

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, April 25, 1979

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

The meeting was called to order at 9:10 a.m.

READING AND APPROVAL OF MINUTES

The minutes of the County Commissioners' meeting of April 18, 1979 were read and corrected. Commissioner Dean moved, seconded by Commissioner Sayre, to approve the minutes as corrected. All Commissioners voted in favor.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the encumbrance vouchers for the Commissioners' review and approval. Commissioner Dean moved, seconded by Commissioner Sayre to approve payment of the bills as submitted with the exception of Voucher No. 25378. All Commissioners voted in favor.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve payment of Voucher No. 25378, payable to Suburban Chrysler Plymouth. Four Commissioners voted in favor, with Commissioner Aud abstaining.

NORTH INDIAN CREEK ESTATES

Present: Henry and Ann Trentman, property owner
Dale and Virginia Burch, " "
Julean and Patricia Croson, " "
Glenn and Helen Ruggles, " "
W. H. and Rachel Wessells, " "
Francis and Ruth Coy, " "
Thomas M. and Elaine Williams " "
James Thorne, " "
Robin Guyther (on behalf of Oliver Guyther, developer)

The above property owners of North Indian Creek Estates appeared before the Commissioners to express their concerns of the unpaved road in North Indian Creek Estates and the existence of gravel pits, both of which have created safety hazards in the area. A letter was presented by Mr. Trentman signed by the above residents setting forth in detail the condition of the road, soil erosion and gravel pits and the hazards. Photographs were also presented depicting the problems.

Mr. Trentman discussed the road bonding situation, stating that Oliver Guyther received a one-year's extension to June 1 on the road bond for this subdivision, and although the road had been graded last summer, it was not graveled or paved. Since the bond is almost due and because Mr. Guyther has not proceeded to have the road constructed, the residents requested that the Commissioners call the bond and have the work done.

Robin Guyther, on behalf of Oliver Guyther, stated that a contractor has been contacted and all work up to the paving stage should be completed by end of summer. He stated that because of lack of funds, it was unsure when the paving would be done.

The Commissioners advised that they would arrange a meeting with the County Engineer, County Attorney, Oliver Guyther and the Commissioners to discuss this situation prior to making a decision. In the interim, at the suggestion of the Commissioners, Robin Guyther stated that they would have the road upgraded and ruts smoothed out in order to make it passable.

PROPOSED PARK FOR HOLLYWOOD AREA

Present: John Baggett, Director, Recreation and Parks
Judith Roa, Chairman, Recreation and Parks Board
Leslie Vandivere, Member, Recreation and Parks Board
Bettina Lynch, Hollywood Recreation Council
Mary Woodburn, " " "
Harry Kirst, " " "

Mr. Baggett stated that the Hollywood Recreation Council has requested a community park in the Sixth District area preferably south of the light at the intersection of Rt. 245 and Rt. 235. He advised that public hearings have been held in the area and a site has been located approximately two miles south of the light. Mr. Baggett further stated that he had a proposed option and would like to discuss the possibility of land acquisition in Executive Session with the Commissioners and Recreation and Park Board members. The Commissioners gave their concurrence. The Session was held from 10:50 a.m. to 11:25 a.m. After the Executive Session the Commissioners advised that they would table this matter for approximately one week's time.

TOURIST INFORMATION CENTER

Present: Carol Kenney, Director, Chamber of Commerce
Wayne Swann, President
Sonny Burch, Chairman, Tourist Information Center Committee

The above individuals appeared before the Commissioners to present the proposed plan of operation for the Tourist Information Center to be located at the White House at the Charlotte Hall school site. A letter dated April 25, 1979 from the Chamber of Commerce

setting forth the details of the proposal and the responsibilities of the Chamber and what would be needed from the County was presented. Said letter is on file in the County Commissioners' office.

Mrs. Kenney stated that next year they would like to make arrangements for the Center to be located at the Headmasters House at the school site, which the Chamber feels would be more accessible to traffic coming into the County.

After discussion, the Commissioners indicated their support of the concept as set forth in the April 25, 1979 letter and requested the Chamber to contact the Veterans' Home Commission to determine if the proposal is possible and if so to proceed as long as costs are kept within last year's operation.

CONDITIONAL USE REQUIREMENT - UTILITY COMPANIES

Present: Oliver Guyther, Attorney for SMECO
Dick McCoy, SMECO
Charles Mander, Metropolitan Commission
representatives from C&P Telephone Company

Oliver Guyther on behalf of Southern Maryland Electric Co-op, Inc., appeared before the Commissioners to discuss the requirement of the Zoning Ordinance whereby a utility company is required to appear before the Zoning Board of Appeals for a conditional use permit each time a utility line is constructed. He referred to SMECO's plan for the 230 KV transmission line and that Public Service Commission requires that all residents within 200 feet must be notified prior to a public hearing each time a conditional use permit is applied for each time a line is constructed which would involve 27 miles in the 230 KV transmission line project. Therefore, Mr. Guyther recommended that utility companies be permitted to obtain a permitted use permit rather than having to apply for a conditional use permit each time.

Mr. Mander, Attorney for Metropolitan Commission, stated that the Commission was agreeable to the proposal for utilities that were underground, but not for pumping stations or anything that was visible.

Mr. Guyther stated that the representatives of the telephone company were just observing because he had not given them adequate time to consider the proposal.

The Commissioners discussed the pros and cons of the proposal and advised Mr. Guyther that they would take this matter under advisement.

PROCLAMATION NO. 79-27
VOLUNTEER WEEK

Present: Joe Anderson, Big Brothers
Alfreda Mathis, Big Sisters
Bert Otts, Social Services
Reba Hill, Commission on Aging
Mike Gardiner, Rescue Squads
Greg Adams, Fire Departments
Sidney Wood, Boy Scouts
Ed Curley, United Way
Kathy Curley
Carolyn Rice
Charles Meidzinski

The Commissioners presented the referenced Proclamation proclaiming the week of April 22-28, 1979 as National Volunteer Week in St. Mary's County.

PROCLAMATION NO. 79-28
NATIONAL SECRETARIES WEEK

Present: Secretarial representatives from County Government and St. Mary's Public Schools

The Commissioners presented the referenced Proclamation proclaiming the week of April 22-28, 1979 as National Secretaries Week.

REZONING HEARING
CASE NO. 78-161
FOX LUMBER COMPANY, INC.

Present: Henry L. Miller, agent for applicant
James Kenney, Attorney for applicant
Frank Gerred, Director, Planning and Zoning Office
Anita Meredith, Recording Secretary, P&Z Office

(Commissioners Arnold and Millison disqualified themselves from participating in the hearing because of possible conflict of interest.)

Application was made by Fox Lumber Company to have approximately 20.90 acres, located on Tax Map 9, part of Parcel 56, on Md. Rt. 5, 1/2 mile north of the intersection of Md. Rts. 5 and 235 in the Fifth Election District, rezoned from AR-2, Agricultural-Residential, to I-1, General Industrial.

The complete record, file and tape are on file in the Office of Planning and Zoning.

PROJECT NO. SM 79-1-5
BITUMINOUS CONCRETE OVERLAY
THIRD AND EIGHTH ELECTION DISTRICTS

On behalf of the County Engineer, the County Administrator presented the bid tally sheet for the referenced project and advised that Dean Construction Company was the lowest bidder in the amount of \$450,381. After consideration and discussion, Commissioner Millison moved, seconded by Commissioner Sayre to accept the low bid from Dean Construction Company. Four Commissioners voted in favor, with Commissioner Dean abstaining.

CONTRACTUAL SERVICES - DISTRICT COURT RENOVATIONS

The County Administrator presented a memorandum from the County Engineer recommending utilization of the services of Brooks Cross, mechanical engineer for the design of the air conditioning system for District Court in an amount not to exceed \$4,000.

After discussion, Commissioner Aud moved, seconded by Commissioner Arnold, to accept the County Engineer's recommendation and hire Brooks Cross for this project in an amount not to exceed \$4,000 and contingent upon the fact that the funds are in the Engineer's Office's Contract Services portion of the budget. All Commissioners voted in favor.

ECONOMIC IMPACT FEE AGREEMENT
COONEY NECK SUBDIVISION

The County Administrator presented the Economic Impact Fee Agreement dated March 12, 1979 by and between Jennes C. and Nonny E. Nelson and the Board of County Commissioners of St. Mary's County setting forth the method of payment of the economic impact fee for five lots in Section Two of Cooney Neck Subdivision. Commissioner Dean moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign said Agreement. All Commissioners voted in favor.

ECONOMIC IMPACT FEE AGREEMENT
LITTLE RANCH SUBDIVISION

The County Administrator presented the Economic Impact Fee Agreement dated April 11, 1979 by and between John J. Lenhart, Jr. and Mary Lou Lenhart and the Board of County Commissioners of St. Mary's County setting forth the method of payment of the economic impact fee for four lots in Section One of the Little Ranch Subdivision, Fifth Election District. Commissioner Dean moved, seconded by Commissioner Arnold to accept said Agreement. All Commissioners voted in favor.

ACCEPTANCE OF ROAD
INDIAN RIVER ESTATES, SECTION I

On behalf of the County Engineer, the County Administrator presented a Deed dated July 1, 1976 by and between Orval B. Upole and the County Commissioners of St. Mary's County accepting Pochontas Drive, Broken Arrow Lane and Commanche Lane in Indian River Estates, Section One, Fifth Election District, into the County Highway Maintenance System. Commissioner Millison moved, seconded by Commissioner Sayre, to accept said Deed. All Commissioners voted in favor.

URBAN FOREST PLANNER POSITION

The Commissioners reviewed correspondence dated April 6 from Maryland Forest Service requesting county funding in the amount of \$2,000 or 8 1/3% of salaries and expenses of the Urban Forest Planner position. The Commissioners accepted the County Administrator's recommendation to not fund the request because of restricted availability of funds and to forward correspondence to the Maryland Forest Service explaining the County's endorsement of the program.

CEDAR LAND APARTMENTS
APPLICATION FOR EXPANSION

The County Administrator advised the Commissioners that the St. Mary's Home for the Elderly is making application to Department of Housing and Urban Development for an expansion of 50 units at the Cedar Lane Apartments and endorsement by the Board of County Commissioners is required. The Commissioners agreed to sign and forward a letter to the Board of Directors endorsing this expansion and advising that the county review and permit process must be adhered to.

RAILROAD RIGHT-OF-WAY AGREEMENTS

After review, Commissioner Dean moved, seconded by Commissioner Arnold to sign the Agreement among St. Mary's County, Southern Maryland Electric and State Highway Administration relative to the utilization of a portion of the railroad right-of-way for the dualization of Rt. 235 and the subsequent replacement of the portions used. All Commissioners voted in favor.

Further, Commissioner Dean moved, seconded by Commissioner Millison, to authorize Commissioner President Aud to sign the Agreement by and between St. Mary's County and SMECO, Inc. pertaining to the rebate to SMECO for the value of state and local real estate taxes on property they would acquire on the two sections of the railroad right-of-way (Laurel Grove to Hillville and St. Andrews Road to Hollywood). All Commissioners voted in favor.

ST. MARY'S COLLEGE
MARYLAND ENVIRONMENTAL SERVICE PERMIT

Commissioner Dean advised that it was his understanding that Water Resources Administration has a request in for Maryland Environmental Service Permit to increase the discharge from St. Mary's College sewage treatment system to 400,000 gallons per day. They currently are permitted 100,000 gallons per day. Commissioner Dean questioned the increase when the Bay Interceptor is being constructed to alleviate the problem that exists there, and recommended that the matter be looked into and if the permit is approved that the Board resist this increase in the permit unless there is real need. The Commissioners gave their concurrence.

SIGNING OF 1979-1980 RECOMMENDED BUDGET

Present: Joseph O'Dell, Budget Officer

Mr. O'Dell presented the 1979-1980 Recommended Budget in the amount of \$20,050,137, setting the recommended tax rate at \$2.01 per \$100 of assessed valuation. Commissioner Dean moved, seconded by Commissioner Arnold, to sign said recommended budget for presentation at the public hearings May 9 and 10. All Commissioners voted in favor.

COMMISSION ON AGING
TITLE VII (TITLE III-C) NUTRITION PROJECT

Present: Mrs. Agnes C. McGaharn, Senior Services Coordinator

Mrs. McGaharn stated that the referenced budget for the project period March 1, 1979 to February 28, 1980 was revised from \$75,000 to \$71,000 and requested the Commissioners' approval of same. She stated that as a result of the revision the County's share would be \$8,002 and she therefore requested that the Commissioners retain the \$1,287 difference, rather than as part of this grant.

Commissioner Dean moved, seconded by Commissioner Arnold, to accept the Senior Services Coordinator's recommendations and approve the revised grant for Title VII (Title III-C) Nutrition Project and to approve the additional funding by the County in the amount of \$1,287. All Commissioners voted in favor.

COMMISSION ON AGING - AREA AGENCY PLAN

Present: Mrs. McGaharn, Senior Services Coordinator

Mrs. McGaharn stated that correspondence was received from the State Office on Aging setting forth three alternatives with regard to Area Agency Plans: (1) join other jurisdictions to become an area agency; (2) join with other jurisdictions in an existing area agency; or (3) that we as a local jurisdiction

become an area agency in and of ourselves. Mrs. McGaharn recommended that we become our own area agency. The Commissioners concurred with Mrs. McGaharn's recommendation and agreed to forward correspondence to State Office on Aging stating the County's position.

With regard to the Area Agency Plan, the State Officer on Aging authorized to the local areas certain funding amounts to hire a consultant to work with this plan, which would be \$2,000 to St. Mary's County to assist in the planning stage. The Commissioners recommended that Mrs. McGaharn make application for these funds, after which time a decision would be made as to the consultant.

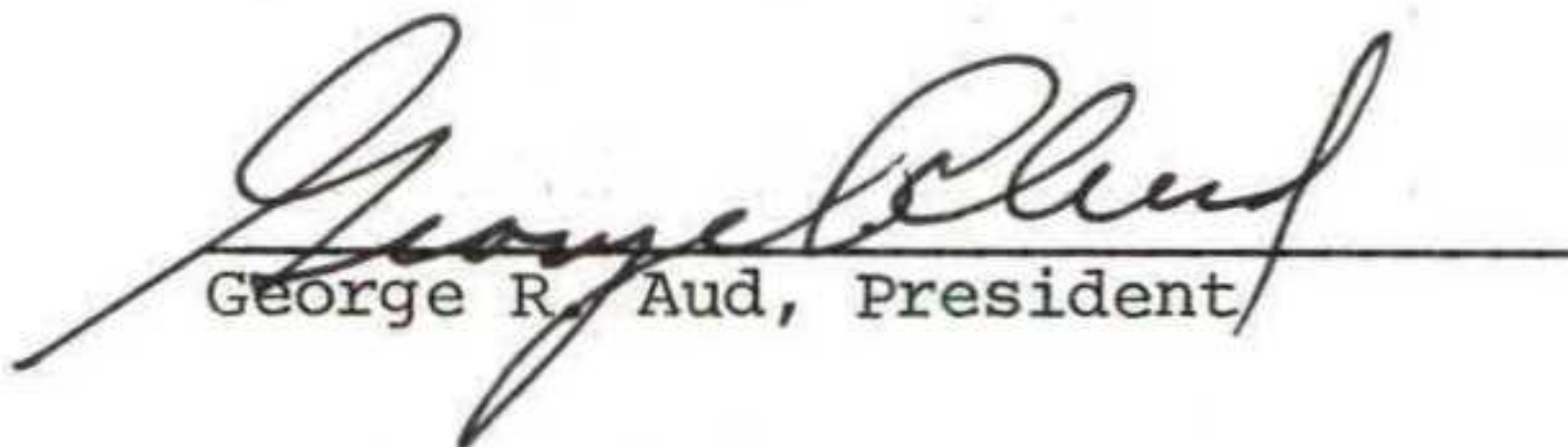
SCHOOL BUS AT CHARLOTTE HALL SCHOOL

Present: Mrs. McGaharn, Senior Services Coordinator

Mrs. McGaharn presented proposed correspondence to the members of the Board of Public Works regarding the state-owned school bus located at Charlotte Hall School and not presently being used, and requesting use by the Commission on Aging of the bus. The Commissioners agreed that the County Administrator prepare the letter for their signature.

The meeting adjourned at 3:15 p.m.

Approved,


George R. Aud, President