

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, June 4, 1985

Present: Commissioner George R. Aud, President  
Commissioner Richard D. Arnold  
Commissioner David F. Sayre  
Edward V. Cox, County Administrator  
Judith A. Spalding, Recording Secretary

(Commissioner Dean was not present at the beginning of the meeting. Commissioner Millison was not present for the meeting.)

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Arnold moved, seconded by Commissioner Aud, to approve the minutes of the Commissioners' meeting of Tuesday, May 28, 1985 as submitted. Motion carried.

APPROVAL OF BILLS

Commissioner Aud moved, seconded by Commissioner Sayre, to approve payment of the bills as submitted. Motion carried.

COUNTRY WESTERN FESTIVAL

Present: Linda DeLozier, Secretary, R&P  
Karen Settle, " "

Ms. DeLozier and Ms. Settle appeared before the Commissioners to invite them to attend the County's First Annual Country Western Festival which will be held June 8 and 9 at the St. Mary's County Fairgrounds.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) JUSTICE ASSISTANCE BLOCK GRANT FUNDS

The County Administrator presented correspondence in response to Lt. Governor Curran's relative to the availability of Justice Assistance Block Grant Funds. The letter states that it is the County's intent to establish a jail annex facility for the purpose of relieving jail overcrowding and will submit a full proposal at a later date to document the program.

Commissioner Sayre moved, seconded by Commissioner Arnold, to sign and forward said letter. Motion carried.

2) BUDGET AMENDMENT NO. 85-90  
RECREATION AND PARKS

The County Administrator presented the referenced Budget Amendment recommended for approval by the Budget Director with the following justification: Internal adjustment of funds based on current or estimated costs required per each project listed on said Amendment.

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



3) APPOINTMENT OF LOCAL COORDINATOR  
FIRE AND RESCUE SQUAD SPECIAL FUND PROGRAM

In accordance with House Bill 1076, the County Administrator recommended that the County Commissioners appoint the Director of Budget & Data Services, Joseph P. O'Dell, as the local coordinator for the Fire and Rescue Squad Special Fund Program.

Commissioner Aud moved, seconded by Commissioner Arnold, to appoint Mr. O'Dell as recommended. Motion carried.

4) TRANSFER OF HOSPITAL PROPERTY

Also Present: Joseph Densford, Assistant County Attorney

The County Administrator advised that Mr. Densford is in the process of preparing the necessary documents for the transfer of the old hospital property to the County. Prior to the transfer of certain portions of the old hospital property to St. Mary's Nursing Home, Inc., the right of prior entry will be granted to Nursing Home, Inc. by the County for the purpose of removing the structures from the site. After the structures are removed and the site is prepared for construction, the County will transfer the required property to St. Mary's Nursing Home, Inc.

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign all appropriate documents relative to the transfer of the hospital property. Motion carried.

5) INSPECTION AND MAINTENANCE AGREEMENT  
PRIVATE STORMWATER MANAGEMENT FACILITIES  
(AMBER MEADOWS MOBILE HOME PARK)

The County Administrator presented the referenced document by and between Mayjack, Inc. and St. Mary's County for the Amber Meadows Mobile Home Park property, and stated that item #2 relative to transfer of responsibility of maintenance when the property was transferred has now been clarified.

Commissioner Sayre moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign said Stormwater Management Agreement. Motion carried.

(COMMISSIONER DEAN ENTERED THE MEETING - 9:50 A.M.)

6) NOTIFICATION OF AWARD OF GRANT  
DOMESTIC VIOLENCE/SEXUAL ASSAULT PROGRAM  
(RAPE CRISIS PROGRAM FUNDS)

The County Administrator advised that the County has received notification that the two grants for the referenced program have been awarded to St. Mary's County in the amounts of \$33,687 and \$32,794 and the president of the board now needs to be authorized to sign the Project Service Agreements with the Department of Human Resources.

Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign the two agreements as presented. Motion carried.

7) ROCKFISH HATCHERY  
CORRESPONDENCE TO DEPARTMENT OF NATURAL RESOURCES

As a follow up to last week's discussion with a representative of the Watermen's Association regarding a rockfish hatchery, the County Administrator presented correspondence addressed to Dr. Torrey Brown of the Department of Natural Resources urging the State to consider the Aquafoods International site at Piney Point for this project.



The Commissioners agreed to sign and forward said letter.

8) JOHNSONGRASS AGREEMENT

The County Administrator presented an Agreement between the Department of Agriculture and St. Mary's County for the Control and Eradication of Johnsongrass, Thistles, and Multiflora Rose for the Commissioners' review and approval.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign said Agreement. Motion carried.

9) METROPOLITAN COMMISSION  
APPROVAL OF ADDITIONAL POSITIONS (2)

The County Administrator presented correspondence dated May 28, 1985 from the Metropolitan Commission requesting approval of two positions--a Wastewater Operator and Maintenance Specialist for the expanded Pine Hill Run Treatment Plant.

PUBLIC HEARING  
ECONOMIC DEVELOPMENT REVENUE BONDS  
PATUXENT-OXFORD ASSOCIATES (SPYGLASS AT CEDAR COVE)

Present: David W. Morgan, Economic Development Coordinator  
Joseph Densford, Assistant County Attorney  
Richard Bowles, Vice-President, Oxford Assoc.

The Commissioners conducted a public hearing on the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$7,400,000 for the purpose of financing the acquisition and construction of Spyglass at Cedar Cove Apartment - Phase II.

The secretary read the notice of public hearing.

After brief discussion of the project and response to inquiries, Commissioner Aud moved, seconded by Commissioner Arnold, to approve and sign Resolution No. 85- Economic Development Revenue Bonds - Patuxent-Oxford Associates Limited Partnership along with Exhibit No. 1 - Agreement to Issue Bonds. Motion carried.

In closing, Mr. Boales advised that Spyglass at Cedar Cove will be having a Grand Opening on Thursday, June 27 from 5 - 8 p.m. and stated that the Commissioners will be receiving a formal invitation.

DEPARTMENT OF PUBLIC WORKS

Present: John B. Norris, Director

1) PUBLIC HEARING  
ROAD NAME CHANGE  
ROLFE ROAD TO SOUTH RIVER ROAD

The Commissioners conducted a public hearing on a proposal to change the name of Rolfe Road to South River Road, Second Election District.

The secretary read the Notice of Public Hearing.

There were no comments for or against the road name change.

The Commissioners agreed to make a decision in two weeks.



2) BID TALLY SHEET  
PROJECT NO. SM 86-1-3  
STRIPING OF COUNTY ROADS

Mr. Norris presented the bid tally sheet for the referenced project and recommended awarding the bid to Allied Striping, Inc. in the amount of \$51,000.

Commissioner Aud moved, seconded by Commissioner Sayre, to accept Mr. Norris' recommendation. Motion carried.

3) PROJECT NO SM 86-5-1

Mr. Norris presented the bid tally sheet for the referenced project and recommended awarding the bid to Buckler and Dean Decorators in the amount of \$9,700.

Commissioner Sayre moved, seconded by Commissioner Arnold, to accept Mr. Norris' recommendation. Commissioner Dean abstained. Motion carried.

4) ADDENDUM TO GRADING AGREEMENT  
AUTO SERVICE CENTER

Mr. Norris presented an Addendum to the Grading Permit Agreement by and between Woodrow M. Conner for property in the Eighth Election District for the Auto Service Center property, Md. Rt. 235, extending the deadline for completion to November 1, 1985.

Commissioner Arnold moved, seconded by Commissioner Dean, to approve and authorize Commissioner President Aud to sign said Agreement. Motion carried.

5) ROAD RESOLUTION NO. 85-31  
FAIRGROUNDS (COUNTRY MUSIC FESTIVAL)

Mr. Norris presented the referenced Road Resolution establishing a No Parking zone on Fairgrounds Road from its intersection with Md. Rt. 5 to the curve, a distance of approximately 1/2 mile; and further that "Local Traffic Only" signs be installed on Fairgrounds road at its intersection with Md. Rt. 4 and Md. Rt. 5. These signs are to be established for the Country Music Festival on June 8 and 9.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign. Motion carried.

6) LEONARDTOWN CRITICAL AREA TREATMENT PROJECT

Mr. Norris advised the Commissioners that State Highway Administration has agreed to participate in one-half of the cost for the Leonardtown Critical Area Treatment RC&D Project.

7) SILTATION PROBLEM IN CREEKS

Commissioner Arnold brought to the Board's attention a situation wherein land is confiscated by the State and placed in wetlands. The land cannot be disturbed and nothing can be done to prevent siltation out into the creeks.

Mr. Norris recommended having a representative from DNR attend a Commissioners' meeting to give an explanation concerning responsibility of shore erosion control in this matter.

The Commissioners gave their concurrence.



EXECUTIVE SESSION

Present: John Norris, Director, Department of Public Works  
Edward V. Cox, County Administrator

Commissioner Aud moved, seconded by Commissioner Dean, to meet in Executive Session in order to discuss a matter of land acquisition followed by matters of personnel. The Session was held from 10:45 a.m. to 11:15 a.m.

PUBLIC HOUSING HOMEOWNERSHIP DEMONSTRATION

Present: Dennis Nicholson, Housing and Community Development Coordinator

Mr. Nicholson appeared before the Commissioners to apprise them of a press conference being held at HUD Headquarters in Washington relative to the Public Housing Homeownership Demonstration. St. Mary's County has been selected as one of the counties across the national to participate in the program. Commissioner Arnold indicated that he would attend the meeting on behalf of the Board of County Commissioners.

OFFICE OF PLANNING AND ZONING

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

1) SEDIMENTATION EROSION CONTROL PROGRAM  
RETROFIT OF STORMWATER MANAGEMENT PRACTICES

Mr. Gerred advised the Commissioners that the Office of Planning and Zoning has been reviewing Sediment Control Erosion measures caused by development in two watersheds--Lewis Creek and St. Thomas Creek. In that effort the County is submitting a proposal to the Office of Environmental Programs for a retrofit project for the management of stormwater discharge into Lewis Creek. Therefore, Mr. Gerred requested approval by the Board to authorize Commissioner President Aud to sign correspondence to the Office of Environmental Programs indicating that the County has submitted this proposal as a commitment to the restoration of water quality in the Patuxent River and Chesapeake Bay. Further, Mr. Gerred requested approval for Commissioner Aud to sign a letter to the Public Schools requesting participation in the project in that Town Creek Elementary and adjacent Town Creek Park are potential sites for the installation of this demonstration project.

Commissioner Sayre moved, seconded by Commissioner Dean, to authorize Commissioner President Aud to sign both letters. Motion carried.

2) COASTAL BARRIER RESOURCE SYSTEMS

Mr. Gerred reported to the Commissioners that the Tidewater Administration in cooperation with the U. S. Department of Interior has announced the Coastal Barrier Resource Systems program in which Congress is being nominated to adopt into the system various reefs and barriers in the Bay. He stated that the Office of Planning and Zoning is in receipt of maps indicated where in St. Mary's County these barriers are located.

PROCLAMATION  
GARDEN WEEK

Present: Judy Roa  
Marianne Russell

The Commissioners presented the referenced proclamation designating the first week in June as Garden Week in St. Mary's County.



PROCLAMATION  
ADOPT-A-CAT MONTH

Present: Jean Crine  
Jennifer Crine

The Commissioners presented the referenced Proclamation designating the Month of June as Adopt-A-Cat Month in St. Mary's County.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Aud moved, seconded by Commissioner Sayre, to meet in Executive Session in order to discuss matters of Personnel. The Session was held from 1:15 to 1:40 p.m.

INNOVATIVE AND ALTERNATIVE SEWAGE DISPOSAL SYSTEMS (SUNDRIVE SYSTEM)  
MEMORANDUM OF UNDERSTANDING

Present: Walter Raum, Director, Environmental Hygiene  
Frank Gerred, Director, OPZ  
John Norris, Director, P&Z

Mr. Raum presented to the Board a revised Memorandum of Understanding relative to the I & A systems and indicated that the State Health Department has made some minor changes to the document including the monitoring of the system.

Discussion ensued as to the cost and the unknown efficiency of the six sundrive systems (\$110,000) and Commissioner Dean stated that the purpose of the demonstration project is to evaluate alternative disposal systems. With funds from the State and County, each individual approved to use the sundrive system will be asked to provide approximately \$75,000 for a system that has not yet proven itself.

It was agreed that the University of Maryland be requested to undertake research and development of this system.

Relative to the Memorandum of Understanding, the Commissioners requested that the document be reviewed by staff for approval by the Board at a later time.

HERRING CREEK NAVIGATION PROJECT  
TALL TIMBERS SHORE EROSION CONTROL

Present: Robert W. Lindner, Army Corps of Engineers  
Larry Lauer, "  
Gary M. Hardesty, "  
John Norris, Director, Dept. of Public Works  
Tall Timbers property owners

Representatives of the Army Corps of Engineers appeared before the Commissioners to review the draft study of the mitigation of the problems at Tall Timbers and demonstrated with visual aids the extent of said damages. The representatives admitted that the damage has been caused by the Herring Creek Navigational project and, therefore, stated that the federal government would fund the corrective construction project. In order to proceed with the project a letter of intent is required from the Board of County Commissioners to the Army Corps of Engineers stating acceptance of the report's conclusions and the county's participation.

Mr. Lindner advised that federal government liability for the correction of the induced erosion problem cannot exceed \$1 Million. Although the usual funding arrangement is on a 50-50 cost-share basis, the federal government has in this case agreed that it will provide 100% of the



funding and accept all previous expenditures by the property owners as their cost share. If the project costs exceed the \$1 Million limitation, the County is responsible for the difference. Current estimates indicate that the project costs will not exceed \$1 Million limitation.

Mr. Lindner further explained that other responsibilities are expected from the County including easements, land dedications, etc., which will be the subject of formal agreement.

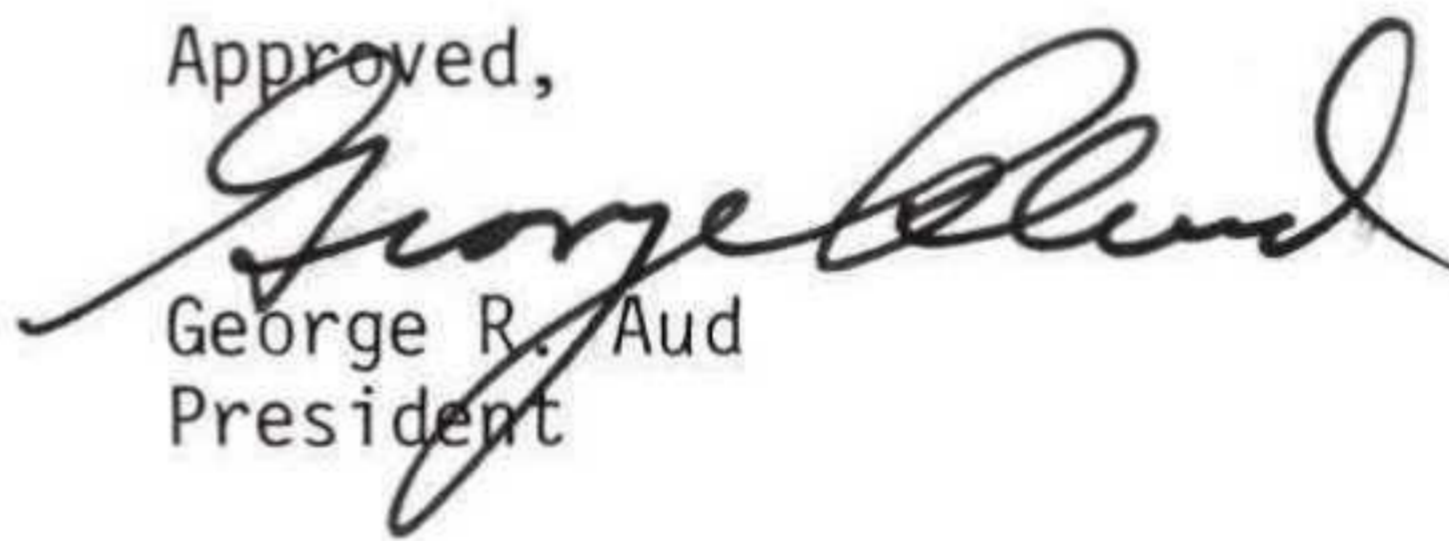
Most of the property owners in attendance voiced approval of the project as defined by Mr. Lindner and requested the concurrence of the Board of County Commissioners. However, those property owners south of the proposed corrective project voiced concern that their problems will not be resolved if the Commissioners approve the draft study in that the \$1 Million limitation will exclude consideration for future funding. The Commissioners assured those property owners that regardless of the conclusions of the draft study the County will address all the problems of the citizens in the Tall Timbers Taxing District and that all the properties within that District are responsible for sharing the cost of correcting those problems. In addition the County will work with the property owners outside the taxing district to effect a solution to their shore erosion problem.

After discussion, Commissioner Sayre moved, seconded by Commissioner Arnold, to authorize the President of the Board to sign the required letter of agreement with the study and intent to participate. Motion carried.

ADJOURNMENT

The meeting adjourned at 3:35 p.m.

Approved,



George R. Aud  
President