

BOARD OF COUNTY COMMISSIONERS' MEETING

June 22-23, 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 was called to order at 8:55 a.m.

READING AND APPROVAL OF MINUTES

The minutes of June 15-16, 1977 were read and corrected. Commissioner Parlett 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, as submitted, seconded by Commissioner Parlett. All Commissioners voted in favor.

ROAD RESOLUTION NO. 77-38
GROSS DRIVE - KINGSTON MANOR

Present: John Norris, County Engineer

The County Engineer presented the above referenced Resolution designating Gross Drive in the Kingston Manor Subdivision as a stop street at its intersection with Kingston Road. Commissioner Parlett made a motion to approve said Resolution, seconded by Commissioner Jarboe. All Commissioners voted in favor.

PUBLIC WORKS AGREEMENT
INDIAN RIVER ESTATES

Present: John Norris, County Engineer

Mr. Norris presented the Public Works Agreement by and between the Winston Corporation and St. Mary's County, Maryland for Indian River Estates, with attached Assignment of Letter of Credit.

Commissioner Dean made a motion to authorize Commissioner President McKay to sign the Public Works Agreement dated July 1, 1977 for Indian River Estates Subdivision and further to accept the Assignment of Letter of Credit, seconded by Commissioner Jarboe. All Commissioners voted in favor.

ROAD BOND STATUS REPORT

Present: John Norris, County Engineer

Mr. Norris reviewed with the Commissioners the update status report on various road bonds, and after discussion it was agreed that Mr. Norris would draft a letter for Commissioner McKay's signature to the Office of Land Use and Development that due to the various expired road bonds for the Aviation, Yacht and Country Club (Wicomico Shores) that building permits not be automatically issued to them and that all requests should be brought to the attention of the County Commissioners. Further Mr. Norris was also directed to request the developer of Cedar Cove to repair the roads to county standards or bring the road bond up to date.

The Commissioners requested that Mr. Norris schedule another meeting in order to complete the status list.

WALDEN COUNSELING CENTER
(RESIDENTIAL DRUG TREATMENT CENTER)

Present: Ken Sola, Director of Walden
Jack Kershaw, Southern Maryland Drug Abuse Council

The above referenced individuals appeared before the Commissioners to apprise them of the fact that Judge Mattingly upheld the Board of Appeals decision granting a conditional use permit for the Residential Drug Treatment Center. Mr. Sola stated that they are now ready to proceed to accept the contract from Gibraltar Home Company for the construction of the trailer and further to solicit bids for the foundation, electrical, plumbing work, etc.

After discussion, Commissioner Dean made a motion to approve the purchase of the Gibraltar Home, with an advance in the amount of \$5,000, and to authorize the County Engineer's Office to assist Walden in the construction of the Residential Drug Treatment Center and further to solicit competitive proposals for the construction of the basement foundation and necessary site work, such as electrical, plumbing, etc., and further that the Budget Officer be allowed to make appropriate transfer to cover costs of purchase order, seconded by Commissioner Jarboe. All Commissioners voted in favor.

CHARLOTTE HALL SCHOOL SITE

Regarding the proposed joint use by the State and County of the Charlotte Hall School property, Commissioner Parlett advised the Commissioners that the Board of Public Works was interested in coming down on July 12, to view the site. Since this date is beyond the date of the Option Agreement, Commissioner Parlett stated he contacted the Board of Trustees of Charlotte Hall and also the Citizens Bank and Trust Company to determine if they would be willing to grant a 32-day extension to August 10, 1977 in order to give the Board of Public Works an opportunity to view the property and conduct a public meeting. Commissioner Parlett said that they were agreeable to such an extension; however, this would necessitate the expenditure of additional funds for caretakers for this additional time, over and above what the County has been paying. This would be an additional amount of \$2,009.40.

After discussion, Commissioner Jarboe made a motion that the Commissioners amend the Option Agreement to extend the deadline date by 32 days with all other parts of the Option remaining the same and to approve the additional expenditure of \$2,009.40, and further that all details should be worked out by the County Attorney and attorney to the Board of Trustees of Charlotte Hall School, seconded by Commissioner Dean. Four Commissioners voted in favor with Commissioner Millison voting against.

Commissioner Millison made a motion that this should be the last extension of the Option Agreement and any further consideration on the County's part of the Charlotte Hall School property be on a piecemeal basis of the immediate needs which the County feels it has, seconded by Commissioner McKay, The vote was one to four with Commissioner McKay, Dean, Jarboe and Parlett voting against.

HOUSE BILL 1281
TAX CREDITS - LOCAL PROPERTY TAXES

Present: Joseph P. O'Dell, Budget Officer

Mr. O'Dell appeared before the Commissioners to explain House Bill 1281 which allows property owners, whose assessments have gone up 15% between January 1, 1976 and January 1, 1977 a tax credit. Mr. O'Dell recommended that the tax credit be shown on the tax bill and further that the Commissioners through a public press release inform the public of House Bill 1281 and the procedure being used to implement it. The Commissioners gave their concurrence and directed Mr. O'Dell to prepare the Public Release.

WINDOWS AT JAIL

The Sheriff apprised the Commissioners of certain damages to the jail, particularly the windows, by the inmates. Sheriff Somerville stated that a technician from the state will be down to recommend a more effective design for the windows. In the meantime, Paul Raley, Director, Purchasing and Logistics, is to have temporary repairs made to the windows.

DUALIZATION OF ROUTE 235

Commissioner Dean brought the Commissioners up to date with regard to the progress being made on the dualization of Route 235 project and the replacement of the railroad right-of-way corridor, as had been explained to him and the County Engineer and SMECO representatives by State Highway Administration officials.

TELEVISION ADVERTISEMENT OF COUNTY TOURISM

Commissioner Jarboe discussed with the Commissioners television advertisement for tourism in St. Mary's County and after discussion Commissioner Jarboe made a motion to authorize the Budget Officer to make the appropriate accounts transfers up to \$5,000 from current year's budget for television advertising for the upcoming tourism season, seconded by Commissioner Parlett. All Commissioners voted in favor.

EXECUTIVE SESSION

The Commissioners agreed to meet in Executive Session in order to discuss personnel matters. The Session was held from 12:20 p.m. to 1:00 p.m.

The meeting recessed at 12:30 p.m.

Thursday, June 23, 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 8:50 a.m.

CETA PROGRAM

Present: Nace Fresco, Personnel Officer

Mr. Fresco appeared before the Commissioners to explain a new CETA Program under Title II whereby 20 new positions will be made available, and stated that the eligibility requirements for this program are less restrictive than the previous programs. At this point, Mr. Fresco listed the positions being requested and requested the Commissioners concurrence to forward these applications to the State. The Commissioners gave their concurrence.

APPOINTMENT TO TRANSPORTATION COMMITTEE

Commissioner Jarboe made a motion to appoint Mr. Joe Cullison as the NAS representative to the Transportation Committee for a term to expire July 1, 1978, seconded by Commissioner Parlett. All Commissioners voted in favor.

OFFICE OF LAND USE AND DEVELOPMENT
CLERK STENOGRAPHER

By memorandum dated June 21, 1977, the Personnel Officer requested authority to promote Patricia Russell from Clerk Typist, Grade 5, in the Office of Land Use and Development to Grade 6, Clerk Stenographer, effective July 5, 1977. The Personnel Officer also requested authority to recruit for the Clerk Typist position to be vacated by Ms. Russell. Commissioner Jarboe made a motion to approve this promotion and further to recruit for the Clerk Typist position, seconded by Commissioner Parlett. All Commissioners voted in favor.

OFFICE OF COUNTY ENGINEER
HEAVY EQUIPMENT OPERATOR

By memorandum dated June 22, 1977, the Personnel Officer requested authority to hire Mr. James L. Owens in the position of Heavy Equipment Operator I, Trainee, Grade 6, effective June 27, 1977. Commissioner Dean made a motion to hire Mr. Owens, seconded by Commissioner Parlett. All Commissioners voted in favor.

TYPEWRITER FOR SHERIFF'S DEPARTMENT

The Sheriff forwarded a request for the transfer of \$485 from Account No. 1112-21010 (Office Supplies) to Account No. 1112-3101 (Equipment) for the purchase of a reconditioned typewriter for Lexington Park Sheriff's Office.

Commissioner Jarboe made a motion to authorize said transfer, seconded by Commissioner Dean. All Commissioners voted in favor.

CLEARINGHOUSE PROJECT NO. 77-6-1362
VA HOUSING FEASIBILITY - SOUTHGATE PARK

The County Administrator presented the above referenced clearinghouse project for the Commissioners' review and comments and recommended that it be forwarded to the State, stating that it is not inconsistent with this agency's plans, programs, or objectives, and with attached documentation from the Office of Land Use and Development setting forth AICUZ requirements. The Commissioners gave their concurrence.

STATE RETIREMENT SYSTEM RESOLUTION
NURSING HOME

The County Administrator presented the above-referenced Resolution which is required by the State Retirement System to allow employees of the Nursing Home to participate in the State Retirement System. Commissioner Dean made a motion to authorize Commissioner President McKay to sign said Resolution, seconded by Commissioner Parlett. All Commissioners voted in favor.

ROAD RESOLUTIONS
NO. 77-36 and 77-37

On behalf of the County Engineer, the County Administrator presented Road Resolution No. 77-36 posting All Faith Church Road at 30 miles per hour its entire length and Resolution No. 77-37 establishing a speed limit of 25 miles per hour on all subdivision roads in Patuxent Park Subdivision. Commissioner Parlett made a motion to approve said Road Resolutions, seconded by Commissioner Dean. All Commissioners voted in favor.

RESOLUTION NO. 77-42
MCGREGOR AND WERNER MIDFA LOAN

The County Administrator presented the above-referenced Resolution regarding Maryland Industrial Development Financing Authority financing for McGregor and Werner, located at the St. Mary's Industrial Park. Commissioner Jarboe made a motion to approve and sign said Resolution, seconded by Commissioner Parlett. All Commissioners voted in favor.

HOLDING TANKS

Present: Walter Raum, Director, Environmental Hygiene

Mr. Raum appeared before the Commissioners to explain the State's position on holding tanks which is that they can only be used to alleviate an existing health problem and cannot be used for new installations. Mr. Raum explained the cost and effect of transferring large amounts of concentrated sewerage to a sewage treatment plant and that this method was not adviseable. Rather than using holding tanks, Mr. Raum discussed a possible alternative which is being explored and evaluated, that is the mound system, a man-made device to supplement the natural ability of the soil to handle waste water.

HOLDING TANKS cont.

In closing, Mr. Raum stated that various types of alternatives for handling sewerage from boats and on land are being researched and evaluated.

RC&D PROJECT AT ST. ANDREWS LANDFILL

Present: John Hall, Soil Conservation Service
David Doss, Assistant State Conservationist
Dick Nagel, State Conservation Engineer
Lee Watson, State Contracting Officer, SCS

The above-referenced individuals appeared before the Commissioners to explain the work that needed to be done to correct the problems at the RC&D Project at the St. Andrews Landfill. Mr. Nagel explained that the work involved reseeding, overseeding and a rock line of the diversion at a cost of approximately \$8200 (2/3 federal and 1/3 county).

The County Engineer was requested to review the specifications for the RC&D Project along with the Project Agreement and return it to the Commissioners with his recommendations.

The Commissioners expressed some concern about the quality of some previous RC&D Projects.

Later in the meeting, Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign appropriate documents upon review and recommendation by the County Engineer, seconded by Commissioner Parlett. All Commissioners voted in favor.

REPORT TO THE PEOPLE

The Commissioners reviewed a memorandum dated June 10, 1977 by which the County Administrator recommended the concept approval of an annual "Report to the People". Said report would explain what has gone on in the county over the last year and what the County plans to do in the current fiscal year's budget.

After discussion, Commissioner Dean made a motion that the Commissioners endorse the concept of the annual report to the people and to authorize the initiation of the project and to set as a ceiling figure for this report a sum of \$6,000, seconded by Commissioner Jarboe. Four Commissioners voted in favor with Commissioner Millison voting against, stating he would not support this until he saw the contents..

DISTRICT COURT

Present: Judge Sweeney, Chief Judge, District Court
Judge Sterling, District Court Judge of St. Mary's County
Sheriff Joseph Lee Somerville

Judge Sweeney appeared before the Commissioners to explain his position on various issues concerning District Court.

A. Constables for District Court - Judge Sweeney was of the opinion that hiring of constables was not adviseable at this time for the following reasons:

1. Constables cannot serve criminal process papers and there would not be enough serving of civil papers to warrant paying a full-time man;

2. Even if constables were hired, a representative from the Executive Department would have to be present in Court because the constables are not sworn officers; therefore, the District Court constables could not take custody of prisoners once a judge sentences, nor could they go to the jail and bring a prisoner back to the Court.

3. The General Assembly, four years ago, requested that constables and bailiffs not be hired for protection in District Court, but rather they participate in the "Rent-a-Cop" Program. The General Assembly did not want to hire a man for forty hours, when the actual bench time would only be 20 hours a week.

B. Renovations of District Court - Commissioner Parlett explained in detail, the establishment of the building committee and the Master Plan for the renovations of the Leonard Hall buildings and the Courthouse, and that the Plan addresses the immediate and long-range plans of county office buildings, which included the eventual placement of District Court at the present Health Department building when the County's population increased to 65,000.

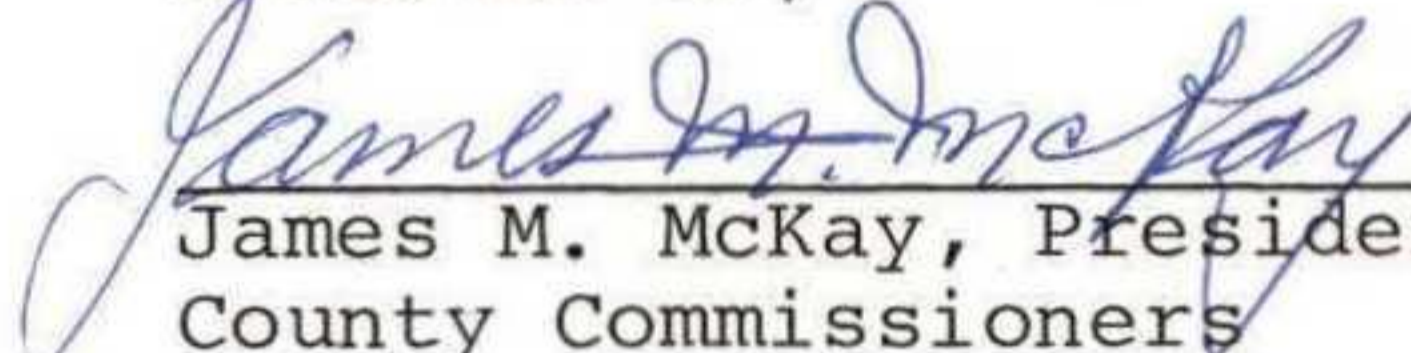
Judge Sweeney stated that it was his position that with regard to the renovation of the Courthouse, after county offices relocate to Leonard Hall, the District Court should remain in the Courthouse, preferably on the main floor, and that when the population increased to 65,000, as explained by Commissioner Parlett, the Courtroom downstairs be used as a joint courtroom for Circuit and District Courts. Judge Sweeney stated he saw a need for elevators to the Courtrooms and that the Commissioners should look into state funding for the provision of these elevators.

DISTRICT COURT cont.

In closing, Judge Sweeney, stated that he would like to review the Master Plan along with what has been discussed today and he would get back to the Commissioners with his comments. Also, he would direct his fiscal people to contact county representatives to further analyze the cost effectiveness of the use of constables for District Court.

The meeting adjourned at 12:15 p.m.

APPROVED BY,


James M. McKay, President
County Commissioners