

BOARD OF COUNTY COMMISSIONERS' MEETINGMarch 16-17, 1977Wednesday, March 16, 1977

Present: Commissioner James M. McKay, President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe
Commissioner Larry Millison
Commissioner John K. Parlett
Edward V. Cox, County Administrator
Judith A. Mullins, Recording Secretary

The meeting came to order at 8:45 a.m.

READING AND APPROVAL OF MINUTES

The minutes of March 9-10, 1977 were read. Commissioner Jarboe made a motion to approve the minutes as read, seconded by Commissioner Parlett. 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 Jarboe made a motion to approve payment of the bills, including emergency Voucher No. 11421 for the application fee for the EMS tower, which had been signed earlier this week by Commissioner President McKay, seconded by Commissioner Parlett. All Commissioners voted in favor.

REQUEST FOR LOAN OF CONFISCATED VEHICLE

Present: Paul Raley, Director, Purchasing and Logistics

Mr. Raley advised the Commissioners that the Judge awarded a confiscated 1969 Volkswagon to the County and the Sheriff's Department has requested that the confiscated 1970 Volkswagon, which is presently in their possession, be loaned to the Navy for joint narcotics investigation and the Sheriff's Department would keep the 1969 Volkswagon for their use.

Commissioner McKay requested that an agreement be drawn up with the Navy as to their responsibility for the vehicle.

Commissioner Jarboe made a motion to authorize the loan of the Volkswagon to the Navy, seconded by Commissioner Parlett. All Commissioners voted in favor.

WPTX "CONVERSATION" PROGRAM

Radio Station WPTX requested a schedule of appearances by the County Commissioners on the public affairs program "Conversation". The Commissioners requested the County Administrator to advise WPTX that they welcome this opportunity.

RESOLUTION NO. 77-15ADOPTION OF REVISED 1977 COMPREHENSIVE PLANRESOLUTION NO. 77-16ADOPTION OF AMENDED 1977 ZONING ORDINANCE FOR ST. MARY'S COUNTY

The Board of County Commissioners reviewed and signed the above-referenced Resolutions, Comprehensive Plan for St. Mary's County (no. 77-15), and the Zoning Ordinance for St. Mary's County (No. 77-16), formalizing the adoption of said documents, effected on March 10, 1977.

COMMISSION ON AGING BOARD

Commissioner Parlett made a motion to reappoint Mr. Joseph H. Goode to the Commission on Aging Board for a term to expire June 30, 1980, seconded by Commissioner Jarboe. All Commissioners voted in favor.

METROPOLITAN COMMISSION

Commissioner Parlett made a motion to appoint Mr. A. L. Biggie Goode to the Metropolitan Commission for a term to expire June 30, 1979, to fill the unexpired term of George McWilliams, seconded by Commissioner Jarboe. All Commissioners voted in favor.

LANCASTER MT. PLEASANT SUBDIVISION - PUBLIC WORKS AGREEMENT
(CORRECTION OF MINUTES)

The County Administrator advised that on March 2, 1977 the County Commissioners approved the Public Works Agreement and accompanying bond for Mt. Pleasant Subdivision. However, since the agreement did not mention Section II, the minutes did not reflect Section II. For sake of clarification, the County Engineer requested that the Commissioners allow a change in the minutes of March 2, to mention that the approval was for Section II only of Mt. Pleasant Subdivision.

Commissioner Dean made a motion that the Commissioners amend the County Commissioners' minutes of March 2, 1977 and the Public Works Agreement to reflect that the Public Works Agreement and bonding for Lancaster's Mt. Pleasant Subdivision be worded to state that this is for Section II only of the subdivision, seconded by Commissioner Parlett. Four Commissioners voted in favor, with Commissioner Jarboe abstaining, as he was not in attendance at the meeting of March 2, 1977.

AGREEMENT WITH B & B TRASH REMOVAL
PITCH-IN PROGRAM

On behalf of the County Engineer, the County Administrator presented an Agreement by and between William E. Bailey and James M. Banagan (B & B Trash Removal) and the County Commissioners of St. Mary's County for contract route collection service for the St. Mary's County Pitch-In Program. Commissioner Dean made a motion to authorize Commissioner President McKay to sign said Agreement, seconded by Commissioner Jarboe. All Commissioners voted in favor.

CLEARINGHOUSE PROJECTS
BEVERLY ESTATES (No. 77-2-867)
INDIAN RIVER ESTATES (No. 77-2-865)

The County Administrator presented the above-referenced Clearinghouse Projects and stated that the projects are not inconsistent with the County's plans, programs, or objectives, and recommended that they be forwarded to the State. The Commissioners gave their concurrence.

SCHEDULE OF FEES

Present: Richard Platt, Director, Land Use and Development

Mr. Platt presented the proposed resolutions with accompanying fee schedules for Building Permit Fees and Planning, Zoning, and Plumbing Fees. The Commissioners made certain changes, requested that the documents be revised to reflect these changes, and stated that action will be taken on this matter after the documents are reviewed and signed by the County Attorney.

LETTER TO SENATOR McGUIRK
LAND APPLICATIONS OF SEWAGE EFFLUENT

Commissioner Jarboe presented a letter addressed to Senator McGuirk, Chairman of the Senate Rivers Committee forwarding a summary of up-to-date information on land application of sewage effluent prepared by Walter Raum, Director of the Environmental Hygiene Division of the Health Department. The Commissioners agreed to sign and forward said letter.

REPAIR TO HENDERSON PARK TENNIS COURT

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett appeared before the Commissioners to inform them that there was a structural crack in the tennis court at Henderson Park in Lexington Park, and stated there were two ways to correct the problem: (1) patch the area or (2) redo the entire surface of the court. Mr. Baggett recommended the patching method because of the uncertainty of how long the repairs would last. Mr. Baggett presented a proposal from American Tennis Courts, Inc., in the amount of \$765 to do these repairs, and requested the Commissioners approval.

The Commissioners concurred with Mr. Baggett's recommendation.

OAKVILLE RECREATIONAL CENTER
ST. JOSEPH'S HOUSING PROJECT

Present: John Wooten, Oakville Recreation Center, Inc.
Mrs. Alice Marshall
John Baggett, Director, Recreation and Parks

Mr. Wooten appeared before the Commissioners to request financial assistance in the amount of approximately \$2,000 to \$3,000 to assist in the construction of a recreational center at the St. Joseph's Housing Project.

After some discussion the Commissioners requested Mr. Wooten to arrange a meeting with the Board of Recreation and Parks in order to get recommendations from the Board for the Commissioners. Also, the Commissioners requested a packet of information concerning the project which should contain such information as:

1. Articles of Incorporation
2. Explanation of financing
3. Ownership of property
4. Service area
5. Project goals

The Commissioners directed the County Administrator to work with Mr. Wooten in developing this information.

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise
 Sunny Schust, Enterprise
 Rick Boyd, Enterprise
 Leslie Walker, Guardian
 Patty Muchow, Guardian
 Mike Klienback, Beacon
 Dick Myers, WKIK

The regular semi-monthly Press Conference was held at this time. A tape of the Conference is on file in the Commissioners' Office.

The meeting recessed at 11:30 a.m.

Thursday, March 17, 1977

Present: Commissioner James M. McKay, President
 Commissioner Ford L. Dean
 Commissioner J. Patrick Jarboe
 Commissioner Larry Millison
 Commissioner John K. Parlett
 Edward V. Cox, County Administrator
 Judith A. Mullins, Recording Secretary

The meeting reconvened at 8:55 a.m.

EXECUTIVE SESSION

Present: John Norris, County Engineer
 Joseph Ernest Bell, II, County Attorney

The Commissioners agreed to meet in Executive Session with the above persons in order to discuss matters of possible litigation, after which time the Commissioners continued in Executive Session to discuss personnel matters. The Session was held from 8:55 a.m. to 10:05 a.m. (Commissioner McKay left the meeting at 9:30 a.m.)

SWANN PROPERTY AT PINEY POINT

With regard to the discussion at last week's meeting concerning the lease between St. Mary's County and Joseph Howard Swann, et al, Commissioner Jarboe made a motion to accept the amended lease providing for the payment of real estate taxes by the County, if agreeable with the lessor, seconded by Commissioner Millison. All Commissioners present voted in favor.

EXEMPTION OF CHURCH PROPERTY FROM REAL ESTATE TAXES

Commissioner Millison requested the County Administrator to determine what types of church property are exempt from real estate taxes.

YOUTH COORDINATOR POSITION

Commissioner Millison made a motion that the Commissioners instruct the County Administrator to develop a job description for the position of Youth Coordinator at Grade 11 and that said Description stipulate that it not be necessary for the applicant to be a college graduate, seconded by Commissioner Jarboe. All Commissioners present voted in favor.

RESOLUTIONS NO. 77-15 and 77-16

Commissioner Millison stated that during the Executive Session, Commissioner McKay had stated that he intended to have Resolutions No. 77-15 (Adoption of Revised St. Mary's County Comprehensive Plan) and No. 77-16 (Adoption of Amended Zoning Ordinance for St. Mary's County), which were adopted at yesterday's meeting, retyped because of the manner in which Commissioner Millison noted his vote on the space left for him to sign. Commissioner Millison stated for the record that he "protests discussing these kind of matters in Executive Session, and there was no vote taken to instruct Mr. Cox to do this and any decision made on this matter should be made in an open meeting."

Commissioner Parlett stated that he was of opinion that this was a matter of discussion between Commissioner McKay and Commissioner Millison and that any further discussion should take place when Commissioner McKay is present.

CONTRACT FOR DIRECTOR, LAND USE AND DEVELOPMENT

Commissioner Dean made a motion that the Commissioners sign the letter dated March 16, 1977 and forward said letter to Mr. Richard Platt, Director, Land Use and Development, advising him of the terms of the renewal of his Employment Contract, seconded by Commissioner Jarboe. All Commissioners present voted in favor.

Commissioner Millison stated that until such time as this County has the opportunity to vote on whether or not it wants zoning, that this position should be under the Merit System so there can be no political pressure.

ELMS PROPERTY

Commissioner Jarboe stated that John Baggett, John Norris and he looked at the Elms property from the point of view of having a public beach at that location and stated that he would like to discuss with Admiral Foxgrover at today's meeting the possibility of using the Navy's access road to the theodolite station in order to have access to the beach area. Mr. Baggett is in the process of working up costs of having someone manage the property, life-guard, etc. and will return to the Commissioners with this information.

MEETING IN ANNAPOLIS - CHARLOTTE HALL SCHOOL PROPERTY

Commissioner Parlett apprised the Commissioners of the discussion which took place in Annapolis yesterday with various state officials that he and Commissioner Jarboe attended concerning the various proposed uses at the Charlotte Hall School property. He stated there was discussion concerning the property being used for educational purposes (alternative school, school for gifted children, school for handicapped children, etc.) which would require a commitment from the three Boards of Education and from the three Boards of County Commissioners.

Commissioner Parlett stated that he would keep the Commissioners apprised of any further developments regarding this matter.

(Commissioner McKay returned to the meeting at 11:00 a.m.)

WILDEWOOD SUBDIVISION
PUBLIC WORKS AGREEMENT

On behalf of the County Engineer, the County Administrator presented the Public Works Agreement by and between Parragon Builders, Inc. and St. Mary's County for the Wildewood Subdivision, Section I, Plats 2 and 3. Commissioner Dean made a motion to authorize Commissioner President McKay to sign said Public Works Agreement, seconded by Commissioner Parlett. All Commissioners voted in favor.

INTRA-ACCOUNT TRANSFER
RECREATION AND PARKS

By memorandum dated March 14, 1977, the Budget Officer recommended that the Commissioners approve the following intra-account transfer in the Recreation and Parks Department in order to purchase two grass and weed trimmers:

Increase account No. 1832-3131 (Equipment) by \$635.35

Decrease account No. 1832-1111 (Salaries) by like amount.

Commissioner Jarboe made a motion to approve the above intra-account transfer, seconded by Commissioner Parlett. All Commissioners voted in favor.

MEMORANDUM OF UNDERSTANDING
SECRETARY TO JUDGE MATTINGLY

The County Administrator presented the Memorandum of Understanding regarding the terms of employment for the Secretary to Judge Mattingly and requested approval by the Board of Commissioners. Commissioner Jarboe made a motion to approve and authorize the President of the Board to sign the Memorandum of Understanding, seconded by Commissioner Dean. All Commissioners voted in favor.


RESOLUTIONS No. 77-15 and 77-16

Commissioner Millison requested that the above-referenced Resolutions, which were signed at yesterday's meeting, not be altered in any way until the Board of Commissioners has had an opportunity to discuss it.

Commissioner McKay stated that the signature space of a document should not be used for any other purpose than the signing of that document. He further stated that if the majority of the Board did not object he would request that it be retyped for signatures and for no other purpose, and that it be resubmitted to the Commissioners for consideration.

The meeting adjourned at 11:07 a.m.

APPROVED BY,


James M. McKay, President
County Commissioners