

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, March 13, 1984

Present: Commissioner George R. Aud, President
Commissioner Larry Millison, Vice-President,
Commissioner Ford L. Dean
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

(Commissioner Richard D. Arnold was not present at the opening of the meeting.)

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Sayre, to approve the minutes of the Commissioners' meeting of Tuesday, March 6, 1984 as submitted. Motion unanimously carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS
(Morning Session)

Present: Edward V. Cox, County Administrator

- 1) CLEARINGHOUSE PROJECT NO. MD 84-2-390
MARYLAND HISTORICAL TRUST
FY '84 ANNUAL WORK PROGRAM

The County Administrator presented the referenced clearinghouse project and recommended that it be forwarded to the State with the comment that the project is consistent with the County's plans, programs or objectives. The Commissioners gave their concurrence.

- 2) APPOINTMENTS
BOARDS, COMMITTEES AND COMMISSIONS

Commissioner Sayre moved, seconded by Commissioner Millison, and unanimously carried, to make the following appointments with terms as indicated:

<u>Airport Commission</u>	<u>Term to Expire</u>
John B. Paradis	June 30, 1984
<u>Commission for Women</u>	
Ann Finnacom	June 30, 1984
<u>Nursing Home Building Committee</u> (confirmation of appointments)	
Mr. Daniel Capper Mr. John Cheseldine Mrs. Julia Richardson, Mr. Joseph Tolson Mr. George Smith Mr. John Norris	

3) CORRESPONDENCE

The County Administrator presented the following items of correspondence for the Commissioners' review and signatures:

a) To Governor Hughes urging him to do everything possible to retain the Esskay Company in the State of Maryland;

b) To Governor Hughes formally requesting the State's concurrence in the necessity for a St. Mary's City Route 5 bypass.

The Commissioners agreed to sign and forward said letters. (Commissioner Arnold signed the letters when he arrived at the meeting later in the day.)

c) To Environmental Protection Agency indicating the Commissioners' agreement that the 208 Water Quality Management Plan should proceed and setting forth the following reservations:

- i) the omission of a final date for attainment of the nitrogen TMDL; and
- ii) the plan does not adequately address the environmental, social and economic impact, of carrying out the plan in an environmentally impacted county.

(The Commissioners agreed to authorize Commissioner President Aud to sign said letter. (The referenced letter was presented later in the day after Commissioner Aud left due to illness.)

EXPERIMENTAL INNOVATIVE SEWAGE DISPOSAL SYSTEMS

Present: Dr. William Marek, Deputy Health Officer
Walter Raum, Director, Environmental Hygiene
Frank Gerred, Director of Planning and Zoning

Dr. Marek and Mr. Raum appeared before the Commissioners to present a progress report on the selection of properties for the referenced systems and to request direction from the Board relative to the selection process. Dr. Marek advised that in order to properly evaluate the four systems, it is necessary to have six suitable properties for each system (a total of 24). Of the 18 suitable properties submitted, only 11 have been developed (developed property with failing systems were to be given first consideration). Dr. Marek inquired whether the Health Department solicit for more properties with failing systems or start selecting from the list of undeveloped properties. Mr. Gerred reported that he had an additional list of 30 properties that are unimproved.

After some discussion, the Commissioners requested Mr. Gerred to submit the list of 30 properties to the Health Department for evaluation as to suitability, after which a list of suitable properties from that 30 in addition to the seven previously evaluated should be submitted to the Board for selection. However, should any property owner with a failing system submit it for consideration, this would be given priority.

1985 BUDGET REVIEW

Present: Joseph P. O'Dell, Director, Budget & Data Services

Mr. O'Dell presented for the Commissioners' review the Budget Preparation Worksheet for FY '85 which include actual expenditures for FY '83, current expenditures to date, FY '85 department requests, and FY '85 recommendations. In addition, he presented a memorandum dated March 12, 1984 setting forth budgetary information relative to decisions made by the Board from November 22, 1983 through March 6, 1984.

Mr. O'Dell advised that the public hearings on the FY '85 Recommended Budget have been tentatively scheduled for April 24 (Board of Education) and April 25 (All other spending units).

After review and discussion, the Commissioners authorized the Director of Budget and Data Services to prepare the Recommended Budget for their signatures which will be presented for approval on March 27.

APRIL 3 COMMISSIONERS' MEETING

The Commissioners agreed to cancel the Board's meeting of Tuesday, April 3, 1984.

RESOLUTION NO. 84-07
PATUXENT RIVER POLICY PLAN

Commissioner Dean moved, seconded by Commissioner Aud, to approve and sign the referenced Resolution whereby St. Mary's County adopts the Patuxent River Policy Plan as submitted. Motion carried.

(Commissioner Aud left the meeting due to illness)

(Commissioner Richard D. Arnold entered the meeting - 11:40 a.m.)

PRESENTATION OF 350TH COMMEMORATIVE SCARVES

Present: Mary Bell, Chairperson, 350th Committee

Ms. Bell appeared before the Commissioners to present each of them with 350th Anniversary commemorative scarves and to give a progress report of the various activities scheduled for the 350th Anniversary Celebration. She stated that a calendar listing all events will be available in approximately two weeks.

The Commissioners thanked Ms. Bell for the scarves and expressed their appreciation for dedication and efforts in the 350th Celebration.

PROCLAMATION NO. 84-11
TALL CEDARS OF LEBANON WEEK

The Commissioners presented the referenced Proclamation designating the week of March 18-24, 1984 as Tall Cedars of Lebanon Week in St. Mary's County.

REQUEST FOR TRAFFIC LIGHT
ROOSEVELT BOULEVARD AND MD. RT. 235

Present: C. Louis Clements

Mr. Clements appeared before the Commissioners to request their support in requesting from the State the installation of a traffic light at the intersection of Roosevelt Boulevard and Md. Rt. 235 in Lexington Park. He stated that he has been gathering accident statistics at that location since 21980 and had personally conducted a traffic count at a peak period. Mr. Clements advised that based on this information he is of the opinion that a traffic light is needed. He stated that he has received the support of the Democratic Central Committee and of the personnel at the Lexington Park Post Office.

The Commissioners advised Mr. Clements that they would prepare correspondence to our legislative delegation request support in getting the traffic light installed.

PROPOSED DEVELOPMENT AGREEMENT AMENDMENT
CEDAR COVE PROJECT

Present: Alfred S. Blumberg, II, Director of Planning
The Land Planning & Design Group, Inc.

Mr. Blumberg appeared to present a proposed Development Agreement amendment for the Cedar Cove project for the Board's approval. Also presented was the original 1974 Development Agreement, the 1979 Supplemental Development Agreement and a summary comparison of the three Agreements. There are several reasons, one of which is the Spyglass Development, which caused the revisions to the 1979 Agreement, and the comparison sheet presented by Mr. Blumberg explained the various revisions.

After review the Commissioners agreed prior to making a decision to obtain comments regarding the revisions from the County Attorney, the planning staff and from the Naval Air Station, the latter because of the relationship to the Aircraft Overflight Area. It was also agreed that Commissioner Aud should be given an opportunity to review the documents.

OFFICE OF COUNTY ENGINEER ITEMS

Present: John B. Norris, County Engineer

- 1) SURFACE TREATMENT PROGRAM
ASPHALT OVERLAY PROGRAM
SLURRY SEAL PROGRAM
(FISCAL YEAR 1985)

Mr. Norris presented the referenced programs for the Commissioners' review and estimated the costs to be as follows:

Surface Treatment Program	-	\$ 400,000
Asphalt Overlay Program	-	\$1,000,000
Slurry Seal Program	-	\$ 100,000

After discussion of the Programs, Mr. Norris requested authorization to solicit bid proposals for the Surface Treatment Program. Commissioner Dean moved, seconded by Commissioner Arnold, to authorize the County Engineer to bid the Surface Treatment Program as requested. Motion unanimously carried.

2) NURSING HOME PROJECT
HOSPITAL RENOVATION PROJECT

The County Engineer presented draft correspondence to the Leonardtown Commissioners requesting their review of the scope of the referenced projects and their comments as to whether the projects are consistent with the planning of the Town. The Commissioners agreed that the letter be prepared in final form for Commissioner President Aud's signature and forwarded.

3) PUBLIC INFORMATIONAL MEETINGS
SPECIAL TAXING DISTRICTS

The County Engineer advised that there will be public informational meetings for the McKay's Cove Dredging Special Taxing District (March 13) and for Lewis Creek Dredging Special Taxing District (March 27).

4) PUBLIC WORKS AGREEMENT
ESPERANZA FARMS, SECTION 8

The County Engineer presented the referenced Public Works Agreement by and between Robert G. Dean and Franklin W. Dean, T/A Esperanza Development Company, Inc. guaranteeing the completion of Hayden Court in Esperanza Farms Subdivision, Section 8. Commissioner Millison moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign said Public Works Agreement. Motion unanimously carried.

5) PROJECT NO. SM 85-6-1
CARVER SCHOOL BUILDING DEMOLITION

The County Engineer presented the bid tally sheet for the referenced project. Because of the high bids received, the Commissioners requested Mr. Norris to determine the cost using county forces or using the rental contract vehicles and returning to the Commissioners with a recommendation. Motion unanimously carried.

6) PROJECT NO. SM 84-5-5
THREE 1/2 TON PICKUP TRUCK
PROJECT NO. SM 84-5-6
ONE 1/2 TON VEHICLE

Regarding the awarding of the referenced bids, Mr. Norris advised that generally speaking it was the opinion of the Assistant County Attorney that the bid should be awarded to the lowest bidder and presented correspondence dated March 9 from the Assistant County Attorney supporting this viewpoint. However, Mr. Norris advised the Commissioners that the lowest bidder did not meet all the requirements of the bid specifications; namely, the certification of a local maintenance agreement.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold to award Project No. SM 84-5-5 (three 1/2 ton pickup trucks) to Fenwick Ford and Project No. SM 84-5-6 (one 1/2 ton vehicle) to McKay Implement. The bases for awarding these bids as referenced above and not to the lowest bidder are:

- a) The cost for maintenance in the future; and

- b) That the lowest bidder, which was outside the County did not meet the bid specifications which required that they provide certification in writing by a local automobile/truck repair business that they would perform the warranty work within the confines of St. Mary's County. Since the lowest bidder did not provide this certification, they did not meet the specifications.

Three Commissioners voted in favor, with Commissioner Sayre abstaining.

7) REQUEST FOR TRAFFIC LIGHT
GUNSTON DRIVE AND RT. 235

Commissioner Dean advised that he has received a number of inquiries from citizens regarding the need for a light at the intersection of Gunston Drive and Md. Rt. 235 in Town Creek and inquired whether this intersection had been evaluated by the State.

Mr. Norris advised that both this intersection and Town Creek Drive and Md. Rt. 235 have been evaluated; however, no recommendation has been received.

After discussion it was agreed that the County Engineer arrange a meeting with the SHA District Engineer and our legislative delegation to discuss this matter as well as the request made earlier in the meeting by Mr. Lou Clements for a traffic light at Roosevelt Boulevard and Rt. 235.

8) REQUEST FOR ROAD NAME CHANGES

Commissioner Sayre requested the County Engineer to look into the possibility of having the names of two roads on St. George's Island change: Cross Road to Ball Point Road and a road with no name that goes to the end of the island to Indigo Point Road.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
John Norris, County Engineer

The Commissioners agreed to meet in Executive Session in order to discuss a matter of Personnel. The Session was held from 2:50 p.m. to 3:10 p.m.

COUNTY ADMINISTRATOR ITEMS
(afternoon session)

Present: Edward V. Cox, County Administrator

4) REQUISITION NO. 29
ST. MARY'S HOSPITAL PROJECT

The County Administrator presented Requisition No. 29 in the amount of \$371,617.24 representing costs incurred for the St. Mary's Hospital Project. The Commissioners gave their concurrence to authorize Commissioners Millison and Dean to sign said Requisition.

5) PERSONNEL

a) Maintenance Foreman
Recreation and Parks

The County Administrator presented a memorandum dated March 12, 1984 from the Personnel Officer requesting authority for the establishment of a Maintenance Foreman position, Grade 8, in order to accomplish the grass cutting for the Board of Education.

b) Permanent Part-Time Fiscal Clerk
Dept. of Economic & Community Development

The County Administrator presented a memorandum dated March 12, 1984 from the Personnel Officer advising that the Director of Department of Economic & Community and Development has requested the establishment and hiring of a Fiscal Clerk, Grade 6, to be funded by the Community Development Block Grant. If authority is granted, it is recommended that Carol A. Unger be appointed on a one-year contract to the permanent part-time Fiscal Clerk position, effective March 19, 1984. Motion unanimously carried.

c) Appointment of Oilburner/Refrigeration Mechanic
County Engineer's Office

The County Administrator presented a memorandum dated March 12, 1984 from the Personnel Officer recommending the selection of Robert G. Mattingly to the position of Oilburner/Refrigeration Mechanic, Grade 9, effective March 19, 1984.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve the above-referenced personnel actions (a, b, and c) as submitted. Motion unanimously carried.

6) ESTABLISHMENT OF TECHNICAL TRAINING SCHOOL
SOUTHERN MARYLAND AREA

The County Administrator presented correspondence dated February 29 from Senator Bernie Fowler regarding efforts for the establishment of a technical training school in Southern Maryland. Enclosed in the letter was a proposal from the University of Maryland to evaluate the educational opportunities and employment needs in the area at a cost of approximately \$4600 to be cost-shared by the tri-counties.

After discussion Commissioner Dean moved, seconded by Commissioner Arnold that to approve participating in the cost of the study and that the expenditure be made a part of the upcoming FY '85 budget.

7) GOVERNOR HUGHES' REVENUE PROPOSAL

The County Administrator explained to the County Commissioners that the Maryland Association of Counties by telephone requested the County Commissioners position relative to the Governor's most recent budget proposal. The Governor has proposed to offset the loss of revenue to the counties through his transfer of certain revenue from the County to the State (tobacco tax, alcohol tax, 11¢ property tax, etc.) by proposing to change the law to permit counties to increase by 5% the counties' share of income tax.

After some discussion the Commissioners directed the County Administrator to indicate to the Maryland Association of Counties the Board's disapproval of the Governor's proposal and request that MACo oppose on our behalf.

SOUTHERN MARYLAND DAY AT BALTIMORE'S INNER HARBOR

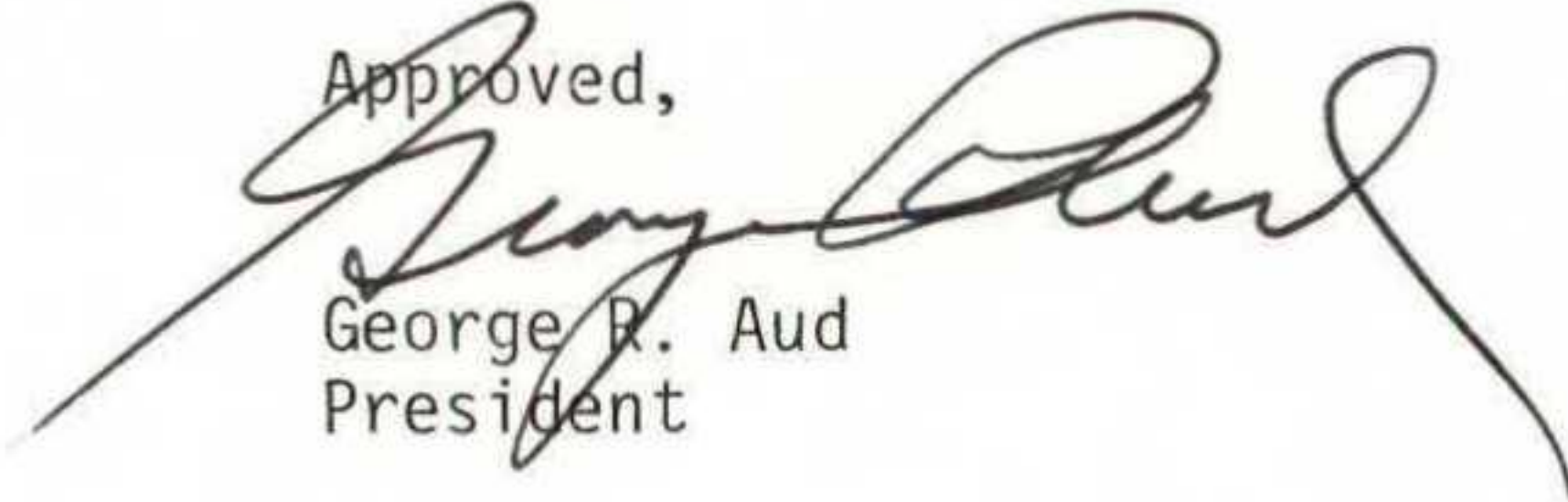
Commissioner Arnold stated that the Board should accept Mayor Schaefer's offer to have a Southern Maryland Day at Baltimore's Inner Harbor and suggested that arrangements start being made for this event by getting together the counties involved, including economic and development committees and tourism committees. The Commissioners gave their concurrence.

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ADJOURNMENT

Having no further business the meeting adjourned at 4:00 p.m.

Approved,

A handwritten signature in black ink, appearing to read "George R. Aud", written over the printed name and title.

George R. Aud
President