

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, June 28, 1978

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

The meeting was called to order at 9:00 a.m.

READING AND APPROVAL OF MINUTES

The minutes of the County Commissioners' meeting of June 21, 1978 were read. Commissioner Dean moved, seconded by Commissioner Parlett to approve the minutes as read. 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 moved, seconded by Commissioner Parlett, to approve payment of the bills, as submitted. All Commissioners voted in favor.

EMERGENCY OPERATIONS CENTER

Present: Otis Wood, Director OEC

Mr. Cox stated that relative to the report prepared by the Emergency Operations Center committee, the committee has again met to discuss and make recommendations concerning the shift supervisors and uniforms for the communications clerks. It was recommendation of the Committee not to do anything at this time concerning the shift supervisors until completion of consultant systems study. Regarding the request for uniforms for the Communications Clerks, the Committee recommended that the Commissioners favorably consider this request and that if not a complete uniform, that they be provided with a shirt and patch for proper identification.

Commissioner Jarboe moved, seconded by Commissioner Dean to approve the modified uniform (shirt and patch) for the Communications Clerk's. All Commissioners voted in favor.

WICOMICO SHORES  
PROPOSED REORGAINIZATION PLAN

Commissioner Dean advised the Commissioners that the County Attorney has prepared the Stipulation and Agreement with attached letters from the Health Department and Metropolitan Commission and Public Works Agreement regarding



the proposed Reorganization Plan for Wicomico Shores for the Commissioners' review.

After discussion and recommended changes, Commissioner Dean moved, seconded by Commissioner Jarboe, to approve and sign the Stipulation and Agreement and ten copies as recommended by County Attorney in the matter of Wicomico Shores. Four Commissioners voted in favor, with Commissioner McKay abstaining stating that he is in general agreement with the intent of the motion and document; however, he could not support the motion unless this became a binding agreement on the trustee by direction of the Court.

CITIZEN ADVOCACY FOR MENTALLY RETARDED PROGRAM

Present: Linda Schucker (on behalf of Eileen Hislop)  
Dan Mulcahy, Project Coordinator, MAEC Citizen Advocacy Program  
Michael Olson

Mr. Mulcahy stated the purpose of his visit to the Commissioners was to explain the Citizen Advocacy Program. He stated that he is the Coordinator for Ann Arundel County and the tri-county area. He went on to explain the role of the Program is to match volunteers from the community on a one-to-one basis to handicapped people and that the purpose of the match is two-fold; expressive advocacy and instrumental advocacy. After discussion of this program, the Commissioners thanked Mr. Mulcahy for the informative report and offered their support.

COLLECTION OF CHILD SUPPORT

Present: Joseph Carter, Director, Social Services  
George Sparling, State's Attorney  
Judge Mattingly, Judge of Circuit Court

The above-referenced individuals discussed with the Commissioners HB 607 and its mandate that the function of collection of child support be transferred from the Department of Parole and Probation. The options available are:

1. The collection function be supervised by the State;
2. Transfer to the Department of Social Services;
3. Transfer to the Office of State's Attorney;
4. Transfer to the Office of the Judge of Circuit Court.

The above alternatives were discussed and the Commissioners agreed to make a decision as to which would be best applicable to St. Mary's County on Wednesday, July 5.



COMMENDATION - CLAUDE CLARKE

Present: John Baggett, Director, Recreation and Parks  
Claude Clarke, Recreation Supervisor

The Commissioners presented Mr. Claude Clarke with a Commendation recognizing his dedication to the County through the Recreation and Parks Programs.

COMMENDATION - DR. ROBERT KING, JR.

Present: Dr. Robert King

The Commissioners presented Dr. King with a Commendation upon his retirement for his many years of service to the Board of Education.

100-DAY SICK LEAVE CLUB

Present: Ken Freeburn, Personnel Officer  
Mary Jane Alvey (100-Day Sick Leave)  
Al Barthelme " " " "  
Wayne Delozier " " " "

The Commissioners presented an award to the above individuals for having accrued 100 days of sick leave by the end of 1977.

(Alice V. Bailey - Recorder from this point.)

PUBLIC HEARING - COMPREHENSIVE WATER AND SEWER PLAN

Present: Mike Marlay  
Barbara Taylor  
Steve King  
Harry Knight

Barbara Taylor presented the 1978 Updated Comprehensive Water and Sewerage Plan to the Commissioners. A tape of this Public Hearing is available in the Office of the County Commissioners.

SUMMER YOUTH EMPLOYMENT PROGRAM

Present: Delores Hill, Youth Commission  
Charles Walsh,

Delores Hill presented the Commissioners with a Program Outline for the 1978 Summer Youth Employment Program. Miss Hill stated that this outline would show the requirements, placements, dates for the Title III Program as well as the County Funded Summer Employment Program. Mr. Walsh stated that we have received a grant in the amount of \$64,092.00 to provide for 67 participants, two adult foremen and one adult director under the Summer Program for Economically Disadvantaged Youth (SPEDY). Also, he stated that the interview process had been completed and the program is under way and running smoothly. The County Funded Summer Employment Program will provide at least



30 participants and the amount funded is \$21,409.00. This program will commence July 5 and go through August 18. Miss Hill and Mr. Walsh stated that they would keep the Commissioners informed as to the progress of the programs and would have a detailed report prepared at a later date for their review.

PROPERTY TAX EXEMPTION - GILLETTE

Present: Edward V. Cox, County Administrator

Mr. Cox stated that correspondence was received on May 22, 1978 from an individual requesting property tax exemption as well as a tax refund for the period of June 17, 1975 to July 1, 1978. Mr. Cox stated that this correspondence was forwarded to the County Attorney for a determination and that Mr. Bell had forwarded correspondence stating that the individual is eligible for the refund of taxes paid.

Commissioner Dean made a motion that the property taxes paid be refunded to Mr. Joseph V. Gillette, seconded by Commissioner Jarboe. All Commissioners voted in favor of the motion.

SEVENTH DISTRICT VOLUNTEER FIRE DEPARTMENT - WAIVER OF BUILDING PERMIT FEE

Present: Edward V. Cox, County Administrator

Mr. Cox stated that correspondence was received from the Seventh District Volunteer Fire Department requesting a waiver of the building permit fee for an addition to their existing fire house.

Commissioner Parlett made a motion to waive the building permit fee as requested by the Seventh District Volunteer Fire Department, seconded by Commissioner Dean. All Commissioners voted in favor of the motion.

PROPOSED LETTER RE: MOBILE HOME HARDSHIP WAIVER

Present: Edward V. Cox, County Administrator

Mr. Cox presented a proposed letter regarding disapproval of the Mobile Home Hardship Waiver for the Commissioners' approval and signature. After discussion by the Board it was decided that the letter should state the reason for the disapproval and to state that if their circumstances changed to inform the Commissioners for reconsideration.

RESCUE SQUADS REQUEST FOR DOUBLING OF FUNDS

Present: Edward V. Cox, County Administrator

Mr. Cox presented a letter for the Commissioners approval addressed to Mr. John Erly, President of the St. Mary's County Rescue Squads, stating that Mr. Erly's request to have the individual rescue squads formula for allocation of county funds be doubled in FY 78-79 would be denied, and that the present formula would be maintained.



Commissioner Jarboe made a motion that the correspondence be signed by the Board and forwarded to Mr. Erly, seconded by Commissioner Dean. All Commissioners voted in favor of the motion.

CITIZENS ADVISORS APPRECIATION NIGHT

Present: Edward V. Cox, County Administrator

Mr. Cox stated that preparation for the Citizens Advisors Appreciation Night is taking place and that Mary R. Bell has accepted as the Mistress of Ceremonies for the occasion and John Hanson Briscoe will be the guest speaker. He stated that 250 persons are expected to attend and arrangements for the food, etc. have all been made.

KNOLLAND SUBDIVISION, LOT 22, SECTION 2

Present: Edward V. Cox, County Administrator

Mr. Cox presented the building permit of Mr. Norman Henderson for Lot 22, Section 2, in Knolland Subdivision and requested the Commissioners' approval to issue same.

Commissioner Parlett made a motion to issue a building permit to Mr. Norman Henderson as a lot owner in Knolland Subdivision for Lot 22, Section 2, seconded by Commissioner Jarboe. All Commissioners voted in favor of the motion.

REVIEW COMMITTEE - SOUND ABATEMENT AICUZ

Present: Edward V. Cox, County Administrator

Mr. Cox presented correspondence from the Office of Land Use and Development requesting that the Commissioners set up a review committee for the purpose of construction guidelines for sound abatement. In this correspondence it was suggested that two members be appointed by the County Commissioners; two members by the Captain, N.A.S.; and two members by the Planning Commission. Mr. Gerred stated that he would serve as an ex-officio member if the Commissioners desired him to do so. The Commissioners after discussion decided that an executive session should be scheduled for next week to discuss nominees to serve as County Commissioner appointees.

AGRICULTURE PRESERVATION APPOINTEE

Commissioner Jarboe made a motion to appoint Mr. James Owens to serve on the Agriculture Preservation Board, seconded by Commissioner Millison. All Commissioners voted in favor of the motion.

EMS TOWER

Present: Edward V. Cox, County Administrator

Mr. Cox stated that on Friday, June 30, 1978 the official opening of the EMS system will take place at 10:00 a.m. and wanted to let the Commissioners



know so that they could attend and that they were requesting as many of the Commissioners to attend during the picture taking ceremony as possible.

ST. MARY'S COUNTY EMPLOYEES' ASSOCIATION

Mr. Edward Cox stated that an employees meeting was held on June 27, 1978 and that the employees were trying to set up an employees' association and this was given as a matter of information.

CAPITAL PROJECT TRANSFERS - FY'78

Present: Joseph P. O'Dell, Budget Officer

Mr. O'Dell stated that he needed authorization to make the necessary transfers to revert from Capital Improvement Fund to General Fund effective June 30, 1978 in the amount of \$162,956 which were explained in his memorandum and attachment of June 23, 1978 in order for this transaction to be made a part of FY'78.

After review of the outline and discussion, Commissioner Dean made a motion to approve the recommendation by Mr. O'Dell as to the Capital Project Transfers for FY 78 in the amount of \$162,956 from the Capital Improvement Fund to the General Fund, effective June 30, 1978, seconded by Commissioner Jarboe. All Commissioners voted in favor of the motion.

OPERATING BUDGET TRANSACTIONS FOR FY'78

Present: Joseph P. O'Dell, Budget Officer

Mr. O'Dell stated that he needed authorization to make the necessary operating budget transfers for FY 78 which needed to be enacted on June 28, 1978 to enable said transactions to be reported in this year's end audit. A detailed explanation of the transfers was submitted with his memorandum and attachment of June 23, 1978. After review of the outline and discussion, Commissioner Dean made a motion to approve the recommendation of Mr. O'Dell as to Operating Budget Transactions for FY 78 year end, seconded by Commissioner Parlett. All Commissioners voted in favor of the motion.

RESIDENTIAL TREATMENT CENTER GRANT FOR SOUTHERN MARYLAND

Present: Joseph P. O'Dell, Budget Officer

Mr. O'Dell presented the renewal request for the Residential Treatment Center Grant for Southern Maryland in the amount of \$88,396 (Southern Maryland Drug Abuse Program) for approval and signature by the President of the Board. Mr. O'Dell stated that there would be no funds from the County expended. This amount will come entirely from the State.

Commissioner Dean made a motion to authorize the President of the Board to execute the application for renewal of the Southern Maryland Drug Abuse Program Grant for FY 79 in the amount of \$88,396, seconded by Commissioner Parlett. All Commissioners voted in favor of the motion.



BUS CONTRACTS

The Commissioners asked Mr. O'Dell if solution had been arrived at concerning the contracts of public and private bus contracts. Mr. O'Dell stated that this matter is not final. The Commissioners expressed their opinions as to the fact that they thought the private bus contracts should be the same as the public school bus contracts. At this time, the Commissioner requested that Mr. O'Dell and Mr. Raley appear before the Board at next week's meeting to try and arrive at a solution to this problem.

CAMP ERNEST BROWN

Present: Walter Raum, Environmental Health Officer

Mr. Raum appeared before the Commissioners to discuss the situation surrounding the decision of the Hearing Officer of the Department of Health and Mental Hygiene with regard to the holding tank facility at Camp Brown. Mr. Raum stated that the Health Department was opposed to the decision to let a holding tank be placed at Camp Brown. He also stated that the District of Columbia Boy's Camp is a separate entity from Camp Brown and should not come into the appeal. He stated further that since the one year was given for the use of the holding tank that this was only a temporary solution and it would open the opportunity to apply for coming years. After considerable discussion on the matter, the Commissioners stated that they would reach a decision by next week's meeting as to the concurrence of the decision or objection.

PATUXENT BEACH SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris stated that he and Mr. Meehan from State Highway went down to the Patuxent Beach Subdivision and that the State stated that they would pay one half of the design work. The Commissioners stated that they wanted a letter stating that the State would fund 50%. Mr. Norris stated that J.R. McCrone would do the design work for \$1200 to \$1500 and asked that the Commissioners authorize the design work to begin.

Commissioner Jarboe made a motion to authorize J.R. McCrone to do the design work at the Patuxent Beach Subdivision with regard to the drainage problem, seconded by Commissioner Parlett. All Commissioners voted in favor of the motion.

PITCH-IN TRASH PICK UP

Present: John Norris, County Engineer

Mr. Norris stated that at last week's meeting the bid for the trash pick up for the Pitch-In Program was awarded to John H. Curtis. Since that time Mr. Curtis has become aware that his insurance on the trash collection vehicles is not adequate. Mr. Curtis has no problem obtaining the insurance, it is a question of finances. The next lowest bidder was B & B and if something could be worked out so that the Curtis contract did not exceed the next



low bidder the Commissioners would like to have Mr. Curtis retain the contract if possible.

Commissioner Jarboe made a motion to see if at all possible the County Engineer, the County Attorney and Commissioner McKay could work out the problem of insurance and if this meant additional money, that amount is not to exceed the next low bidder, that being B & B, seconded by Commissioner Dean. All Commissioners voted in favor of the motion.

PROPERTY ACROSS FROM HEALTH DEPARTMENT

Present: John Norris, County Engineer

Mr. Norris stated that he had been contacted by property owners across from the Health Department requesting that the County put curbing on their property due to the fact that the drainage from the work at the Health Department is making the water drain on their property. The Commissioners after discussion stated that no action would be taken on this matter at this time. The Board will visit the property to see what the problem is and the matter of solving.

TALL TIMBERS BULKHEAD RECONSTRUCTION

Present: John Norris, County Engineer

Mr. Norris presented Project No. SM 78-3-1 for the Tall Timbers Bulkhead reconstruction project and requested approval of the signing of the drawings.

Commissioner Parlett made a motion to authorize the President to sign the drawings with regard to the Tall Timbers Bulkhead reconstruction project revised as of June 27, 1978 and to let the project go out for bids, seconded by Commissioner Jarboe. All Commissioners voted in favor of the motion.

LAND O'LAKES AGREEMENT AS TO ASSIGNMENT OF FUNDS

Present: John Norris, County Engineer

Mr. Norris presented an Agreement dated June 28, 1978 whereby the expiration date of June 30, 1978 would be extended to August 30, 1978 and requested approval. Mr. Norris stated that this agreement has been executed by Mercantile Mortgage Corporation, Oliver and Betty Guyther and recommended approval by the Board.

Commissioner Dean made a motion to authorize the President to sign the agreement dated June 28, 1978 to extend the expiration date for the assignment of funds to August 30, 1978, seconded by Commissioner Parlett. All Commissioners voted in favor of the motion.



LETTER OF CREDIT - INDIAN RIVER ESTATES SUBDIVISION SECTION I

Present: John Norris, County Engineer

Mr. Norris presented a Letter of Credit whereby the Winston Corporation is bound unto St. Mary's County for the sum of \$57,500 for the guarantee as to specifications and construction of roads in the Indian River Estates Subdivision. This Letter of Credit has been duly executed by the Winston Corporation and the Maryland Bank and Trust Company.

Commissioner Dean made a motion to accept the letter of Credit offered by the Winston Corporation to St. Mary's County which will serve as a surety guarantee for the construction of streets and roads in Indian River Estates Subdivision, seconded by Commissioner Jarboe. All Commissioners voted in favor of the motion.

ADDENDUM TO PUBLIC WORKS AGREEMENT - NORTH INDIAN CREEK

Present: John Norris, County Engineer

Mr. Norris presented an Addendum to Public Works Agreement North Indian Creek Estates to extend the date of completion of required improvements, as a condition of subdivision approval from May 26, 1978 to June 1, 1979 upon presentation of proper surety.

Commissioner Jarboe made a motion to authorize the President of the Board to execute the Addendum to Public Works Agreement North Indian Creek Estates by and between Oliver R. Guyther and the Board of County Commissioners predicated upon Ohio Casualty Insurance Company, surety on the bond guaranteeing construction of the improvements subject to the Public Works Agreement, agreeing to this Addendum and acknowledging continuing coverage under their bond, seconded by Commissioner Parlett. All Commissioners voted in favor of the motion.

DRAWINGS RAILROAD RIGHT OF WAY CORRIDOR LAUREL GROVE-HILLVILLE

Present: John Norris, County Engineer

Mr. Norris presented the drawings with regard to the alignment of the Railroad right-of-way corridor acquisition for Laurel Grove Hillville and requested approval by the Board.

Commissioner Parlett made a motion to approve the alignment plans for the Railroad Right-of Way corridor acquisition for Laurel Grove Hillville as indicated by the drawings from the engineering department, seconded by Commissioner Dean. All Commissioners voted in favor of the motion.

GOLDEN BEACH PROJECT INCREASED WORK ORDER

Present: John Norris, County Engineer

The County Engineer presented for Commissioners' approval an increased work order for the Golden Beach road project in the amount of \$64,744.70.



Discussion revealed that the county's on site inspector authorized application of materials above and beyond the amounts required by the job specifications. The Commissioner inquired as to the County's procedures for prohibiting such on-site authorization and discovered that said authorizations were given without the awareness of the County Engineer and that no limits were placed on this authorization. Since the materials and work in question have already been completed Commissioner Dean made a motion that the Board authorize the payment of the request for increased work order dated June 26, 1978 for Project SM 75-1-7 with the understanding that the items listed as "seed and mulch" will be adjusted to pay only the unit price as per the specifications which Mr. Norris indicated was 89lbs. per acre and the additional material only, not in excess of the contract price, seconded by Commissioner Jarboe. Commissioner Millison voted against, remainder of Commissioners voting for. Motion passed.

Commissioner Dean made a motion that no further increased work order will be approved without the direct and formal approval of the County Commissioners for this project, seconded by Commissioner Jarboe. All Commissioners voted in favor of the motion.

Commissioner Millison made a motion to go into executive session after the close of the meeting to discuss the increased work order on Golden Beach, seconded by Commissioner Jarboe. All Commissioners voted in favor of the motion.

RESOLUTION 78-44 - MANUFACTURING INVENTORY TAX

Commissioner Jarboe made a motion to adopt Resolution No. 78-44 entitled "Manufacturing Inventory Tax", to be effective July 1, 1978, seconded by Commissioner Dean. All Commissioners voted in favor of the motion.

ITEMS TO BE PLACED ON AGENDA FOR WEEK OF JULY 5, 1978

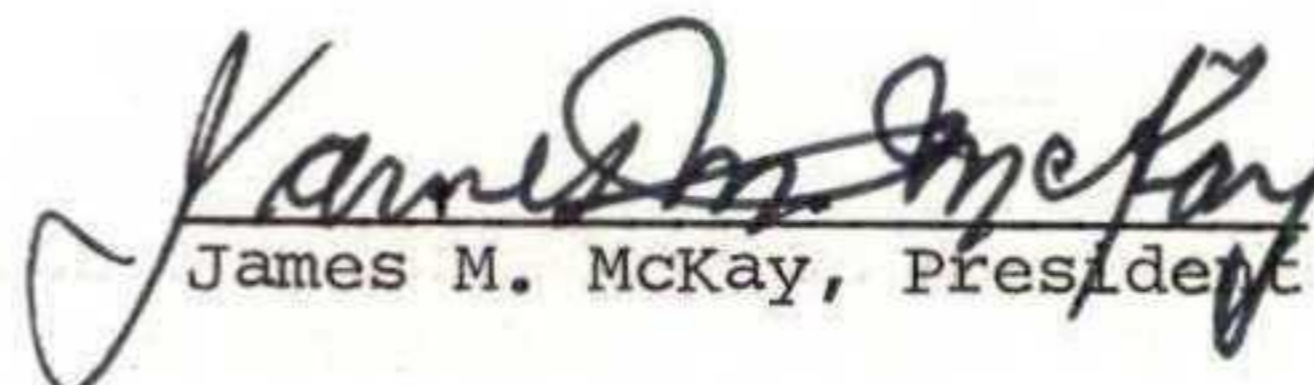
- The matter of D.J.'s One Stop;
- Rezoning case 78-119 Leslie Gould;
- Draft on management proposal;
- Salary increase for attorney to Planning Commission.

The Commissioners requested County Administrator to ascertain the salaries of other attorneys on other Boards, Commissions and Committees.

EXECUTIVE SESSION

The Commissioners went into Executive Session at 5:45 p.m. to 6:10 p.m.

Approved,

  
 James M. McKay, President