

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, August 9, 1978

Present: Commissioner John K. Parlett, Vice President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe, M.D.
Edward V. Cox, County Administrator
Alice V. Bailey, Recorder

(Commissioner McKay and Commissioner Millison were not present at the beginning of the meeting.)

The meeting was called to order at 8:31 a.m.

READING AND APPROVAL OF MINUTES

The minutes of the County Commissioners' meeting of August 2, 1978 were read, and Commissioner Jarboe made a motion to approve the minutes as read, seconded by Commissioner Dean. All Commissioners present voted in favor.

(Commissioner McKay and Commissioner Millison entered the meeting at 8:45 a.m.)

APPROVAL OF VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the encumbrance vouchers for the Commissioners' review and approval. Commissioner Parlett moved, seconded by Commissioner Dean to approve the vouchers as submitted.

OVERTIME SHERIFF'S DEPARTMENT

The County Administrator presented a request for overtime on behalf of the Sheriff's Department for 11 hours in the amount of \$83.61. After review Commissioner Parlett made a motion to approve the overtime request as submitted, seconded by Commissioner Dean. All Commissioners voted in favor of the motion.

APPOINTMENTS TO ST. MARY'S NURSING HOME BOARD

Commissioner Dean made a motion to appoint Isabelle Raley and Julia H. Richardson to the Nursing Home Board terms to expire July 1, 1981, seconded by Commissioner Parlett. All Commissioners voted in favor of the motion.

BLACKISTONE MARINA - ZONING DECISION

County Administrator presented to the Commissioners a draft Resolution with regard to Blackistone Marina Case No. 78-119. He stated that this has been reviewed by the County Attorney as well as all other interested parties and requested the Commissioners approval of same when it was typed in final form.

Commissioner Dean made a motion to approve Zoning Amendment Resolution Number Z-78-1 with regard to Blackistone Marina, being Zoning Application 78-119 from R1, rural residential to CM, commercial marine, seconded by Commissioner Jarboe. All Commissioners voted in favor of the motion.

CLEARINGHOUSE PROJECT NUMBER 79-7-129

The County Administrator presented Clearinghouse Project 79-7-129 identified as HUD College Housing Loan - New Student Housing Complex and stated that after review of this project the findings were that the project is not inconsistent with this agency's plans, programs or objectives, but the attached comments are submitted for consideration by the applicant. After discussion by the Board it was decided that this particular project would have to obtain all necessary permits and any other requirement of the County. The County Administrator is to forward this information on to the State.

PROCLAMATION - GOLDEN JUBILEE

MR. AND MRS. FRANCIS G. SWANN, SR. 78-48

The Commissioners signed Proclamation Number 78-48 honoring Mr. and Mrs. Francis G. Swann, Sr. on celebrating their Fiftieth Wedding Anniversary.

ECONOMIC IMPACT FEE RESOLUTION

The County Administrator presented the proposed Economic Impact Fee Resolution for the Commissioners' signature. After review by the Commissioners it was decided to tabel this matter.

YOUTH DIVERSION PROJECT 78-JDJD7-8041

The County Administrator submitted the Notification of Grant award which was received July 31, 1978 from the Governor's Commission on Law Enforcement and the Administration of Justice. He stated that the Federal grant will provide the amount of \$21,705.00 with the local share being \$2,412.00, for a total project cost of \$24,117.00 and asked for approval by the Board to have the President sign said documents.

Commissioner Dean made a motion that the Board authorize the President to sign said Notification of Grant award in the amount of \$24,117.00 for the Youth Diversion Project (Big Brother and Big Sister), seconded by Commissioner Parlett. All Commissioners voted in favor of the motion.

METROPOLITAN COMMISSION - REQUEST FOR NEW POSITION

The County Administrator presented correspondence from the Metropolitan Commission dated August 2, 1978 requesting that the position of Maintenance Mechanic/Equipment Operator be established and that accompanying justification was also attached. Mr. Cox stated that this position was already a part-time position and actually the work being performed had gone to a full time position. After review by the Board, Commissioner Parlett made a motion to establish the position of Maintenance Mechanic/Equipment Operator at the Metropolitan Commission, seconded by Commissioner Dean. All

Commissioners voted in favor.

SCHOOL BUSING

Mr. Cox, County Administrator stated that correspondence has been received from the Naval Air Station dated August 4 with regard to transportation to private schools. He stated that Mr. Paul Raley, Director of Purchasing and Logistic Services was working on a solution to the problem.

Commissioner Jarboe requested Mr. Cox to find out if it is correct that the public school system pays the insurance premium for their bus drivers, and to report to him his findings.

RESOLUTION - BORROW PITS

County Administrator presented a draft Resolution with regard to Borrow Pits. Mr. Cox stated that this had been approved by the County Attorney and wanted authority to prepare it for final approval of the Board.

Commissioner Parlett made a motion to approve said Resolution after re-typing in final form, seconded by Commissioner Jarboe. All Commissioners voted in favor of the motion. Said Resolution was resubmitted and signed by the Board and bears the number 78-47.

MECHANICSVILLE VOLUNTEER FIRE DEPARTMENT

FIRE PROTECTION OF MECHANICSVILLE ELEMENTARY SCHOOL

Present: Andy McWilliams, Fire Department
 Greg Adams, Fire Board
 Dave Morgan, Board of Education
 James Raley, Board of Education

Mr. McWilliams stated that the reason for the appearance was to hopefully obtain funding from the Board to obtain ample water for the purpose of fighting a fire if it should occur at the Mechanicsville Elementary School. There were two alternatives: There is a pond in the neighborhood that could supply the necessary water. In order to get access to the supply of water it would be necessary to upgrade the road leading to the pond in order to lay the necessary pipe lines from the pond to the school. The cost of the pipe would be approximately \$9,000 or \$10,000 dollars. The second alternative would be a hydrant system. Mr. McWilliams stated that the field road and pipe system would be the most economical. He stated that this is on private property and the owner would be in agreement to letting the fire department enter the property for the purpose stated above. There was discussion by the Commissioners as to keeping the road up to standards as well as easements, etc.

Commissioner Parlett made a motion that the Board of Education proceed with the installation of the 6 inch pipe from the hydrant to the pond as well as construction of the necessary sections of the road and prices are to be brought back to the County Commissioners for review. The source of funds for this project are to be determined by the Budget Officer, seconded by Commissioner Jarboe. All Commissioners voted in favor of the motion.

AGRICULTURE LAND PRESERVATION

The County Commissioners requested the newly formed Agriculture Preservation Board to appear before them to try and outline the functions that they will be performing. Also the County Commissioners and Mr. Gerred stated that county employees would be available to help them in their duties, as well as the County Attorney.

The Commissioners stated that they should familiarize themselves with the State laws, check in other counties that have established an agriculture conservation district, set up their meeting dates, etc.

The members stated that they would be back before the Board after they had gotten to the point of knowing what is contained in the law and what steps would be taken to implement the beginning of this undertaking.

(Commissioner Millison left the meeting at 11:00 a.m.)

R.C. & D ROADSIDE STABILIZATION PROJECT

Present: John Hall, Soil Conservation Service

Mr. Hall appeared to request the Board to fund the amount of \$36,000 in order that the County would be in a position to receive Federal Funds for the roadside program. He stated that if the County did not appropriate such funds that the County would not be considered when the Federal funds are being disbursed. After considerable discussion Mr. Hall will obtain the necessary agreements and any other necessary documentation, complete same, and then present to the County Commissioners for their review and approval.

It was stated that if this amount of funds became necessary during this fiscal year that a reserve for contingency transfer would be necessary.

HEALTH DEPARTMENT (INSPECTION OF BUILDING)

The County Commissioners at this time went on an inspection of the buildings occupied by the Health Department.

The Commissioners recessed at 12:00 p.m. for lunch.

The Commissioners reconvened at 1:02 p.m.

BEVERLY ESTATES AND BIG OAK SUBDIVISIONS

Present: Mr. Warren Barley

Mr. Barley stated that he was appearing before the Commissioners to request an extension of the road bonding in Beverly Estates, Section 1; Big Oak Subdivision to November 1, 1978. With regard to Beverly Estates and a portion of Big Oak, the Commissioners said that they would consider granting an extension until November 1st on Beverly Estates and that portion of Big Oak where the roads have been asphalted, however, the other

part of Big Oaks subdivision would require appropriate surety that is acceptable to St. Mary's County. The Commissioners stated that they would be in contact with Mr. Norris, County Engineer as to the Punch List and that the Commissioners and Mr. Norris would have a written understanding of what had transpired at this meeting prior to any final decision on the matter.

COMMISSION ON AGING
FEDERAL HATCH ACT

Present: Agnes McGaharn

Mrs. McGaharn appeared before the Commissioners to state that correspondence has been received from the Federal Government stating that she would be in violation of the Hatch Act if she ran for a political office. She stated that a conference call had taken place the day before between Mr. Cox, a representative of the federal government and herself and from this conversation she was informed that if she continued to run for office while employed as Senior Services Coordinator that she was in apparent violation of the Hatch Act.

After considerable discussion Commissioner Dean stated that she had several options: Continue in her present position and withdraw from the Senate race; transfer from her present position to another that does not handle grants; resign from her present position and the Board agree to hold the position open until the primary is over and either make the decision to return or not.

The Commissioners requested Mrs. McGaharn to look into the legal aspects of resignation; as to: retirement, longevity, and if this resignation was her final decision if this could be done without any legal obligations being held against the County.

Mrs. McGaharn will report back to the Commissioners her findings.

EXECUTIVE SESSION

Present: Joseph E. Bell, II, County Attorney

Mr. Bell appeared before the Commissioners and requested an Executive Session in regard to litigation.

Commissioner Dean made a motion to go into Executive Session, seconded by Commissioner Jarboe. All Commissioners in favor of the motion.

(Time 2:03 p.m.)

The Commissioners returned from Executive Session at 2:30 p.m.

LAND USE AND DEVELOPMENT EMPLOYEES

Present: Mary Fender
Joyce Nelson
Claudia Phillips
Frank Gerred

Mrs. Fender, Mrs. Nelson, Mrs. Phillips appeared before the Commissioners with regard to personnel matters and requested an Executive Session on the grounds that other individuals would be spoken of.

Commissioner Jarboe made a motion to go into Executive Session, seconded by Commissioner Parlett. All Commissioners in favor.

(Time 2:33)

The Commissioners returned from Executive Session at 3:28 p.m.

COASTAL ZONE MANAGEMENT

Present: Frank Gerred, Director Land Use and Development

Mr. Gerred presented to the Commissioners the contract by and between the Department of Natural Resources and the Board of County Commissioners, Contract No. C6-78-440 (79), for a period of one year for technical services to the County in compliance with the Coastal Zone Management Act Public Law 92-583, 1972. Mr. Gerred stated that this has been reviewed by the County Attorney, and is in proper form. He also stated that this contract has been previously approved by the Commissioners and at this time was presenting same for signature. Said contract was duly executed by the President of the Board.

ROAD RESOLUTION R-79-2

Present: Edward V. Cox, County Administrator

Mr. Cox presented on behalf of the County Engineer a Resolution changing the posted speed limit on Shangri La Drive County Route 3332 to 30 miles per hour from its intersection with Md. Route 246 for a distance of approximately 3 miles.

Commissioner Jarboe made a motion to authorize the President of the Board to sign said Resolution, seconded by Commissioner Millison. All Commissioners voted in favor.

LEASE MARGARET BRENT GYMNASIUM

Present: John Baggett, Director Recreation and Parks

Mr. Baggett presented a revised lease by and between the Board of Education and the Board of County Commissioners with regard the leasing of the Margaret Brent Gymnasium. Mr. Baggett stated that the lease had one clause changed and that is the reason for it being presented to the Board again for execution. He stated that after the Board approves the agreement, it

will in turn go to the Attorney for the Board of Education for approval and the authorized individual at the Board of Education will execute said lease.

After review by the Commissioners, Commissioner Jarboe made a motion to give authorization to the President of the Board to execute said lease, seconded by Commissioner Parlett. All Commissioners voted in favor of the motion.

RECREATION AND PARKS

BIDS - PICKUP TRUCK

Present: John Baggett, Director Recreation and Parks

Mr. Baggett stated that he had received two bids for the pickup truck, those being from Bell Motor in the amount of \$4,467.82 for a 1978 vehicle, and Fenwick Ford in the amount of \$4,313.44. The Fenwick Ford bid stated that this was for a 1978 vehicle but they would have to check with the Ford Motor Company to see if a 1978 could be obtained. Fenwick Ford came back and told Mr. Baggett that they were unable to get the 1978 model and gave the bid on a 1979 F100 Ford Pickup Truck in the amount of \$4,466.14. Mr. Baggett recommended that the bid be awarded to Fenwick Ford.

Commissioner Parlett made a motion to award the bid to Fenwick Ford in the amount of \$4,466.14 for a 1979 F-100 Ford Pickup Truck, seconded by Commissioner Dean. All Commissioners voted in favor of the motion.

Mr. Baggett stated that \$4,000.00 had been budgeted for the truck and the additional sum would be taken from one of his other accounts to make up the difference.

ROUTE 244

Commissioner Parlett stated that he has talked with Mr. Meehan of the State Highway Administration with regard to Route 244 and he stated that Mr. Meehan informed him that the state has seen fit to spend emergency funds on Route 244 and at the present time they are deep patching. He also stated that the State is in the process of obtaining a contractor in order to do the one inch asphalt overlay this Fall. The state informed Commissioner Parlett that funds have been appropriated for the complete 3 inch overlay in the 1980 budget. After this discussion with Mr. Meehan Commissioner Parlett did not feel that the scheduled meeting on August 11th would be necessary. The Commissioners were in agreement that the meeting at this time was not necessary.

CONFERENCE TABLE - CONFERENCE ROOM

Commissioner Parlett informed the Commissioners that the Conference Room table is due to arrive on August 11th.

DISTRICT COURT RENOVATION

Commissioner Parlett stated that he had attended a meeting with representatives from District Court and was informed that there was available the

sum of \$40,000 and not the amount that had been previously stated. He said that he had been informed that the Assessment Office may have funds that can be obtained for the renovation. Also, the representatives are going to speak with Judge Sweeney and we should have a reply by the 15th of August. Mr. Cox is to contact the Assessment Office to see if there are available funds and see if a representative could be present at next week's meeting to discuss the situation.

RESOLUTION SUBSTANDARD ROADS

A resolution regarding substandard roads in the county was presented to the Commissioners for signature. After discussion this matter was tabled for one week.

COMMUNITY COLLEGE

Present: Jerry Panick
Thomas Sexton
James Carsey
Hope Swann
Ed Cole

Mr. Cole stated that he was pleased that the Commissioners had invited them to attend the meeting and wanted to give them a progress report. It was stated that the offices were opened for registration on June 28 and as of this time there were 184 persons enrolled in 224 courses. They stated that there were some problems, but they were being worked out as quickly and efficiently as possible. A detailed report and other literature was presented to the Commissioners.

The Commissioners stated that they were appreciative of the fine work that this committee had done.

Mr. Ed Cole presented the Commissioners with a draft of the by-laws drawn up by the Committee. It was stated that they would like the Commissioners to review and make any additions or deletions as they saw fit. They were of the opinion that by-laws should be established.

The Commissioners stated that they will review the by-laws and will get a letter back to them on this matter.

COUNTY COMMISSIONERS' MEETING TIME CHANGE

The County Commissioners meeting on the 23rd of August will commence at 12:00 noon instead of the regular time of 8:30 a.m.

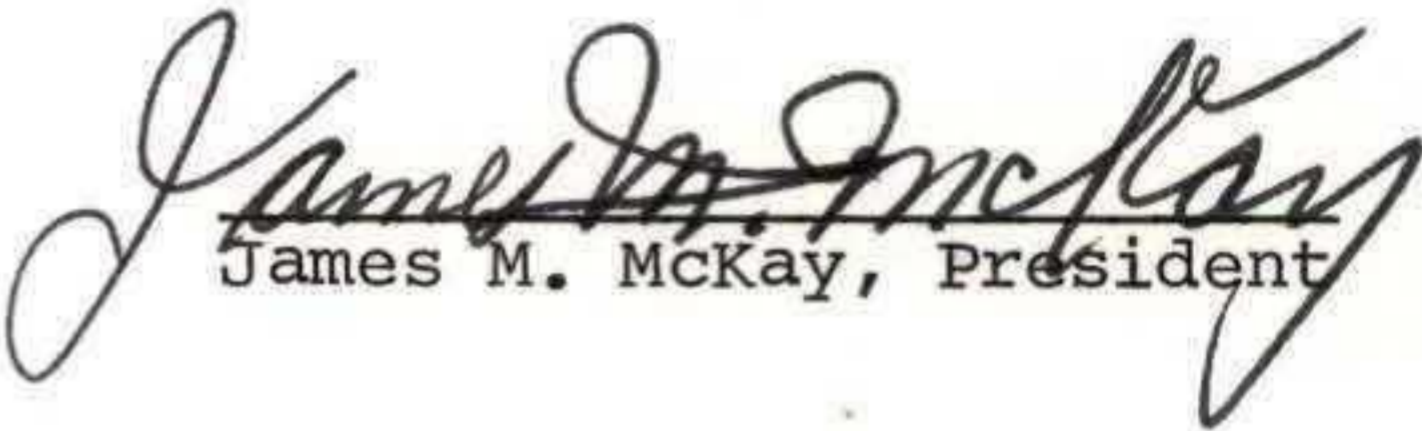
BRETON BAY PUD

The Commissioners received correspondence from Mr. Shanoff who represents the Friends of Breton Bay requesting that the scheduled hearing on the 18th of August be concluded by 4:30 on that date because if it goes over this time it will conflict with a personal matter. Correspondence was received from Charles A. Norris, Attorney which addressed the adjournment

of rescheduling of the hearing. After discussion the Board requested Mr. Cox to forward correspondence to Mr. Shanoff stating that if the meeting will go over the 4:30 time that the Commissioners will make a decision at that time to continue the hearing or convene at another date and time for the conclusion. This correspondence is to be forwarded prior to the 18th of August.

The meeting adjourned at 4:40 p.m.

Approved,


James M. McKay, President

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