

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, July 11, 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 9:20 a.m.

APPROVAL OF ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the encumbrance vouchers for the Commissioners' review and approval. Commissioner Sayre moved, seconded by Commissioner Arnold, to approve payment of the bills as submitted. All Commissioners voted in favor.

APPROVAL OF MINUTES

After review and correction of the minutes, Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes as corrected. All Commissioners voted in favor.

SIGNATURE CARD - ANNAPOLIS FEDERAL SAVINGS AND LOAN

The Commissioners unanimously approved to authorize Commissioners Aud and Dean and the County Administrator, Edward V. Cox to sign the Signature Card for the Annapolis Federal Savings and Loan.

APPROVAL OF SALARY SCALE FOR FY '79-'80

The County Administrator presented a memorandum dated June 28, 1979 attaching the salary scale reflecting the 6% cost of living increase in salaries, effective July 1, 1979. The Commissioners unanimously agreed to adopt the State Pay Scale which begins at Grade 3 with the two lower grades (Grades 1 and 2) added by the County.

NOTIFICATION OF GRANT AWARD
BIG BROTHER/BIG SISTER PROGRAM
(YOUTH DIVERSION PROJECT)

The County Administrator presented the Statement of Grant Award for the Youth Diversion Project - Big Brother/Big Sister Program and requested authorization by the Board for the President's signature. The Commissioners gave their approval to authorize Commissioner President Aud to sign the Notification of Grant Award.

CLEARINGHOUSE PROJECT NO. 80-7-31
DEVELOPMENT OF CHARLOTTE HALL VETERANS HOME

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, programs or objectives. The Commissioners gave their concurrence.

CLEARINGHOUSE PROJECT NO. 79-6-1378
HOME FOR THE ELDERLY

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, programs, or objectives. The Commissioners gave their concurrence.

ROAD RESOLUTION NO. R 80-01

On behalf of the County Engineer, the County Administrator presented Road Resolution No. R-80-01 rescinding Road Resolution No. 79-28 and designating the streets in the following subdivision as Stop Streets.

Cal Acres Subdivision (Eighth District) - Elmbrook Drive as it intersects with Patuxent Beach Road; Elmbrook Drive as it intersects with Lakeview Drive.

Deer Run Subdivision (Second District) - Dogwood Lane as it intersects with Lakeview Drive.

Indian River Estates (Fifth District) - Pocahontas Drive as it intersects with Golden Beach Road; Broken Arrow Lane as it intersects with Pocahontas Drive; Commanche Lane as it intersects with Pocahontas Drive.

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Country Lakes Subdivision (Fourth District) - Asher Road as it intersects with Chaptico-Mechanicsville Road; Cox Drive as it intersects with Asher Road; Beverly Drive as it intersects with Cox Drive.

Maple Run Subdivision (Eighth District) - Brook Drive as it intersects with Willis Drive; Willis Drive as it intersects with Indian Bridge Road.

Land O'Lake Subdivision (Sixth District) - Riva Ridge Drive as it intersects with McIntosh-Clover Hill Road, Riva Ridge Drive as it intersects with Secretariat Drive; Gallant Man Drive as it intersects with Riva Ridge Drive; Blue Lockspur Drive as it intersects with Gallant Man Drive; Allston Lane Extended as it intersects with Riva Ridge Drive.

The Commissioners unanimously agreed to approve Road Resolution 80-01, and authorize Commissioner President Aud to sign same.

ROAD RESOLUTION NO. 79-32

BREEZY KNOLLS SUBDIVISION

On behalf of the County Engineer, the County Administrator presented Road Resolution No. 79-32 posting White Drive and Hunter Court in Breezy Knolls at 25 miles per hour.

The Commissioners unanimously agreed to approve Road Resolution No. 79-32, and authorize Commissioner President Aud to sign same.

ACCEPTANCE OF DEED

QUIET ACRES SUBDIVISION

On behalf of the County Engineer, the County Administrator presented a Deed dated January 10, 1978 by and between Jennes C. Nelson, Jr. and Nonny E. Nelson for the acceptance of Wanda Lane and Carol Lane into the County Highway Maintenance System.

Commissioner Dean moved, seconded by Commissioner Arnold to accept the referenced Deed. All Commissioners voted in favor.

APPOINTMENTS TO BOARDS COMMITTEES AND COMMISSIONS

The Board of County Commissioners unanimously agreed to make the following appointments with terms as indicated:

<u>COMMUNITY COLLEGE ADVISORY BOARD</u>	<u>TERM TO EXPIRE</u>
Delores Hill	June 30, 1984
Jack Fletcher	June 30, 1984
<u>HUMAN RELATIONS COMMISSION</u>	
William Greene	June 30, 1983
William Curtis	June 30, 1983
<u>JOHNSONGRASS COMMITTEE</u>	
James R. Owens	June 30, 1980
R. Johns Dixon	June 30, 1980
Vernon Saunders	June 30, 1980
Aloysius Raley	June 30, 1980
Franklin Hewitt	June 30, 1980
Tommy Bradburn	June 30, 1980
Douglas Bowles	June 30, 1980
<u>MENTAL HEALTH ADVISORY COMMITTEE AND ALCOHOLIC ADVISORY COUNCIL</u>	
<u>Community Representatives</u>	
Kathy Lacer	June 30, 1982
Frances Marcey	June 30, 1982
Rev. Rudy Brooks	June 30, 1982
<u>Social Services Representative</u>	
Joseph Carter	June 30, 1982
<u>Mental Health Services Rep.</u>	
Dr. Joseph Miller	June 30, 1982
<u>Mental Health Task Force Rep.</u>	
Sylvia Briscoe	June 30, 1982
<u>NURSING HOME BOARD</u>	
Edward Burroughs	June 30, 1982
Judith A. Cox	June 30, 1982
Murray Jackson	June 30, 1982

APPOINTMENTS (continued)

PLUMBING BOARD

TERM TO EXPIRE

William R. Thompson	June 30, 1982
Walter Raum	June 30, 1982

SOCIAL SERVICES BOARD

Renee Dixon	June 30, 1982
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SOUTHERN MARYLAND RC&D BOARD

Robert A. Stevens	March 1, 1980
Ralph Brown (alternate)	March 1, 1980

TRANSPORTATION COMMITTEE

Joe Cullison	June 30, 1980
Carolyn Sieffert	June 30, 1980
James Marsh	June 30, 1980
James A. Mora	June 30, 1980
Fred Pumphrey	June 30, 1980

TRI-COUNTY GROUP HOME BOARD

Robert Hill	June 30, 1982
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OVERTIME FOR SHERIFF'S DEPARTMENT

The County Administrator presented the following request for overtime payment for the Sheriff's Deputies (regular and CID) for the period beginning May 25 and ending June 22, 1979: \$241.58 - regular deputies; \$312.82 - CID deputies.

The Commissioners agreed to approve the above request for overtime.

LETTER TO STATE HIGHWAY ADMINISTRATION
CAPE ST. MARY'S SUBDIVISION

The County Administrator presented a letter to the Resident Maintenance Engineer requesting that St. Mary's Drive and Pine Drive in Cape St. Mary's Subdivision be reinstated into the County Highway Maintenance System. The Commissioners agreed to sign and forward said letter.

NOTIFICATION OF GRANT AWARD - TITLE III-B
COMMISSION ON AGING

The County Administrator presented a Notification of Grant Award for the revised Title III-B Grant for the Commission on Aging in the amount of \$25,649, \$2,000 of which had been given to the County to provide consultant study service and therefore reflects a budget revision.

The Commissioners agreed to authorize Commissioner President Aud to sign said Notification of Grant Award.

COMPLETION OF PROBATIONARY PERIOD
DEBRA GASKILL - OFFICE OF PUBLIC HOUSING

The Personnel Officer submitted a memorandum stating that Debra Gaskill, Fiscal Clerk I, Office of Public Housing, has satisfactorily completed her six-month probationary period as of July 4, 1979 and it is the recommendation of her supervisor that she be placed on permanent status. The Commissioners gave their concurrence.

REQUEST TO ADVERTISE POSITION - PATROLMAN FIRST CLASS

The Personnel Officer submitted a memorandum requesting authority to fill the Patrolman First Class position, Grade 12 in the Sheriff's Department, created by the resignation of PFC Michael Burrel. The Commissioners granted approval to advertise the position as requested above.

REQUEST TO HIRE CENTRAL COMMUNICATIONS OPERATOR I

The Personnel Officer submitted a memorandum stating that Dorothea McConnel, Central Communications Operator I with the Office of Civil Defense, has submitted her resignation effective July 17, 1979 and therefore requesting approval by the Commissioners to advertise the position. The Commissioners gave their concurrence.

ALCOHOL BEVERAGE BOARD

The County Administrator presented a memorandum stating that H.B. 646, as amended, gives the County Commissioners salary/funding authority for the raise in compensation of the Chairman, Members and Clerk for the Alcoholic Beverage Board. Mr. Cox stated that the increases in salary were not reflected in the budget decisions for FY 79-80 and the Alcoholic Beverage Board is requesting consideration for these increases as follows:

<u>Current Amount</u>		<u>Requested Amount</u>
Chairman	\$2000	\$2500
Members (2)	3000 (\$1800 each)	4000 (\$2000 each)
Clerk	2400	4000
Attorney	3000	no change
Inspector	3600	no change

The Commissioners unanimously agreed to approve said salary increases.

ENERGY CRISIS

The County Administrator informed the Commissioners that their directives were being implemented to deal with energy-related problems:

1. Hot Line - County-wide gasoline hot-line will be initiated on Wednesday, July 18 and will serve to inform the public and to relieve gas station operators of public inquiries. The Commissioners gave their concurrence with the proposed manner of operation.
2. Energy Audit - With the cooperation of the Maryland Energy Office, the Cooperative Extension Office and local government representatives an energy audit will be conducted with a follow up to identify energy conservation in public buildings.
3. Meeting with Federal Representatives - Plans are progressing to arrange a meeting between the County Commissioners and federal representatives to discuss the gasoline shortage impacts on defense related installations in the County.
4. Sunday Incentive Program - The Maryland Energy Office requests that the Commissioners decide between two options available for the County's participation in the special allocation system for Sunday and weekday evening openings. The Commissioners agreed that the County will participate by indicating to the Maryland Energy Office a list of areas and service stations within those areas, from which list the MEO will choose on a rotating basis participants in the Sunday Incentive Program.

CARVER ELEMENTARY SCHOOL ANNEX

The County Administrator requested from the Commissioners a decision on a pending item concerning the public school system recommendation to demolish the Carver School Annex. The Commissioners expressed the opinion that the structure was sound enough to service some public use and desired that various agencies be contacted to indicate possible uses. If the public school system has an opposing point of view, a meeting should be arranged with those officials to discuss this matter.

NATO DEFENSE COLLEGE VISIT

The County Administrator presented correspondence from Capt. Gillespie, Deputy Commander, NAS, stating that the NATO Defense College desires to again visit St. Mary's County October 9 and 10 and therefore Capt. Gillespie has requested that the County designate a liaison to work with the Navy on this visit. The Commissioners appointed Mr. Cox, County Administrator as the county's liaison.

COASTAL RESOURCES ADVISORY COMMITTEE

The County Administrator presented correspondence from the Maryland Coastal Zone Management Program requesting appointment or reappointment to the Coastal Resource Advisory Committee. The Commissioners agreed to reappoint the incumbents of this Committee pending their acceptance.

STATE ADVISORY COMMITTEE TO THE OFFICE FOR CHILDREN AND YOUTH

The Commissioners unanimously agreed to reappoint Steve G. Tyler as the County's representative to the State Advisory Committee to the Office for Children and Youth for a three year term beginning July 1, 1979.

BEVERLY ESTATES SUBDIVISION
SECTIONS II AND III

Due to the fact that an Addendum to the Public Works Agreement and renewed bonding has not been received by the County for Beverly Estates Subdivision, Sections II and III, the Commissioners agreed to follow their established policy that a "Stop Work Order" be issued for all building permits and construction for said subdivision unless the Addendum and rebonding are received by July 28, 1979.

APPLICATIONS TO DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
ST. MARY'S ASSOCIATION FOR RETARDED CITIZENS - PROJ. # MD06-T791-001
ST. MARY'S HOME FOR THE ELDERLY - PROJECT # MD06-T791-008

The County Administrator presented correspondence from the Department of Housing and Urban Development requesting the County comments on the applications for the referenced projects. The Commissioners agreed to reply that St. Mary's County strongly endorses the projects and therefore has no objection to the applications.

STATE/COUNTY RETIREMENT SYSTEM AMENDMENTS

The 1979 General Assembly amended by legislation the Retirement System in which the county participates to provide a combination of pension and social security rather than the current separation of pension and social security. The new system will take effect January 1, 1980; is optional for all employees currently enrolled; and is mandatory for all new employees after January 1, 1980. The Commissioners agreed to make the system available to county employees and on the motion of Commissioner Dean, seconded by Commissioner Arnold, a resolution to participate in the employees' pension system was adopted.

BIRCH MANOR SUBDIVISION - SECTION III

Present: Bob Combs, representative for Hugh Allston, developer

Mr. Combs, on behalf of the developer for Birch Manor Subdivision stated that all the lots in Section III of the referenced subdivision have been built on; however, through an error, the streets were not cut wide enough. He stated that the banks have been stabilized and all utilities are in. Therefore, the developer is requesting variance to the original plans for the construction of the road system.

After discussion, the Commissioners authorized the following:

1. To change the Section from an R-3 category to an R-2;
2. To change the ditches with a 2 to 1 back slope;
3. To change the front slope from 4 to 1 to a 3 to 1 and to allow center of the road to vary from the center right-of-way, as deemed necessary by the County Engineer's Office.

COMMISSION ON AGING

Present: Billye McGaharn, Senior Services Coordinator
Eloise Pickrell, COA Board Member
David Hammett, " " "
Joe Goode, " " "

The above representatives of the Commission on Aging appeared before the Commissioners to bring several matters to the Commissioners' attention:

1. That the Commissioners give consideration for possible use of the Great Mills Elementary School as a Senior Service Center;
2. That since several members of the Commission on Aging have been unable to attend meetings, that the COA Board will submit recommendations to rectify matter.
3. That the Commissioners reconsider their decision of accepting the Personnel Officer's recommendations to not approve the reclassification of the Senior Services Coordinator from a Grade 13 to a Grade 15 as the COA Board members felt that the position warranted such an increase.

The Commissioners thanked those present for their comments and advised that they would give consideration to their requests.

PATUXENT BEACH ROAD DRAINAGE PROJECT

Present: John Norris, County Engineer

Mr. Norris requested the Commissioners' approval to increase the value of the contract for the referenced project by \$1,000 in order to add an additional inlet. Half of the cost will be borne by the State and half by the County. The Commissioners gave their concurrence.

RUSTIC HILL SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris requested approval that funds received from the settlement from the developer for the referenced subdivision be used to contract with B.F. Asher for double application of surface treatment of the roads in Rustic Hill Subdivision in the amount of \$1.75 per square yard.

The Commissioners gave their concurrence.

FENWICK MANOR SUBDIVISION
(SECTIONS I, II AND III)

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that it was determined that the materials used for the asphaltting surface for the roads in the referenced subdivision did not meet specifications; and therefore recommended that because the problem is not too severe that the developer be requested to post a bond to guarantee the quality of the asphalt material for a period of two years from the date of installation, in order to cover the County for any deterioration.

The Commissioners gave their concurrence.

TAXIWAY IMPROVEMENTS AT COUNTY AIRPORT

Present: John Norris, County Engineer

Mr. Norris requested the Commissioners' approval to accept the proposal dated July 5, 1979 from Aztec Association for soil borings for the parallel taxiway at the St. Mary's County Airport in an amount not to exceed \$1,269.

The Commissioners gave their concurrence to this proposal.

PUBLIC WORKS AGREEMENT
WILDEWOOD SUBDIVISION - SECTION I

Present: John Norris, County Engineer

Mr. Norris presented a Public Works Agreement by and between Paragon Builders, Inc. and St. Mary's County Commissioners guaranteeing the constructions of the streets and roads in Wildewood Subdivision, Section I Plat 5, Eighth Election District.

The Commissioners approved and authorized Commissioner President Aud to sign said Public Works Agreement.

ACCEPTANCE OF DEED
SPRING VALLEY SUBDIVISION ROADS

Present: John Norris, County Engineer

Mr. Norris presented a Deed dated July 5, 1979 by and between Marvin C. Franzen and the Board of County Commissioners of St. Mary's County conveying to the County Parcel One, containing .016 acres, and Parcel Two, containing .017 acres, for the purpose of constructing the roads in and adjacent to the Spring Valley Subdivision, Eighth Election District.

The Commissioners agreed to accept said Deed.

PROJECT NO. SM 80-7-1
BIDS ON REPLACEMENT PICK-UP TRUCK

Present: John Norris, County Engineer

Mr. Norris requested the Commissioners' authorization to accept the bid from Bell Motor Company in the amount of \$5,119 for the purchase of a pick-up truck; said bid being the lowest bid that met specifications.

The Commissioners gave their concurrence.

PLANT INSPECTOR - ASPHALT CONTRACT

Present: John Norris, County Engineer

Mr. Norris requested the Commissioners authorization to accept the proposal from National Foundation Engineering dated July 15, 1979 for the asphalt plant inspection at the Dean Construction Company at the follow rates: \$16 50 per hour; \$19.80 overtime; and \$25 per day living allowance. The Commissioners gave their concurrence to accept said proposal.

In addition, Mr. Norris requested that the Commissioners give authorization to hire Mr. J.B. Love at the rate of \$4.00 per hour to be the inspector at the scales at the asphalt plant. The Commissioners gave their concurrence.

SURFACE TREATMENT/REPAIR SCHEDULE FOR FY 1980

Present: John Norris, County Engineer

Mr. Norris presented and reviewed with the Commissioners the Surface Treatment/Repair Schedule for FY 1980.

CHANCELLORS RUN ROAD PROJECT

Present: John Norris, County Engineer
Dan Ichniowski, Highway Engineer

Mr. Norris and Mr. Ichniowski reviewed with the Commissioners the Chancellors Run Road Project, the proposed alignment and related construction details related to the referenced project in preparation for the scheduled public meeting with the citizens in the project area. The Commissioners discussed various alternatives related both to construction and funding and indicated that the proposal would be presented to the citizens as submitted by the County Engineer with final determination postponed until citizen input was obtained.

ALCOHOL FUEL

Present: John Norris, County Engineer

The County Engineer recommended the employment of three young citizens who are involved in an experimental project with alcohol fuel for the duration of the summer with the goal of producing a product that will power a motor-driven vehicle. The Commissioners concurred with the recommendation and directed county staff to implement the county's endorsement of the project by funding and staff assistance.

EXECUTIVE SESSION

Present: Joseph E. Bell, II, County Attorney
Frank Gerred, Director, Planning and Zoning
Al Bingman, NAS

The Commissioners agreed to meet in Executive Session in order to discuss a matter of litigation. The Session was held from 1:10 p.m. to 1:45 p.m.

REQUEST FOR ISSUANCE OF PERMITS - SOUTHAMPTON (AICUZ)

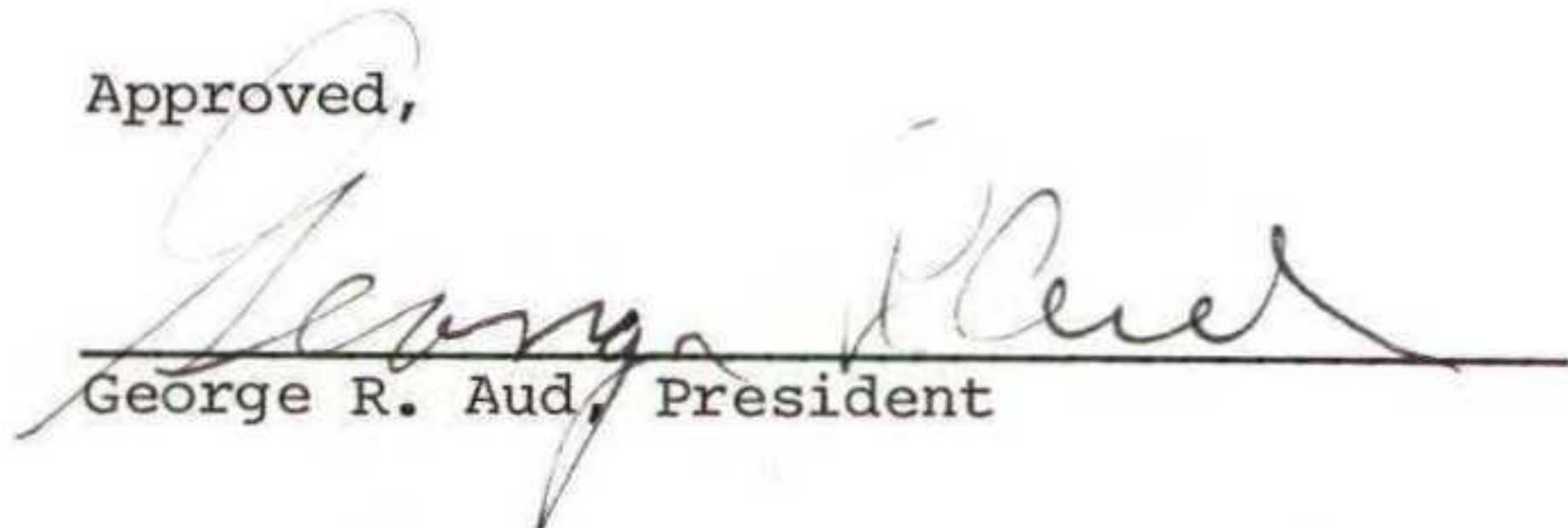
With regard to the request by Mr. Weiner, President of St. Mary's Realty Co., Inc. for the release of ten building permits in Southampton Subdivision, Mr. Dean opened the discussion by giving the history of the matter. He stated that the County signed a Purchase Option Agreement with Mr. Weiner which stated that if the County had not exercised the option by December 1978 that we would release the permits as they had been applied for. During the period of this option the county was to explore sources of funds from the Federal Government to purchase the property since the property was in the AICUZ. He further stated that funds were appropriated by the Federal Government, through the Department of Defense prior to the expiration of the Option, December 1978; however it is now July 1979 and the matter still has not been resolved. Commissioner Dean went on to say that when the new AICUZ footprints are completed, Southampton will either be in the hazard zone or not and if not, there should be no objection to issuing the permits, and therefore the County's release of the permits now has no bearing. If it is still in the hazard zone as it is in the current AICUZ footprint and houses should not be built there, then the Navy, since it has the funds to purchase is going to purchase one of two means: (1) negotiate settlement price with the developer, or (2) condemn them, in which case a court of law would decide purchase price. Whether the County issues the permits or not is not going to change the value that these lots have. The lots have a certain intrinsic value based on and improvements thereon. Our issuing permits will not affect that value.

In view of the foregoing and because of the Agreement signed in good faith, Commissioner Dean moved, seconded by Commissioner Aud, to authorize the Director of Planning and Zoning to release the ten building permits as requested by Mr. Weiner. Four Commissioners voted in favor, with Commissioner Millison voting against.

During the discussion of the motion, Commissioner Millison stated that he was not an advocate of zoning, but if zoning has any value to this community, it is to protect the Naval Air Station and therefore he would not vote contrary to the Navy's request and that the integrity of the Navy's airways be protected. He stated that he believed that the issuance of these permits would have a bearing on the Navy and those land values.

The meeting adjourned at 2:20 p.m. in order for the Commissioners to attend a meeting in Annapolis with Governor Hughes relative to the gasoline shortage situation in the County.

Approved,


George R. Aud, President