

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, May 23, 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 9:05 a.m.

READING AND APPROVAL OF MINUTES

The minutes of the County Commissioners' meeting of May 9, 1979 were read. Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes as read. All Commissioners voted in favor.

The minutes of the County Commissioners' meeting of May 16, 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 Arnold moved, seconded by Commissioner Sayre, to approve payment of the bills as submitted. All Commissioners voted in favor.

PROPOSED MAJOR CRIME SQUAD AGREEMENT

Present: Sheriff Somerville

The Commissioners advised that they would review the proposal and look into possible available space for the Major Crime Squad and make a decision at their next meeting on June 6.

COMPLETION OF PROBATIONARY PERIOD

The County Administrator presented a memorandum from the Personnel Officer stating that Bonnie Manning, Office Clerk in the Office of Purchasing and Logistics has completed her six-month probationary period and upon receiving a satisfactory evaluation from her supervisor, recommended that she be given permanent status. The Commissioners unanimously approved this request.

LETTER TO OTIS WOOD, DIRECTOR, EOC

The County Administrator presented a letter for Commissioner Aud's signature, upon the approval of the Board, to Mr. Otis Wood accepting his resignation as full-time Director of the Emergency Operations Center as of July 1, 1979 and that he would serve on a part-time basis as Director in conjunction with a Deputy Director to be appointed prior to that date. Said letter set forth the conditions of the part-time employment. The Commissioners approved and authorized Commissioner President Aud to sign said letter. All Commissioners voted in favor.

ST. MARY'S RIVER WATERSHED

The County Administrator presented correspondence addressed to Lorenzi, Dodds and Gunnill requesting a review of their field notes of the survey work relative to the acquisition of land for the St. Mary's River Watershed because of questions raised by the Coppage heirs as to ownership of a portion of the property. The Commissioners agreed to authorize Commissioner President Aud to sign said letter.

ST. CLEMENTS ISLAND POTOMAC MUSEUM - COUNTY'S BID SYSTEM

The County Administrator presented correspondence from the St. Clement's Island Potomac River Museum requesting permission to purchase supplies in the coming fiscal year from the county's bid system, including oil bids. The Commissioners gave their concurrence with this request.

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CLEARINGHOUSE PROJECT NO. 79-4-1196  
PROPOSED REVISION OF CRITERIA FOR GOVERNMENTS FOR DESIGNATION  
OF AREAS ELIGIBLE TO RECEIVE EDA ASSISTANCE

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

AMENDMENTS TO ZONING ORDINANCE

In response to an inquiry from the Commissioners, the County Administrator presented correspondence from the County Attorney setting forth the process whereby the County's Zoning Ordinance is amended.

WAIVER OF FEES  
ST. MARY'S COUNTY PUBLIC SCHOOLS

The County Administrator presented correspondence from the Supervisor for School Facilities regarding waiver of fees. Mr. Cox recommended that the Planning and Zoning Office review this request and submit recommendations as to what organizations and what fees could be waived. The Commissioners gave their concurrence.

WELFARE RECIPIENTS

The County Administrator presented correspondence from Joseph Carter, Director, Social Services, in response to inquiries from the Commissioners regarding welfare recipients and a work program. Mr. Carter recommended that the County participate in a program whereby recipients work off payment at a minimum wage and further that the county appoint a committee to investigate the possibility of a program to assist welfare recipients to find employment. The Commissioners gave their concurrence.

ST. CLEMENTS ISLAND POTOMAC MUSEUM

Present: Michael Humphries, Director  
Louanne Bailey, Chairman  
Gordon Malkie, Board Member  
Fred McCoy, " "  
Betty Wagner, " "  
Beverly Wells " "

Mrs. Bailey stated that the purpose of this meeting was to request the Board of County Commissioners to reconsider the budgetary cuts of the St. Clements Island Potomac Museum. She explained that the museum has contributed to education and tourism in the County and without the additional funds, certain important programs will have to be eliminated. The Board members reviewed the various programs of the museum, the support received by the Seventh District Optimist Club and the great amount of response received by local countians and tourists to the programs of the museum.

After considerable discussion, the Commissioners agreed to put the funds back into the budget.

Mr. O'Dell, Budget Officer, was called to the meeting and he advised that the FY 79-80 budget has been prepared for the Commissioners' signatures today and that on July 1, the Commissioners can make an account transfer from the Reserve for Contingency to the Museum Account.

During the discussion, Commissioner Millison requested that all positions of the Museum be advertised due to the fact that county funds are involved.

BUSHWOOD CITY ROAD

Present: Suzie Hill  
Clem Dyson  
Henrietta Plumb  
Gertrude Hill  
Attaway Carter  
Hazel Brown  
Attaway Hill

Mrs. Suzie Hill explained that the residents of Bushwood City Road are again before the Commissioners to inquire when Bushwood City Road repairs would be completed. She stated that work was started in July and the work crew left around the first of September and nothing more has been done.

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She said that with each rain, the ruts in the road became worse and the school buses that use the road have made the conditions worse. The Commissioners explained that the road could not be surfaced during the cold season because it would break up easily.

The Commissioners advised that they would direct the County Engineer to include this road in the Surface Treatment Program.

ECONOMIC IMPACT FEE AGREEMENT

The County Administrator presented an Economic Impact Fee Agreement by and between Henry Yaffe and the Board of County Commissioners dated May 2, 1979, setting forth the method of payment of the economic impact fee for 28 lots in Persimmon Creek Subdivision. The Commissioners unanimously agreed to accept and authorize Commissioner President Aud to sign said Agreement.

RESOLUTION NO. 79-34

MOBILE HOME PARK ZONING REGULATIONS

Present: Frank Gerred, Director, Planning and Zoning Office

Mr. Gerred presented a draft Resolution extending the deadline for mobile home parks to comply with certain requirements of the Zoning Ordinance from May 28, 1979 to November 30, 1979. After review of the draft document, the Commissioners directed Mr. Gerred to include that a review of the Zoning Ordinance be conducted and return the retyped original to the Commissioners for adoption.

Later in the meeting, Commissioner Aud moved, seconded by Commissioner Dean, to approve Resolution No. 79-34 (Mobile Home Parks), subject to review and approval by the County Attorney. All Commissioners voted in favor.

PROCLAMATION NO. 79-31

CANCER AWARENESS WEEK

Present: Sue Eikamp  
Jean Engman

The Commissioners presented the referenced proclamation proclaiming the week of June 3 through June 9 as Cancer Awareness Week.

REZONING HEARING - CASE NO. ZA 79-19  
JIMMY AYSUCUE

Present: Jimmy Ayscue, Applicant  
Frank Gerred, Director, Planning and Zoning  
Anita Meredith, Recording Secretary

The Commissioners conducted a public hearing on the application of Jimmy Ayscue to have part of Parcel 41, Tax Map 4, located on Maryland Route 5, Fifth Election District, containing approximately one acre, rezoned from AR-2, Agricultural-Residential, to C-2, Commercial.

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

REZONING DECISION DISCUSSION  
CASE NO. 78-161  
FOX LUMBER COMPANY

(Commissioners Millison and Arnold did not participate in the discussion since they did not participate in the hearing because of possible conflict of interest.)

Having conducted a public hearing on April 25, 1979 on the application of 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 Commissioners commenced discussion.

After discussion, Commissioner Dean moved, seconded by Commissioner Aud to request the County Attorney to draft the appropriate resolution approving the zoning amendment, with the condition that only one entrance be allowed onto new Rt. 5, from each existing parcel, i.e. Tax Map 9, Parcels 218, 27 and 24. Three Commissioners present (Commissioners Aud, Dean and Sayre) voted in favor of the motion.

ST. MARY'S COUNTY AIRPORT COMMITTEE

Present: George Sullivan, Chairman  
F. Elliott Burch, Sr.  
Thomas A. McGuyre

The above members of the Airport Committee appeared before the Commissioners to discuss several issues related to the Airport Committee:

1. The Committee presented a preliminary design of the Master Plan development which indicated a proposed schedule of development for the St. Mary's County Airport, which will be explained in greater detail at a public informational meeting on June 12 at 7:30 p.m. in the Commissioners' Conference Room.

2. The Committee discussed the fact that the lease for the current base operator will be up for renewal next April and requested authority from the Commissioners to advertise for proposals for a new lease for next year.

3. The Committee reminded the Commissioners of the law that was passed during the last legislative session whereby the Airport Committee would be abolished as of July 1 and allowing for the appointment of an Airport Commission. Mr. Sullivan requested that the Commissioners take action on the appointment of the Commission so that they can remain active.

The Commissioners agreed to review the above requests and make a decision at their next meeting on June 6.

COMMERCIAL INVENTORY TAX

Present: Joseph O'Dell, Budget Officer

Mr. O'Dell reviewed with the Commissioners his report on Commercial Inventory Exemptions and Taxation in St. Mary's County and the list of companies indicating amount of commercial inventory taxes paid for FY 1978. After review Mr. O'Dell recommended the following:

1. That the Commissioners appoint a special committee comprised of three persons (appointees from County Commissioners, Chamber of Commerce and Economic Development Commission) to investigate financial alternatives concerning commercial inventory tax exemptions.

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2. That with the tax rate going from \$2.15 to \$2.01 for the upcoming fiscal year that no change be made in the commercial inventory tax exemptions until the committee has reviewed the matter and issued a report, which should be no later than November 1979.

After discussion, Commissioner Arnold moved, seconded by Commissioner Sayre, to accept the recommendations of the Budget Officer as set forth above. Three Commissioners voted in favor, with Commissioner Millison abstaining and Commissioner Aud voting against stating that the appointment of a committee is a way of delaying the decision.

RESOLUTION NO. 79-33  
1979-1980 APPROVED BUDGET AND LEVY RATE  
SIGNING OF 1979-1980 BUDGET

Present: Joseph O'Dell, Budget Officer

(The Board of County Commissioners recessed as the County Commissioners and sat as the Board of Estimates.)

The Budget Officer presented the final FY 1979-1980 Budget along with related Resolution adopting same.

Commissioner Aud moved, seconded by Commissioner Sayre to sign the FY 1979-1980 Budget Document along with Resolution No. 79-33 (1979-1980 Approved Budget and Levy Rate) setting the budget at \$20,050,137 and the levy rate assessed at \$2.01 per \$100.00 of assessed valuation. All Commissioners voted in favor.

The Board of Estimates adjourned and reconvened as the Board of County Commissioners.

ASSISTANT COUNTY ATTORNEY

Commissioner Aud moved, seconded by Commissioner Arnold, to accept the recommendation of the County Attorney and hire Joe Densford in the position of Assistant County Attorney at \$10,500 per year. All Commissioners voted in favor.



CHANCELLORS RUN ROAD

Present: John Norris, County Engineer  
Mr. and Mrs. Joseph Heard, resident  
Molly Dyson, resident  
Ernie Combs, resident

The above residents of Chancellors Run Road appeared before the Commissioners to state their objection that property is being taken from one side of the road only for the reconstruction of Chancellors Run Road and presented a petition from property owners requesting the Commissioners to more equitably divide the land proposed to be taken.

The County Engineer and County Commissioners explained that the proposed alignment which provides two 12 foot lanes and two eight foot shoulders with sufficient drainage and improvements appeared to be the most feasible in that it interfered with fewer property owners and also interfered with fewer utility lines.

At the suggestion of Commissioner Dean, it was agreed that there be another informational meeting in the area in order to give the residents of the area an opportunity to review the current status of the project and to offer suggestions and comments. The County Engineer will make the necessary arrangements.

STATUS OF PUBLIC WORKS AGREEMENT AND BOND  
NORTH INDIAN CREEK ESTATES

Present: John Norris, County Engineer  
R.G. Dean, Jr.,  
James Kenney, attorney for Mr. Dean

The County Engineer advised the Commissioners that the bond and public works agreement for North Indian Creek Estates will expire June 1, 1979. The principal is Oliver Guyther and surety is Republic Insurance Corporation on the behalf of R.G. Dean.

Mr. Kenney and Mr. R.G. Dean, Jr. indicated that it was their desire that the developer obtain surety from the road contractor that he has currently engaged to complete the work, i.e. B.F. Asher.

The Commissioners expressed willingness to extend the bond and indicated that the County anticipated receipt of a new public works agreement and bond by June 1.

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Commissioner Aud agreed to contact the developer, Oliver Guyther, and encourage the timely presentation of an addendum to the Public Works Agreement to extend the time to complete the roads in North Indian Creek Estates and consent of surety.

Mr. Norris advised the Commissioners that if the addendum is not presented by Thursday, May 31, correspondence would be forwarded to the developer and the current surety notifying them that they are in default of completion of the construction.

QUIET ACRES SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris indicated that final inspection for Quiet Acres Subdivision was scheduled for Thursday, May 24. He requested authorization from the Board to release all or part of the escrowed funds (\$79,500) based on satisfactory completion of the work. The release would enable the developer, J. C. Nelson, to pay subcontractors for work satisfactorily completed. The Commissioners gave their concurrence.

RAILROAD RIGHT-OF-WAY

Present: John Norris, County Engineer

Mr. Norris presented an agreement dated May 23, 1979 by and between the County Commissioners of St. Mary's County, Dr. Samuel Kaplan and Southern Maryland Electric allowing ingress and egress to Dr. Kaplan's property in the vicinity of Old Rolling Road. The Commissioners gave their concurrence to authorize Commissioner President Aud to sign said Agreement.

FLOORING FOR COURTHOUSE

Present: John Norris, County Engineer

Mr. Norris presented for the Commissioners' review proposals received for the flooring for the main floor corridor at the Courthouse and after discussion, Commissioner Dean moved, seconded by Commissioner Arnold to authorize an expenditure up to \$12,000 to redo the floors in the main floor corridor at the Courthouse with Fritz Tile in accordance with the proposals presented by the County Engineer. All Commissioners voted in favor.

FAIRGROUNDS ROAD

Present: John Norris, County Engineer

Mr. Norris advised that with regard to the roadside and drainage improvements on Fairgrounds Road and the corner of property that County wanted to acquire, the current property owner is Bunky Garner. Mr. Garner has agreed to deed to the County a ten foot strip if the County would do the following:

1. That all timber removed be stacked on his property in log size;
2. That the earth removed be spread and leveled on his property;
3. That the County provide two entrances.

Mr. Norris requested approval from the Board to authorize Commissioner President Aud to sign said Deed. The Commissioners gave their concurrence.

RAILROAD RIGHT OF-WAY-AGREEMENT

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the utility company had returned the tri-party agreement requesting additional language be inserted. Mr. Norris read the proposed language giving Southern Maryland Electric the ability to realign the transmission corridor with the State paying the necessary costs. The Commissioners concurred and indicated it would be acceptable to insert those modifications into the previously signed agreement.

PROJECT NO. SM 79-4-6

AIRPORT OBSERVATION CLEARING PROJECT

Present: John Norris, County Engineer

Mr. Norris indicated that the Agreement with Bourne, Gibson and Shamma, consulting engineers, required St. Mary's County to fund the survey and the preparation of property acquisition plans. Bourne, Gibson and Shamma has obtained a proposal dated May 17, 1979 from J.R. McCrone to do work in the amount of \$2,950, and Mr. Norris requested the Commissioners' authorization to expend funds in that amount. Commissioner Dean moved, seconded by Commissioner Arnold, to grant said authorization. Four Commissioners voted in favor with Commissioner Millison voting against.

INSPECTION SERVICE  
NURSING HOME ACCESS ROAD  
ASPHALT OVERLAY PROGRAM

Present: John Norris, County Engineer

The County Engineer advised that the county will need inspections on the Nursing Home access road project as well as the Asphalt Overlay Program. Proposal dated May 10, 1979 was obtained from The Wilson T. Ballard Company who had done the design work and it was the County Engineer's recommendation to accept this proposal. Commissioner Dean moved, seconded by Commissioner Sayre, to accept the proposal from Wilson T. Ballard Company to provide inspection services on the Nursing Home access road and the asphalt overlay project. All Commissioners voted in favor.

RICHARDSON ROAD

Present: John Norris, County Engineer

Mr. Norris advised that correspondence was received from Mrs. L. Roger Richardson concerning need for maintenance on a portion of Richardson Road in Whitepoint. The road is not now listed as being in the County Highway Maintenance System. Mrs. Richardson pointed out in her correspondence that the road had been constructed, surface treated and accepted by the State Highway Administration on behalf of St. Mary's County a number of years ago. The road has not been utilized or maintained and currently exhibits considerable shrub growth. Mrs. Richardson is requesting that the County reconstruct the road and include it in the County Highway Maintenance System. The Commissioners requested Mr. Norris to obtain cost estimates and advise them in order that a decision could be made.

SUMMER YOUTH EMPLOYMENT PROGRAM  
SUMMER CAMP PROGRAM

Present: Delores Hill, Youth Services Coordinator

Miss Hill appeared before the Commissioners to review the upcoming plans for the Summer Youth Employment Program and the Summer Camp Program. Miss Hill presented a detailed report on each Program which has been placed on file in the County Commissioners' Office. In addition, she explained the weekly graduation from the Summer Camp and expressed hope that the Commissioners would attend.

EMS COORDINATOR POSITION

Present: Michael Gardiner, Chairman, EMS Council  
Paul Barber, Acting Director, St. Mary's Hospital  
Com. Christian, Navy Base Hospital  
Marie J. Warner, Coordinator, Region V  
Tom Oliver, Vice-Chairman, EMS

The referenced individuals appeared before the Commissioners to request the County's consideration for a full-time EMS Coordinator position for St. Mary's County. Mr. Gardiner explained that because of the increase of responsibilities of the EMS Advisory Council, it was their opinion that it has become necessary that there be a full-time coordinator to assist in grant applications and to relieve the workload of the local EMS Council. Support for this request was presented by State and local EMS, St. Mary's Hospital and Rescue Squad Association.

Documentation was presented supporting the position of EMS Coordinator, which has been placed on file in the County Commissioners' Office.

After discussion, the Commissioners agreed to take the matter under advisement and make a decision at their next meeting on June 6.

PUBLIC HEARING

ST. MARY'S COUNTY MANUAL OF PERSONNEL POLICIES AND PROCEDURES

Present: Gerda Manson, Personnel Officer  
County Employees

At this time the Commissioners conducted a public hearing on the proposed revisions, additions and deletions of the St. Mary's County Manual of Personnel Policies and Procedures, which will become effective July 1, 1979.

After hearing comments from the employees, the Commissioners advised that the record will remain open for at least an additional ten days in order to receive additional comments.

A tape of the hearing is on file in the County Commissioners' Office.

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STATE'S ATTORNEY'S OFFICE  
COOPERATIVE REIMBURSEMENT PROGRAM GRANT RENEWAL

The County Administrator presented the grant application for the Cooperative Reimbursement Program for the State's Attorney to be renewed for another project period by and between the Commissioners, State's Attorney and the Department of Human Resources. The County Administrator indicated that certain adjustments had to be made in the budget of the grant; that the Budget Officer had reservations concerning the present contents of the application; but that he believed the application should be signed with the adjustments made prior to the application being forwarded to the State.

After discussion, Commissioner Dean moved, seconded by Commissioner Sayre to authorize the President of the Board to sign the Cooperative Reimbursement Program Grant Application. All Commissioners voted in favor.

FISCAL CLERK  
COMMISSION ON AGING OFFICE

The Commissioners reviewed a memorandum from the Personnel Officer describing the employment and reclassification process of the former Clerk-Stenographer position, now vacant, in the Commission on Aging Office and recommending the employment of June Long to fill the reclassified position of Fiscal Clerk I. Commissioner Aud moved, seconded by Commissioner Sayre, to accept this recommendation. All Commissioners voted in favor.

The meeting adjourned at 6:45 p.m.

Approved,

  
George R. Aud, President