

BOARD OF COUNTY COMMISSIONERS' MEETING

June 1-2, 1977

Wednesday, June 1, 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 8:50 a.m.

READING AND APPROVAL OF MINUTES

The minutes of May 25-26, 1977 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Dean. 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 Dean made a motion to approve payment of the bills, seconded by Commissioner Jarboe. All Commissioners voted in favor.

EXECUTIVE SESSION

Present: Joe Densford

The Commissioners agreed to meet in Executive Session in order to discuss matters of litigation. The Session was held from 9:30 a.m. to 9:45 a.m.

MARYLAND ASSOCIATION OF COUNTIES SUMMER CONFERENCE

The County Administrator advised the Commissioners that the MACO Conference will begin August 18, and that he would solicit those department heads to determine their interest in attending, after which time he would return to the Commissioners with a list for review and final approval. The Commissioners gave their concurrence.

LETTER TO HISTORICAL SOCIETY

The County Administrator presented a letter for the Commissioners' signatures addressed to Mr. Fred McCoy regarding appointments to the Historic District Commission and to the Mattapan Road Study Committee. The Commissioners agreed to sign and forward said letter.

GOVERNOR'S CONFERENCE ON VOLUNTARISM

The County Administrator advised the Commissioners that ten people will attend the above-referenced Conference and for ease of administration recommended that the registration fee of \$50 be taken from the Commissioners' conference account rather than the individual department budgets.

Commissioner Jarboe made a motion to approve Voucher No. 12668 in the amount of \$50 for registration fee for the Conference on Voluntarism, seconded by Commissioner Parlett. All Commissioners voted in favor.

REQUEST FOR COUNTY ASSISTANCE
BLESSING OF THE FLEET

The County Administrator stated that J. S. Guy, Jr., Publicity Chairman for the Blessing of the Fleet, has requested assistance from the County Engineer's Office as in the past in getting the site ready for the event as well as help during the event.

Commissioner Dean made a motion to approve this request, seconded by Commissioner Jarboe. All Commissioners voted in favor.

AIR CONDITIONING AND HEATING - LEXINGTON PARK LIBRARY

Present: Paul Raley, Director, Purchasing and Logistics

Mr. Raley appeared before the Commissioners to advise that the above-referenced project had been properly advertised; however, no bids were received. Mr. Raley solicited proposals and received one from Winters Sheet Metal in the amount of approximately \$7500.

Commissioner Jarboe made a motion to authorize the Purchasing Officer to negotiate with Winter's Sheet Metal for the necessary work for the air conditioning and heating at the Lexington Park Library in an amount not to exceed \$10,000, seconded by Commissioner Parlett. All Commissioners voted in favor.

SIGNING OF BUDGET DOCUMENTS

Present: Joseph P. O'Dell, Budget Officer

The Board of County Commissioners recessed and convened as the Board of Estimates.

SIGNING OF BUDGET DOCUMENTS cont.

RESOLUTION NO. 77-35
1977-78 APPROVED BUDGET AND LEVY RATE

Commissioner Dean made a motion that the Commissioners adopt the 1977-78 Budget in the amount of \$17,988,616 and set the County levy rate at \$2.15 per \$100 of assessed valuation, seconded by Commissioner Parlett. Three Commissioners voted in favor, with Commissioners McKay and Millison voting against.

Commissioner Millison indicated that he would not vote in favor because he was of the opinion that the tax rate should be reduced by .50¢ instead of .25¢ and also because the pupil-teacher ratio in the first and second grade was not being reduced to 25 to 1.

Commissioner McKay stated for the record: "I am convinced that a cut of .40¢ in the tax is reasonable. I think that a large sum of money included in the budget for repairs placed in there are unnecessary. State Highway Administration is going to make those repairs for the most part with maintenance money that is provided through the gasoline tax. The inclusion of that, plus the expansion of the overlay program has earmarked money that should be used in support of a larger tax cut. I feel an obligation that any official document should carry the President's signature. I will sign the Budget Document; however, I will vote against the Resolution."

RESOLUTION NO. 77-36
LOCAL INCOME TAX

Commissioner Dean made a motion to adopt Resolution No. 77-36, setting the local income tax for the 1977-78 budget year at 50% of the state income tax liability, seconded by Commissioner Jarboe. All Commissioners voted in favor.

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

FIRE-SAFE HOME CLEAN UP MONTH

Present: John Guy, Mechanicsville Fire Department
David Wood, Co-sponsor, St. Mary's Fire Prevention Association

The Commissioners presented the above-referenced Proclamation proclaiming that June is Fire-Safe Home Clean Up Month in St. Mary's County.

PRESENTATION OF BOOK "THE JESUIT MISSIONS IN ST. MARY'S COUNTY"

Present: Edwin Beitzell, County Historian
Marvin Joy, Chairman, Bicentennial Commission

The above-referenced individuals appeared before the Commissioners to present them with Mr. Beitzell's book entitled "The Jesuit Missions in St. Mary's County."

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise
Sunny Schust, Enterprise
Richard Polk, Enterprise
Mike Klienbeck, Beacon
Brian Murphy, Guardian
Dick Myers, WKIK
Paula Smith, WPTX

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

SEVENTH DISTRICT PARK

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett distributed to the Commissioners bid sheets relative to the above-referenced project. The Commissioners reviewed the submitted bids and raised several questions as to the possibility of negotiating with the bidders. Mr. Baggett agreed that negotiations might be possible and accepted the Commissioners' direction to negotiate the bid and return to the Commissioners with finalized information. The Commissioners requested that negotiations should proceed as quickly as possible since this project should not be delayed any longer.

The meeting recessed at 12:40 p.m.

Thursday, June 2, 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 8:45 a.m.

"WINGS OF THE MORNING"

Present: Erik Reeves, Producer
Bernard Johnson, President, Outdoor Drama Association
Leon O'Brien, Stage Director
Don Adams, Outdoor Drama Association
John Paradis, Outdoor Drama Association

The above-referenced individuals appeared before the Commissioners to report on the progress being made for the upcoming season of the "Wings of the Morning" outdoor drama, addressing such areas as publicity, stage settings, actors, and financial situation.

Due to the fact that funds have not yet been received from the State, and that a decision is pending from the Board of Public Works, Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign an encumbrance voucher the first of next week to handle the expenses for June for the Outdoor Drama, contingent upon approval for funding by the State, seconded by Commissioner Millison. All Commissioners voted in favor.

ALTERNATIVE LEARNING PROGRAM

Present: Dr. Robert King, Superintendent of Schools
James Raley, St. Mary's County Public Schools

Dr. King and Mr. Raley appeared before the Commissioners to present a proposed Resolution petitioning the Board of Public Works for approval of \$844,071 for the purpose of financing the acquisition of the Charlotte Hall property, modernizing and equipping the existing facilities to establish the Alternative Learning School.

After discussion, Commissioner Jarboe made a motion that the Commissioners sign said Resolution, seconded by Commissioner Dean. Three Commissioners voted in favor with Commissioners McKay and Millison voting against.

LETTER TO BOARD OF PUBLIC WORKS

The Commissioners reviewed proposed correspondence addressed to the Board of Public Works requesting a determination from the State concerning joint acquisition of the Charlotte Hall School property.

After discussion, Commissioner Jarboe made a motion to sign and forward said letter, seconded by Commissioner Parlett. Three Commissioners voted in favor with Commissioners McKay and Millison voting against.

REZONING DECISION - CASE NO. 77-02
RETAIL CLERKS INTERNATIONAL ASSOCIATION

(Commissioner McKay excused himself from the rezoning decision meeting as he did not participate in the rezoning hearing because of possible conflict of interest.)

The Commissioners conducted a public hearing on May 19, 1977 on the application by Retail Clerks International Association for the rezoning of approximately eight acres of premises known as "Placid Harbor", located off the Clarks Landing Road, Sixth Election District, from R-1 to CM.

Commissioner Jarboe made a motion that the rezoning requested in Rezoning Case No. 77-02 be granted (eight acres from R-1 to CM.) for the following reasons:

1. The original zoning limited the CM designation to only 7 1/2 acres, with the remaining 60 acres zoned R-1. The amended St. Mary's County Zoning Ordinance permits a conference center use in Commercial Marine Zoning Districts. The initial zoning did not envision such a use in a CM District. Consequently, the boundary of the CM District was set by an arbitrarily drawn line without reference to any logical or natural boundary, unrealistically limiting the size of the CM District; i.e., unrealistic in terms of a now permitted conference center use. This can reasonably be construed as a mistake in the original zoning.

2. The rezoning is not incompatible with the St. Mary's County Comprehensive Land Use Plan.

3. Public facilities are adequate according to testimony of Health Department and Office of Land Use and Development. Impact of 100 cars at a conference center is anticipated to be minimal, because of the nature of the center.

4. The proposed rezoning and contemplated use is compatible with the surrounding residential neighborhood and nearby commercial marine and industrial marine districts. This can be assumed inasmuch as there has been no objection raised to the proposed rezoning by anyone in the community.

There is a demonstrated need for such a facility in St. Mary's County, in view of the stated objective of diversifying the tax base with clean industry and commerce which will not destroy the natural resources of St. Mary's County. There is no such facility currently in the County.

Commissioner Millison seconded the motion. All Commissioners present voted in favor.

(Commissioner McKay returned to the meeting.)

PIZZA HUT SITE PLAN

After discussion of possible solutions to the drainage problem in the area of the Pizza Hut on Great Mills Road, Commissioner Dean made a motion to forward a letter to Besche Oil and Mr. Herman Hewitt, affected property owners, setting forth the proposed solution to the problem, pending concurrence of the letter by the County Engineer and further to authorize Commissioner President McKay to sign said letter, seconded by Commissioner Jarboe. All Commissioners voted in favor.

COMMISSIONERS LIST OF PRIORITIES FOR THE UPCOMING YEAR

The Commissioners discussed establishing priorities and time phasing for various projects scheduled for FY '78. The County Administrator was directed to work with department heads to present for Commissioners' review priority listings and time phasing for items under their supervision.

MARYLAND STATE POLICE BARRACKS

Commissioner Dean raised the issue regarding the alternate location of the Maryland State Police Barracks from the fairgrounds to Leonard Hall. It was agreed by the Commissioners that a letter be forwarded to Col. Smith stating that the Commissioners would like to have a meeting to discuss this matter and also to discuss the Police Services Study.

RESOLUTION NO. 77-37
TALL TIMBERS EROSION TAX

Commissioner Jarboe made a motion that the Commissioners adopt Resolution No. 77-37 reducing the tax rate to \$1.50 per \$100.00 on the assessable property in the Tall Timbers Erosion District, seconded by Commissioner Dean. All Commissioners voted in favor.

RESOLUTION NO. 77-38
JEFFERSON ISLAND CLUB, INC.
SHORE EROSION PROJECT DISTRICT

Commissioner Millison made a motion that the Commissioners adopt Resolution No. 77-38 levying a tax of \$8.13794 per \$100.00 on the assessable property in the Jefferson Island Club, Inc. Shore Erosion Project District, seconded by Commissioner Jarboe. All Commissioners voted in favor.

RESOLUTION NO. 77-39
EIGHTH DISTRICT FIRE TAX

Commissioner Parlett made a motion that the Commissioners adopt Resolution No. 77-39 establishing the levy fire tax rate at .10¢ per \$100.00 assessed valuation for the Eighth Election District, seconded by Commissioner Dean. All Commissioners voted in favor.

RESOLUTION NO. 77-40
TANNER CREEK SHORE EROSION DISTRICT TAX

Commissioner Dean made a motion that the Commissioners adopt Resolution No. 77-40 levying the following taxes on the assessable property in the Tanner's Creek Shore Erosion District:

- \$4.40 per \$100 on all assessable property in the Bay Front category;
- \$2.92 per \$100 on all assessable property in the Tanner Creek - Bay Front category;
- \$1.64 per \$100 on all assessable property in Tanner Creek Waterfront category;
- \$.94 per \$100 on all assessable property in the Surrounding Owners category.

Commissioner Parlett seconded the motion. All Commissioners voted in favor.

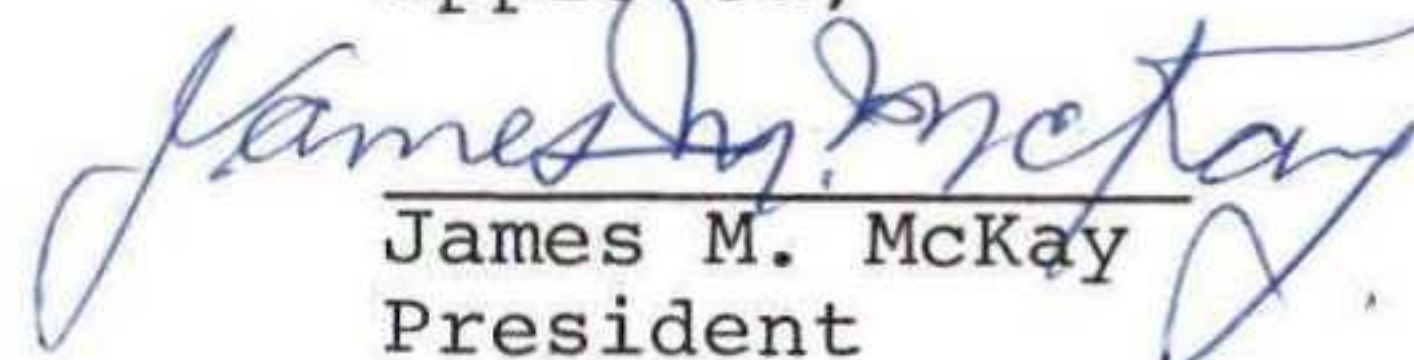
NATIONAL ASSOCIATION OF COUNTIES
ACHIEVEMENT AWARDS

The County Administrator requested authorization by the Commissioners that Joe O'Dell, Budget Officer, attend the NACO Achievement Awards Program in Michigan in that Mr. O'Dell has been invited to represent the County on the Financial Management Panel.

Commissioner Dean made a motion to authorize Mr. O'Dell to receive the awards for St. Mary's County in Michigan and to participate in the Financial Management Panel, and further to determine whether the Navy would be interested in having a display at the Awards, seconded by Commissioner Jarboe. Four Commissioners voted in favor with Commissioner Millison voting against.

The meeting adjourned at 12:20 p.m.

Approved,


James M. McKay
President