

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, September 7, 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 9:05 a.m.

READING AND APPROVAL OF MINUTES

The minutes of August 31, 1977 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, 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, as submitted, seconded by Commissioner Millison. All Commissioners voted in favor.

IPA GRANT APPLICATION

Present: Nace Fresco, Personnel Officer

Mr. Fresco presented for the Commissioners' approval a Grant Application to the State Department of Economic and Community Development, State Coordinator for Intergovernmental Personnel Act Grant, for two projects. Project No. One is a Classification Study for clerical personnel of the County Board of Education seeking \$3,747 in Federal assistance; County contribution will be in-kind. Project No. Two is educational and training assistance for the County mid- and upper-level department managers, seeking \$13,740 of Federal funds. The County contribution will be a combination of cash-match of \$4,400, in-kind, and employee-paid participation fees.

After some discussion, the Commissioners agreed to forward the Grant Applications as proposed.

TECHNICAL CENTER STUDENT PROJECT

The County Administrator advised that correspondence was received from the Board of Education stating that the students at the Technical Center have nearly completed the home project, and requesting guidance from the Commissioners as to the disposition of that facility. The County Administrator recommended that the Commissioners meet with Board of Education representatives, at which time the disposition details will be discussed and resolved.

"REPORT TO THE PEOPLE"

The County Administrator presented the bids from various firms for the printing of the "Report to the People", and stated that the lowest bid received was from The Enterprise in the amount of \$3,620.70 for the printing of 15,000 copies. After discussion, Commissioner Jarboe made a motion to award the printing contract to the lowest bidder, The Enterprise, and, further, to direct the County Administrator to proceed to have the printing done and the document mailed to the resident property owners of St. Mary's County, seconded by Commissioner Parlett. Four Commissioners voted in favor, with Commissioner Millison voting against.

ECONOMIC IMPACT FEE AGREEMENT

The County Administrator presented the Economic Impact Fee Agreement by and between Paragon Builders, Inc. and the Board of County Commissioners of St. Mary's County, setting forth the method of payment of the Economic Impact Fee for Wildewood Subdivision, Section 2, Plat 1, which contains 12 lots. Commissioner Jarboe made a motion to approve said Economic Impact Fee Agreement, seconded by Commissioner Parlett. All Commissioners voted in favor.

LETTER TO WATER RESOURCES ADMINISTRATION

The Commissioners agreed to sign and forward a letter to Water Resources Administration endorsing the comments submitted by David S. Fleischaker on the proposed revisions of the State Water Pollution Control Regulations.

POSITION OF PROGRAM COORDINATOR - OFFICE OF HOUSING COORDINATOR

By memorandum dated September 6, 1977, the Personnel Officer requested authority to hire Mrs. Theresa Cassagnol to the position of Program Coordinator in the office of Housing Coordinator, Grade 9-0, effective August 15, 1977, said position having been advertised as a promotion opportunity. Commissioner Jarboe made a motion to grant this authority, seconded by Commissioner Dean. Four Commissioners voted in favor, with Commissioner McKay abstaining.

POSITION OF OFFICE SECRETARY I - OFFICE OF CIVIL DEFENSE

By memorandum dated September 1, 1977, the Personnel Officer requested authority to hire Mrs. Gloria L. Pilkerton to the position of Office Secretary I in the Office of Civil Defense, Grade 7-0, effective September 12, 1977. Commissioner Dean made a motion to grant this authority, seconded by Commissioner Jarboe. All Commissioners voted in favor.

POSITION OF PATROLMAN - SHERIFF'S DEPARTMENT

By memorandum dated September 6, 1977, the Personnel Officer requested authority to hire Mr. Raymond W. Barry, Jr. to the position of Patrolman, Grade 10-0, in the Sheriff's Department, effective September 19, 1977, to fill the vacancy created by the resignation of Patrolman First Class Edward H. Healy. Commissioner Jarboe made a motion to grant this authority, seconded by Commissioner Parlett. Four Commissioners voted in favor, with Commissioner McKay voting against.

APPROVAL OF VOUCHER - TRI-COUNTY ANIMAL SHELTER

The County Administrator presented Encumbrance Voucher No. 14025, payable to Charles County Commissioners, in the amount of \$821.62, representing St. Mary's County's share (37.5%) for the cost of renovating the walk-in box at the Tri-County Animal Shelter. No funds are budgeted for this purpose. Commissioner Parlett made a motion to approve payment of said voucher and a contingency fund transfer in said amount, seconded by Commissioner Dean. All Commissioners voted in favor.

TRI-COUNTY BOARD OF COMMISSIONERS' MEETING

The Commissioners agreed to schedule September 28, 1977 as the next Tri-County Board of Commissioners' meeting, with St. Mary's County being the host County, and directed the County Administrator to make the necessary arrangements.

ST. MARY'S COUNTY CREATIVE ARTS FORUM

Present: Charles Hewitt, St. Mary's County Creative Arts Forum
Kenneth Kahn, Director, Maryland Arts Council

Mr. Hewitt and Mr. Kahn appeared before the Commissioners to present a proposal for special cultural programs in St. Mary's County through the St. Mary's Creative Arts Forum, and to request financial support from the County in order to facilitate and promote these programs. Grants have been received from various organizations including The Maryland Committee for the Humanities, which has promised a matching Grant to the Arts Forum. The Commissioners thanked them for their presentation and advised that they would give consideration to this request and make a decision at next week's meeting.

VISIT BY WALTER ORLINSKI

Mr. Walter Orlinski, President of the Baltimore City Council, appeared before the Commissioners to discuss his plans to run for Governor of Maryland, and, further, to discuss mutual areas of concern.

PRESS CONFERENCE

Present: Dick Myers, Beacon
Paula Smith, WPTX
Sunny Schust, Enterprise
Richard Polk, Enterprise
Dave Fox, WKIK

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

REZONING HEARING - JOSEPH S. MATTINGLY
CASE No. 77-09

Present: Joseph Mattingly, applicant
Joseph Garner
James Kenney, attorney for the applicant
Frank Gerred, Director, Land Use & Development

Application was made by Joseph Mattingly to have approximately .563 acre, located on Maryland Route 235 at the entrance to St. Mary's Industrial Park, Sixth Election District, rezoned from R-1, Rural Residential, to C-2, Commercial.

The secretary read the notice of Public Hearing.

Mr. Kenney, attorney for the applicant, submitted the following exhibits:

- Exhibit 1(a-g) - Return Receipts of Certified Letters to property owners within 200 feet of subject property;
- Exhibit 2 - Drawing of St. Mary's Industrial Park;
- Exhibit 3 - Aerial photograph of subject Hollywood area;
- Exhibit 4(a-k) - Photographs of businesses north and south of subject property;
- Exhibit 5 - Site Plan prepared by Larry Day and Associates;
- Exhibit 6 - Color-coded chart depicting zoning of areas adjacent and surrounding subject property.

The secretary read the recommendation of the Planning Commission as contained in a memorandum dated August 30, 1977 which recommended approval of rezoning from R-1 to C-1, rather than C-2 as requested by the applicant.

Commissioner McKay inquired if anyone present wished to speak for or against this rezoning application; hearing none, the hearing was closed. A tape of the hearing is on file in the Commissioners' Office.

(During the proceedings of the rezoning hearing, the Commissioners agreed to meet in Executive Session in order to discuss a matter of possible litigation. The Session was held from 1:40 p.m. to 1:50 p.m.)

FIRE HYDRANT AT TOWN CREEK

Present: John Norris, County Engineer

Mr. Norris advised that the County acquired property at no cost to the County from A. Leola Dean, in Town Creek, just off of Gunston Drive, which is the area where the water tower is located. Mr. Norris stated that Mr. Al Dillow, property owner, said that if the County would provide the fire hydrant he would install it at no cost. The cost of the fire hydrant is \$404.68, and Mr. Norris recommended proceeding in this manner. The Commissioners concurred.

LEXINGTON PARK HEALTH DEPARTMENT BUILDING

Present: John Norris, County Engineer
Jay McGrath
Dr. Marek, County Health Officer
Pete Avetta, Lorenzi, Dodds & Gunnill

The above individuals appeared before the Commissioners to review the plans for the renovations of the Lexington Park Health Department Building, and presented an Inspection Report of the building prepared by Lorenzi, Dodds & Gunnill indicating their observations of the existing facility and recommendations for remedial action to be considered in the renovation of the building. Approximate total cost of the project, including architectural and engineering, is \$77,000.

After discussion the Commissioners directed the County Engineer to have the necessary bid documents prepared and to proceed with the project.

SITE PLAN FOR COURTHOUSE

Present: John Norris, County Engineer
Jay McGrath

Mr. Norris and Mr. McGrath presented the site plan for the Courthouse, indicating parking spaces and needed curbing, and storm drainage for the parking lot. The approximate cost of this project is \$70,500 with the omission of the additional parking lot. After discussion the County Commissioners directed the County Engineer to have the necessary bid documents prepared and proceed with the project.

APPLICATION FOR PAYMENT

ST. MARY'S COUNTY GOVERNMENT CENTER - PROJECT No. SM 77-6-1

Present: John Norris, County Engineer

Mr. Norris presented Application for Payment No. 6, for the St. Mary's Government Center project, in the amount of \$241,026, payable to The Davis Corporation. Commissioner Dean made a motion to approve payment, seconded by Commissioner Jarboe. All Commissioners voted in favor.

APPROVAL OF PAYMENT FOR COUNTY ENGINEER'S OFFICE PROJECTS

Present: John Norris, County Engineer

Mr. Norris presented the following Estimates for Payment and Encumbrance Vouchers for various projects for the Commissioners' review and approval:

- (1) Estimate No. 12 - Golden Beach Road, Project No. SM 75-1-7, payable to B. F. Asher, in the amount of \$29,903.58; Voucher No. 13015 (Change Order No. 2) in the amount of \$606.00, and Voucher No. 13665 (Change Order No. 3) in the amount of \$4,980.00, payable to B. F. Asher.

- (2) Estimate No. 1 - Town Creek-Hermanville Road, Project No. SM 77-1-4, payable to B. F. Asher in the amount of \$83,321.49.
- (3) Estimate No. 4 - Lincoln Avenue, Project No. SM 76-1-5, payable to Dean Construction Company in the amount of \$64,871.73.

Commissioner Parlett made a motion to approve payment of the above-mentioned estimates and encumbrance vouchers, seconded by Commissioner Dean. All Commissioners voted in favor.

FOREST LANDING REPAIRS

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett stated that bids were opened July 25th for the extension of the existing boat ramp at Forest Landing with one bid being received, which was from Crandall in the amount of \$4,781, and the project was rebid on September 6th with a bid being received from Mole Excavators in the amount of \$5,200. Mr. Baggett recommended that Crandall be contacted to determine if they would do the project, and, if not, that the bid be awarded to Mole Excavators in the amount of \$5,200. Commissioner Parlett made a motion to accept this recommendation, seconded by Commissioner Jarboe. All Commissioners voted in favor.

CHAPTICO WHARF REPAIRS

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett stated that one bid was received at the bid opening on July 25th for Item No. 1 (repair of the existing seawall and construction of the timber jetty) for the above-referenced project, which was from Crandall, in the amount of \$10,931. The project was re-bid on September 6th, with a bid being received from Colliflower and Peterson in the amount of \$7,415. Item No. 3 (re-decking the pier) was added, with a bid being received from Colliflower and Peterson in the amount of \$2,440. Mr. Baggett recommended awarding the bids for Items Nos. 1 and 3 to Colliflower and Peterson in the amounts of \$7,415 and \$2,440, respectively. Commissioner Parlett made a motion to accept this recommendation, seconded by Commissioner Dean. All Commissioners voted in favor.

CHAPTICO WHARF - ITEM No. 2

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett stated two bids were received for Item No. 2 (repair and extension of boat ramp) for the above-referenced project; namely, Mole Excavators in the amount of \$5,200 and Crandall in the amount of \$4,000. Mr. Baggett stated there may be some doubt as to whether Crandall would accept this project, and, if not, recommended that the bid be awarded to Mole Excavators in the amount of \$5,200. Commissioner Jarboe made a motion to accept this recommendation, seconded by Commissioner Parlett. All Commissioners voted in favor.

CHARLOTTE HALL SCHOOL SITE

Commissioner Parlett discussed with the Commissioners the two proposed sites for the Fifth District Elementary School - the Charlotte Hall property and the Episcopal Church property, and stated that it had been brought to his attention that there was a difference of \$83,000 more for site development of the Charlotte Hall property. Therefore, after discussion, Commissioner Parlett made a motion to purchase the Episcopal Church site at a cost of \$45,000, seconded by Commissioner Dean. All Commissioners voted in favor.

In order to comply with the Open Meetings Law regarding acquisition of property, Commissioner Parlett made a motion to rescind the previous motion, seconded by Commissioner Millison. All Commissioners voted in favor.

Commissioner Parlett made a motion to notify the Board of Education and the public of the County's intent to purchase 15 acres from the Episcopal Church located on Route 6 east, next to Charlotte Hall School property, for the purpose of a Fifth District Elementary School site, seconded by Commissioner Millison. All Commissioners voted in favor.

CHARLOTTE HALL OPTION

Commissioner Parlett discussed with the Commissioners the possibility of requesting an additional 30-day extension of the Charlotte Hall Option Agreement in that the Board of Public Works is not prepared to make a decision as to the State's intention for joint purchase of the property. The Commissioners agreed to delay a decision on this matter until after tomorrow's meeting at Charlotte Hall.

Commissioner Millison made for the record the following inquiry: does all of the expenses subsequent to the original option period automatically become part of the third mortgage as stated in the Option Agreement? Mr. Cox responded that the extension of the option has included the understanding that the same terms and conditions of the option prevail; namely, that the County expenses during the option period will become a third mortgage.

Mr. Millison further inquired as to continued insurance coverage relative to the County's liability during the option extensions and requested that this be reviewed as quickly as possible.

EXECUTIVE SESSION

The Commissioners agreed to meet in Executive Session in order to discuss matters of personnel. The Session was held from 4:10 p.m. to 4:45 p.m.

The meeting recessed at 4:45 p.m.