

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, November 28, 1979

Present: Commissioner George R. Aud, President  
Commissioner Larry Millison, Vice-President  
Commissioner Richard D. Arnold  
Commissioner David F. Sayre  
Edward V. Cox, Recording Secretary  
Judith A. Mullins, Recording Secretary

(Commissioner Ford L. Dean was not present.)

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

COMMISSION ON AGING - SENIOR SERVICE CENTER PROPOSAL

Present: Billye McGaharn, Senior Services Coordinator

Mrs. McGaharn appeared before the Commissioners to present a proposal for a Senior Service Center to be located in Building No. 2 on the Leonard Hall property, which currently houses the project office of the Commission on Aging. She stated that funds are available through the State on a 50-50 match with the County and she requested acceptance by the Board of Commissioners for the concept of this proposal. After discussion, the Commissioners authorized Mrs. McGaharn to proceed with gathering more details and requested that she return to the Commissioners at a later date for a decision when the specifics of the proposal are available.

ECONOMIC IMPACT FEE  
MATTINGLY ACRES

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred presented the Agreement dated November 15, 1979, by and between Waring Associates, Inc. and the Board of County Commissioners of St. Mary's County setting forth the method of payment of the Economic Impact Fee and Money in Lieu of land dedication for park sites for lots 1,2,4, and 5 in Mattingly Acres, Third Election District. The Commissioners unanimously agreed to authorize Commissioner President Aud to sign said Agreement. All Commissioners voted in favor.

ECONOMIC IMPACT FEE AGREEMENTS

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred requested concurrence from the Board that if the Economic Impact Fee Agreements are standard and have gone through the appropriate process of having approval by the Office of Planning and Zoning and County Attorney that Commissioner Aud be allowed to sign without it coming before the Commissioners. If there is something unusual about a particular Agreement, it would be presented to the Commissioners. After discussion the Commissioners gave their concurrence to this suggestion.



GRANT PROCESS

The County Administrator advised the Commissioners that occasionally a problem arises on the follow-up process for grants and recommended endorsement by the Commissioners of a proposed quarterly grant report system proposed by the Budget Officer in order to make certain that grant requirements are followed and grant funds are received by County agencies. The Commissioners gave their concurrence.

APPOINTMENTS

BOARDS, COMMITTEES AND COMMISSIONS

Commissioner Millison moved, seconded by Commissioner Sayre, and unanimously approved, to appoint the following individuals to the Board, Committee or Commission as set forth below with terms as indicated:

METROPOLITAN COMMISSION

TERM TO EXPIRE

Francis E. Taylor (reappt.)	December 31, 1982
J.J. Finnacom (reappt.)	December 31, 1982

PLANNING COMMISSION

Joseph M. Gough, Jr. (reappt.)	December 31, 1984
Francis E. Hewitt (reappt.)	December 31, 1984

AIRPORT COMMISSION

F. Elliott Burch, Sr. (reappt.)	June 30, 1983
George Sullivan (reappt.)	June 30, 1983
Austin White (reappt.)	June 30, 1982
Thomas McGuyre (reappt.)	June 30, 1982
Joseph Dunn (reappt.)	June 30, 1981
Phil Hurry	June 30, 1981

COMMISSION FOR WOMEN

Diane Sachs	June 30, 1980
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DISABLED PERSONS REVIEW BOARD  
(ADULT PROTECTIVE SERVICES)

Vivian Ripple (Social Services rep.)  
Dr. Richard Martin (physician)  
Dr. Josephine Garner (psychiatrist - local Health Dept.)  
Mrs. Billye McGaharn (Commission on Aging rep.)  
Ms. Hope Adams (Catholic Charities - non-profit social service org.)  
Mr. Richard Fritz (Attorney)



DISABLED PERSONS REVIEW BOARD (Continued)  
(ADULT PROTECTIVE SERVICES)

Mrs. Carol Pinckney (Public Health Nurse)  
Francis Zawadzki (lay individual)  
Robert Swann (lay individual)

LIBRARY BOARD OF TRUSTEES

Dr. Robert Goldsmith (reappt.)

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LETTER TO BOARD OF DIRECTORS  
ST. MARY'S HOSPITAL

The Commissioners agreed to sign and forward a letter to Paul Hampton, President of the Board of Directors of St. Mary's Hospital regarding the County Commissioner representative on the Hospital Board.

INTRA-ACCOUNT TRANSFERS  
CAPITAL PROJECT FUNDS

Based on commitments made by the Commissioners, the Budget Officer submitted a memorandum dated November 20, 1979, recommending the following account transfers:

1. Increase in cost to construct storage facility in the Fifth District Elementary School; Increase Account No. 1832-62521 (Fifth District Storage Facility) by \$26,366; Decrease Account No. 1832-60120 (First District Land Acquisition) by like amount.
2. Land Acquisition at Watershed Site No. 1 not presently budgeted; Increase Account No. 2091-60020 (Watershed Site No. 1) by \$23,634; Decrease Account No. 1832-60120 (First District Land Acquisition) by like amount. Land acquisition in the First District at present has been temporarily relieved by land lease agreement.

The Commissioners unanimously approved the above account transfers as presented by the Budget Officer.

BUDGETARY ADJUSTMENTS AND TRANSFERS - HEALTH DEPARTMENT

The Budget Officer submitted a memorandum dated November 20, 1979, stating that based on State Health Department's reconciliation of FY 1979 Day Care expenditures plus revised FY 1980 general local health services agreement, the following account transfers are needed:



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Increase Account No. 1311-2261 (public health-match) by \$6,951;

Increase Account No. 1311-2261 (Mental Health and Alcoholism)  
by \$450.

Decrease Account No. 2610-26912 (Reserve for Contingency) by \$7,401.

The net result of the above is that we owed the State money for Day Care in FY 79 in the amount of \$20,045.

The Commissioners unanimously approved the above-mentioned account transfers.

#### BUSINESS CARD POLICY

The County Administrator inquired of the Commissioners whether they wished to reaffirm their policy of not permitting business cards for county employees at the county's expense. The Commissioners advised that this policy remains in effect as in the past.

#### ANNUAL OPEN SPACE PROGRAM

Present: John Baggett, Director, Recreation and Parks  
Judith Roa, Chairman, Recreation and Parks Board  
Mary Ruth Horton, Recreation and Parks Board

Mr. Baggett appeared before the Commissioners to present the Annual Program for Development for the Open Space Program for FY 1981. Mr. Baggett explained that it is a requirement of the Open Space law that projects which the County believes may possibly occur during the year must be submitted to Open Space by December 1. He further stated that the Board reviewed and approved the projects listed, being aware of the fact that funds have not been budgeted and no priorities set. After review, the Commissioners gave their concurrence that the Annual Program for Development be submitted to Program Open Space.

#### BID TALLY SHEETS

#### CONSULTING FIRMS FOR PLANNING OF THREE PARKS

Present: John Baggett, Director, Recreation and Parks  
Judith Roa, Chairman, Recreation and Parks Board  
Mary Ruth Horton, Recreation and Parks Board

Recreation and Parks representatives appeared before the Commissioners to present the bill tally sheets for the consulting firms for the three phases of planning stages of the following parks: St. Peter Claver, Fifth District Park, and Hollywood Park. Mr. Baggett advised



that it was the recommendation of Recreation and Parks that Phase I (Boundary Survey and Topography) be awarded to Free State and that Phase II (Overall Conceptual Master Plan) and Phase III (Actual construction documents) be awarded to Booker Associates.

After discussion, the Commissioners gave their concurrence.

With regard to Hollywood Park, Mr. Baggett requested authorization to transfer approximately \$7,000 so that the design of this park can begin. The Commissioners gave their concurrence subject to approval by the Budget Officer.

#### HUMAN RELATIONS COMMISSION

Present: Richard Portee  
William E. Curtis  
Bernard Imbers  
Dorothy Harper  
Robert Loeffelbein  
Rev. Glen Limbaugh

At the request of the Board of County Commissioners, the above members of the Human Relations Commission appeared before the Commissioners to discuss the direction and goals of the Commission and to receive guidelines for certain tasks. Commissioner Aud explained that the Human Relations Commission has been inactive for some time and it was the recommendation of the Commissioners to assign them the following tasks:

1. Examine the historical conditions which fostered the initial establishment of the Commission;
2. Review present social circumstances to determine whether or not the Commission has a purpose;
3. Report findings with recommendations for the future.

It was agreed that the representatives present would become more established and would begin meeting to provide the requested information for the Commissioners.

#### PRELIMINARY FIGURES - FY 1981 BUDGET DEVELOPMENT

Present: Joseph P. O'Dell, Budget Officer

For the Commissioners' information, Mr. O'Dell presented and discussed the preliminary figures relative to the St. Mary's County Budget Development for FY 1981.



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BUDGET POLICY STATEMENT AND INSTRUCTIONS FROM ENSUING BUDGET CYCLE

Present: Joseph P. O'Dell, Budget Officer

Mr. O'Dell presented a proposed memorandum to be forwarded to all Spending Units requesting county fiscal assistance for FY 1980-1981 setting forth guidelines in formulating the 1981 County Budget. The Commissioners agreed to sign and forward said memorandum.

FISCAL YEAR 1980-1981 BUDGET CALENDAR

Present: Joseph P. O'Dell, Budget Officer

Mr. O'Dell presented for the Commissioners' review the Fiscal Year Budget Calendar for 1980-1981 and requested the Commissioners' approval. After review, the Commissioners unanimously gave their concurrence.

CERTIFICATION OF FUNDS FOR SUPPLEMENTAL APPROPRIATION TO  
FY 1979-1980 BUDGET

Present: Joseph P. O'Dell, Budget Officer

Mr. O'Dell presented a revised memorandum regarding the Certification of Funds for Supplemental Appropriation to the FY 79-80 Budget, setting forth a statement of accounts and explaining the justification for increases.

After review and discussion, Mr. O'Dell requested the Commissioners' approval of the supplemental appropriations and to proceed with the process as identified in the Policy and Procedures Memorandum. The Commissioners gave their concurrence.

In closing, Mr. O'Dell advised that the Certification of Funds will be submitted to the news media in the announcement to the public of the required public hearing and ordinance process.

PROJECT NO. SM 79-3-3  
COOPERS CREEK DREDGING PROJECT

Present: John Norris, County Engineer  
Joseph O'Dell, Budget Officer  
Jack Scriviner, interested citizen

Mr. Norris appeared before the Commissioners to recommend that Alfred Knott be awarded the dredging project at Coopers Creek in the amount of \$36,699, to be dredged at a depth of four feet.



Commissioner Aud moved, seconded by Commissioner Millison, to award the contract to Alfred Knott and further to authorize Commissioner President Aud to sign the appropriate documents. All Commissioners voted in favor.

SPRING VALLEY SUBDIVISION  
(CORONADO VILLAGE)

Present: John Norris, County Engineer

Mr. Norris presented the Public Works Addendum by and between Maryland National Bank and St. Mary's County extending the deadline for the completion of streets in Spring Valley Subdivision (Coronado Village) from December 1, 1979, to April 30, 1980. Mr. Norris advised that the streets are basically completed and just some clean-up work remains.

Commissioner Millison moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign said Addendum. All Commissioners voted in favor.

PARK HALL ESTATES

Present: John Norris, County Engineer

Mr. Norris advised that the developer for Park Hall Estates has a Pass-book account assigned to the County through First National Bank of St. Mary's in the amount of \$20,000 and the due date is November 30, 1979. He stated that a public works addendum has been mailed to the developer; however, there has been no response to date.

After discussion, it was the concurrence of the Board that Mr. Norris forward another letter to the developer advising him of the importance of responding in order to keep his creditability to the County.

PROJECT NO. SM 78-1-8  
ST. JOHNS ROAD

Present: John Norris, County Engineer

Mr. Norris presented Voucher No. 28872 payable to Raymond Woodburn in the amount of \$8,298.75 for equipment rental for the referenced project. The Commissioners unanimously concurred in approving payment of this voucher.

In addition, Mr. Norris presented Voucher No. 28871 payable to B.F. Asher, for Estimate No. 16 in the amount of \$12,734.50 for the referenced project. All Commissioners gave their concurrence for approval of payment of this voucher.



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HOLLYWOOD SHORES  
SPECIAL TAXING DISTRICT FOR ROAD IMPROVEMENTS

Present: John Norris, County Engineer  
Dan Ichniowski

Mr. Norris and Mr. Ichniowski reviewed the plans for the special taxing district for road improvements for Hollywood Shore Subdivision.

After discussion, the Commissioners agreed that the County would asphalt the project and pay the difference between surface treatment and asphalt and the reduction of the street width from 18 feet to 16 feet would be accepted by the County. The Budget Officer was instructed to determine the interest rates for Fiscal 1980 by the middle of December as applied to this project. The Commissioners indicated that the County would set a maximum sum to be charged to the property owners.

PUBLIC HEARING  
COMPREHENSIVE WATER AND SEWER PLAN

Present: Frank Gerred, Director, Planning and Zoning  
Mike Marlay, Director, Metropolitan Commission  
Harry Knight, Metropolitan Commission  
Anita Meredith, Recording Secretary

The Commissioners conducted a public hearing on the proposed 1979 Updated Comprehensive Water and Sewer Plan.

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

APPROVAL OF MINUTES

Commissioner Aud moved, seconded by Commissioner Sayre, to approve the minutes of the County Commissioners meeting of November 21, 1979. All Commissioners voted in favor.

ENCUMBRANCE VOUCHERS

Commissioner Millison moved, seconded by Commissioner Sayre, to approve payment of the bills as submitted by the Director of Finance. All Commissioners voted in favor.



DISTRICT COURT COMMISSIONERS - LEXINGTON PARK

Commissioner Millison suggested, and the Board concurred that the County Administrator draft a letter to Judge Sterling inquiring whether it would be possible for one of the District Court Commissioners to be located at the Lexington Park Sheriff's Office for the convenience of the citizens in the Lexington Park area.

OYSTER INDUSTRY IN ST. MARY'S COUNTY

Commissioner Sayre brought to the Commissioners' attention the fact that Potomac River Fisheries' Commission has been using the area from Smith Creek to Point Lookout as a seed area to replenish the oyster harvest in the Potomac River. Commissioner Sayre recommended that the Commissioners forward correspondence to the Potomac River Fisheries Commission requesting the Commission to surrender the area from Cornfield Point to Point Lookout to the State of Maryland to be used for a seeding area for Southern Maryland tributaries. Commissioner Sayre stated that this would be very beneficial for the oyster industry in Maryland and would not in his opinion harm the efforts of the Potomac River Fisheries Commission.

The Commissioners agreed with the recommendation and directed that correspondence be prepared for their signature.

DREDGING OF AREA AT ST. GEORGE'S ISLAND BRIDGE

Commissioner Sayre requested the County Administrator to prepare correspondence to the Army Corps of Engineers and the Department of Natural Resources inquiring whether it would be feasible to use a clamshell bucket in dredging the area at St. George's Island Bridge as is being used at Cooper's Creek and further to eliminate the need for a spoils area by barging to shore and trucking away the dredged material.

SOTTERLY MANOR

Present: Joe Densford, Assistant County Attorney

Mr. Densford presented various documents for the Commissioners review and approval relative to the completion of the roads in Sotterly Manor Subdivision which have been reviewed and approved by the County Attorney.

Public Works Agreement by and between Kenneth W. Sumner and St. Mary's County guaranteeing the completion of the streets in Sotterly Manor Subdivision, Section Two and requiring the developer to maintain the roads in a passable condition. Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign said Public Work Agreement. All Commissioner voted in favor.



Cash Performance Agreement in the amount of \$57,500 guaranteeing the construction of streets in Sotterly Manor Subdivision, Section Two, by the developer to County standards. Commissioner Arnold moved, seconded by Commissioner Sayre, authorizing Commissioner President Aud to sign said Agreement. All Commissioners voted in favor.

Release and Assignment regarding Sotterly Manor Subdivision, Section Two. Commissioner Arnold moved, seconded by Commissioner Sayre to authorize Commissioner President Aud to sign said Release and Assignment. All Commissioners voted in favor.

As a summation of the foregoing, Commissioner Arnold moved, seconded by Commissioner Sayre to adopt the following resolution:

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland, and Kenneth W. Sumner are desirous of entering into a Public Works Agreement and a Cash Performance Agreement, pursuant to St. Mary's County Road Ordinance No. 76-7, Section 5.3, to secure the obligations of the said Kenneth W. Sumner under the said Public Works Agreement to construct Whiskey Creek Road in Sotterly Manor Subdivision, Section II, and

WHEREAS, upon due consideration of the public interest in the prompt completion of Whiskey Creek Road, it appears that adequate security for performance of the obligations of the said Kenneth W. Sumner is herewith offered,

THEREFORE, BE IT RESOLVED, that the terms of the referenced Public Works Agreement and Cash Performance Agreement be, and the same hereby are, approved.

AND FURTHER BE IT RESOLVED, that President of the Board of County Commissioners and the County Engineer for St. Mary's County be, and they hereby are, authorized and directed to do all acts and execute all documents required to give force and effect to the said Agreements, including the release of security previously tendered and accepted for the purpose of substitution of security in conformity with the Agreements approved herein,

AND FURTHER BE IT RESOLVED, that upon execution by the said Kenneth W. Sumner of the said Agreements and the tender of the security called for therein, the ORDER of the Board of County Commissioners of St. Mary's County, Maryland, dated July 25, 1979, and pertaining to the subdivision referred to herein, be and the same hereby is, rescinded.

The meeting adjourned at 2:30 p.m.

Approved,

  
George R. Aud, President