District Board set forth the above concerns and offered several recommendations.

Also of concern is the weight limitations that have been placed on county roads because of the considerable distance timber haulers travel.

Mr. Norris explained the problems caused by the logging operations to entrances and pointed out the rationale for the required construction entrance. He stated the County's concern was keeping mud off the road and drainage ditches cleared. Further, Mr. Norris indicated that there are only two roads that have a 12-month weight restriction (Whirlwind and Fairground Road) because of the continuous operations of Maryland Rock. All others are based on weather conditions.

In response to an inquiry from Mr. Pitrowski, Mr. Norris stated that there is an exemption process for the weight restriction.

In closing the Commissioners requested that the Forest Conservancy Board meet with the County Engineer to work out possible solutions and offered the assistance and cooperations of the Board.

PUBLIC STATEMENT  
McINTOSH ROAD

Present: John Norris, County Engineer

Mr. Norris presented for the Commissioners' review a statement to be distributed to the public concerning the improvements and delays relative to the reconstruction of McIntosh Road and bridge. The Commissioners agreed to distribute said statement.

REVISED ROAD ORDINANCE  
(PRIVATE DRIVEWAYS)

Present: John Norris, County Engineer  
Frank Gerred, Director, Planning & Zoning

Commissioner Dean advised that correspondence was received from John T. Daugherty requesting clarification of the private driveway requirements in the Road Ordinance and specifically inquiring if the County is going to extend the revision not just for rural sections but also for urban sections.

The Commissioners directed the County Engineer and the Director of Planning and Zoning to review this request and return to the Board with recommendations.

ST. CLEMENTS ISLAND-POTOMAC MUSEUM BOARD

Present: John Baggett, Director, Recreation and Parks  
Charles Young, Museum Board  
Other Board members

Members of the St. Clement's Island Potomac Museum Board appeared to present to the Commissioners two framed pictures; one depicting the Ark and Dove leaving the Isle of Wight and the other of the Ark and Dove arriving at St. Clement's Island.

PRESENTATION TO "BUCK" BRISCOE

Present: Arthur "Buck" Briscoe, Director, Economic Development Commission

The Commissioners presented to "Buck" Briscoe an engraved silver Revere bowl in recognition of his many years of dedication to St. Mary's County.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) ORDINANCE NO. 83-35  
SANITARY FACILITIES AT CONSTRUCTION SITES

Having conducted a public hearing on November 29, 1983 on the adoption of the referenced Ordinance to rescind Chapter 209 of the County Code and to revise Chapter 203 concerning:

1. Sanitary Facilities at Construction Sites;
2. Penalties for violations of the permit process and the requirement for sanitary facilities.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve and sign Ordinance No. 83-35. Motion unanimously carried.

COUNTY ADMINISTRATOR ITEMS (Continued)

2) ZONING AMENDMENT RESOLUTION NO. Z83-19  
WILLIAM RITTER ZONE #83-1271

(Requesting a rezoning to be changed from R-2, Residential, to C-2 Commercial. The change in zoning is to correct an error on the zoning maps. The property was rezoned to C-2 on January 20, 1977 (Ref: ZA76-4) but to an error on the tax maps, the wrong parcel was designated. The proposed action will correct that error. The property is located on the north side of Great Mills Road, Eighth Election District, Tax Map 51, Block 2, Parcel 334.)

Commissioner Dean moved, seconded by Commissioner Millison to approve and sign said Zoning Amendment Resolution granting the request to C-2, Commercial. Motion unanimously carried.

3) CLEARINGHOUSE PROJECT NO. 84-12-20  
DNR TIDEWATER ADMINISTRATION - COASTAL RESOURCES  
EMERGENCY FUND APPLICATION FOR REMAINDER OF FY 83-84

The County Administrator presented the referenced clearinghouse project and recommended forwarding it to the State with the comment that it is not inconsistent with this agency's plans, programs, or objectives. The Commissioners gave their concurrence.

4) HOSPITAL REFUNDING BONDS

The County Administrator presented a Statement from the firm of Piper & Marbury for bond counsel services in connection with the issuance, sale and delivery of County Commissioners of St. Mary's County Hospital Refunding Bonds of 1983.

Commissioner Arnold moved, seconded by Commissioner Dean, to approve payment of the bill as submitted. Motion unanimously carried.

5) PERSONNEL

a) Navy Relocation Program Manager  
Reclassification

The County Administrator presented a memorandum from the Personnel Officer dated December 19, 1983 recommending that Carolyn Proffitt, Navy Relocation Program Manager be promoted to Grade 14, effective January 2, 1984.

The Commissioners gave their concurrence.

b) Loan Analyst  
Department of Economic and Community Development

The County Administrator presented a memorandum dated December 20, 1983 recommending the appointment of Nancy Hutson to the position of Loan Analyst, Grade 12, in the Office of Community Development.

The Commissioners gave their concurrence.

6) ST. CLEMENTS ISLAND POTOMAC MUSEUM BOARD  
ACCEPTANCE OF PROPOSED BY-LAWS

With regard to the proposed by-laws submitted by the St. Clement's Island-Potomac Museum Board on December 6, 1983, Commissioner Dean moved, seconded by Commissioner Arnold, to accept the By-laws as presented. Motion unanimously carried.

COUNTY ADMINISTRATOR ITEMS (Continued)

7) ACCUMULATED ANNUAL LEAVE POLICY

The County Administrator presented a memorandum dated December 20, 1983 setting forth recommendations regarding the rapidly increasing liability of accumulated annual leave.

After review and discussion, the Commissioners gave their concurrence in accepting the recommendations as set forth in the December 20 memorandum.

8) ROAD RESOLUTION - R-83-32 AND R-83-33  
BASSFORD ROAD

On behalf of the County Engineer, the County Administrator presented the following Road Resolutions for the Commissioners' review and approval:

R-83-32 - posting Bassford Road, Sixth Election District at 25 miles per hour;

R-83-33 - designating Bassford Road, Sixth Election District, as a Stop Street, as it intersects with Clark's Landing Road.

Commissioner Arnold moved, seconded by Commissioner Millison to approve and sign the referenced Road Resolutions. Motion unanimously carried.

9) CORRESPONDENCE  
DIRECTOR, STATE OFFICE ON AGING

The County Administrator presented correspondence for the Commissioners' review and signatures addressed to Rosalie Abrams expressing congratulations on her recent appointment as Director of the State Office on Aging. The Commissioners agreed to forward and sign said letter.

10) BUDGET AMENDMENT NO. 84-25  
OFFICE ON AGING

The County Administrator presented Budget Amendment No. 84-25 recommended for approval by the Director of Budget and Data Services with the following justification: To adjust accounts in line with actual outlay or estimated outlays until June 30, 1984.

Commissioner Millison moved, seconded by Commissioner Arnold to approve and authorize Commissioner President Aud to sign said Budget Amendment. Motion unanimously carried.

11) PROPOSED AMENDMENTS  
PUBLIC ETHICS ORDINANCE

The County Administrator advised that the St. Mary's County Ethics Commission has submitted several amendments to the Public Ethics Ordinance (No. 82-12) with the recommendation that the amended Ordinance be submitted to the State Ethics Commission for comment.

The Commissioners gave their concurrence in submitting the amended Ordinance to the State, after which it will be advertised for a public hearing.



COUNTY ADMINISTRATOR ITEMS (Continued)

11) JAIL LOAN ACT OF 1982  
REQUEST FOR EXTENSION

The Board of County Commissioners agreed to submit to the Legislative Delegation an additional item to the Legislative Package: A request for an extension of the Jail Loan Act of 1982 from 1984 to 1986.

12) REQUEST FOR PROPOSAL CONCERNING CASH MANAGEMENT  
ACCOUNT SERVICES

As recommended by the Director of Budget & Data Services, the Commissioners agreed to solicit proposals from banking firms for the Administration of the County's Cash Management System.

CORRESPONDENCE TO BEN BURROUGHS  
COUNTRY LAKES

Commissioner Dean presented draft corresponded for the Commissioners' review addressed to Ben Burroughs, General Partner, Country Lakes, concurring in the request for issuance of building permits in Section III of Country Lakes Subdivision. The issuance is in conformance with the Addendum to Public Works Agreement, Country Lakes Subdivision, Section I.

The Commissioners gave their concurrence in the contents of the draft letter and requested that it be prepared in final form for the Board's signatures.

ADJOURNMENT

The meeting adjourned at 12:45 p.m.

APPROVED:

  
George R. Aud, President