

County Commissioners MeetingTuesday, April 28, 1970

Present: F. Elliott Burch, President  
 J. Wilmer Bowles, Commissioner  
 George R. Aud, Commissioner  
 Paul R. Raley, Administrative Assistant  
 Helen M. Bailey (Mrs.), Admin. Asst. (Recording)

The meeting was called to order at 9:15 a.m.

The minutes of the previous meeting held on April 21, 1970, were read, amended, and approved.

Payments Approved

\$1,380.00 to the Governor's Commission on Law Enforcement and the Administration of Justice for Phase I Study on the Tri-County Rehabilitation Center.

\$1,428.38 to the State of Maryland, Division of Reimbursements covering board, care and treatment of patients during the fourth calendar quarter, 1969.

Board of Education Budget

The Board of Education delegation, headed by Dr. Robert E. King, appeared to appeal to the Board of County Commissioners concerning their appropriation for fiscal 1970-71. Mr. E. Harry Ocker stated that the cut of approximately \$800,000 made it very difficult for the Board of Education to work up a program and they were at a loss to know where to make the cuts. Mr. Ocker stated that they could not accurately ascertain the amount of Federal aid until September 30 -- after the school enrollment.

Mr. Burch stated that the County Commissioners realized it was their responsibility to work with the Board of Education in an endeavor to work out a program within the budgetary limitations and that the three Commissioners and the Office of Finance were willing to assist in whatever way they could. Mr. Burch stated that it was also the County Commissioners responsibility to set the tax rate and appropriate funds; therefore the Board of Education budget must remain at the figure awarded since the Board of County Commissioners had not elected to increase the tax rate in St. Mary's County this fiscal year.

It was agreed that the Board of Education would keep the Board of County Commissioners apprised of their incoming revenues

and that if unanticipated revenues did come in, the County Commissioners would be notified. The County Commissioners also requested to be advised when funds were not forthcoming, or under-estimated, so that they could work with the Board of Education in determining where program cuts should be made.

#### Colony Development Corporation

Mr. Harry D. Blumenthal, President of the Colony Development Corporation appeared with Messrs. R. D. Wysong, Mr. F. M. Latham, Jr., and their attorney Mr. Joseph A. Mattingly to discuss alternates and modifications to the requirements contained in the County Commissioners letter to them dated September 19, 1968. Detailed discussion of lot size, lot frontages, building lines, lot depths, streets, water and sewage, etc., ensued. Mr. Wagener, County Engineer, was requested to compile and document his recommendations in reply to Mr. Blumenthal's letter of April 28, 1970, this date. The subject matter of this correspondence is documented in the files.

#### Mr. and Mrs. Franklin Seville

Mr. and Mrs. Franklin Seville of Millstone Landing Road appeared to request a variance for using the artesian well which is presently servicing two cottages on their property. The Sevilles are removing one of the two cottages and plan to replace it with a trailer. The trailer will be hooked onto the well and septic system and drain field after removal of one cottage.

The variance was granted by the Board of County Commissioners. Prior approvals had been obtained from the Planning and Zoning Commission and the Department of Health.

#### Richneck Road

Mrs. Doris Jones and Mrs. Charlotte Houston, of Richneck Road, appeared to appeal to the Board of County Commissioners to rebuild and/or resurface Richneck Road. The ladies stated that it was almost impossible to travel on the road without doing severe damage to their vehicles. Mrs. Jones stated that she had submitted a petition from approximately 30 persons in September of 1969, but that no action had been taken on their request.

Mr. Bond of the SRC stated that he would put as much gravel on the road as possible as soon as it dries as a temporary expedient.

The Board of County Commissioners advised Mrs. Jones and Mrs. Houston that the road would be inspected and surveyed in order to determine the cost of either rebuilding or resurfacing; that it would probably be feasible to rebuild and gravel the road this summer; then, next year, it might be possible to tar and chip it.

#### Patuxent Water Company

Adm. Thurston B. Clark, Attorney James A. Kenney, John D. Little (of David M. Gruber and Company), Messrs. Donaldson and Sterling of the Office of Finance, appeared to discuss the purchase of the Patuxent Water Company by the Metropolitan Commission. Mr. James A. Kenney requested that this meeting be held in executive session or, barring that, that the press respect the tenuous nature of the negotiations which were being discussed. Messrs. Dick Myers of WKIK and Jack Kershaw of the Enterprise, stated that they would respect the nature of the discussion and remained in the Conference Room.

Mr. James A. Kenney, attorney for the Metropolitan Commission, stated that the articles of sale between the Metropolitan Commission and the Patuxent Water Company, for the purchase of the Patuxent Water Company in the amount of \$650,000 had been signed by both parties, but that approval was needed from the Board of County Commissioners. In addition to approval, \$50,000 in cash is needed by the Metropolitan Commission for cash flow, which will be paid back provided there are proceeds from the bond issue.

The Board of County Commissioners determined that several factors would have to be resolved prior to making a decision to grant a loan of \$50,000 to the Metropolitan Commission for their use in consummating their agreement with the Patuxent Water Company:

(a) Legal opinion must be sought to determine the legality of advancing the \$50,000 to the Metropolitan Commission under these conditions;

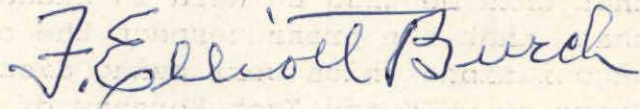
(b) Advice of a Bond Counsel (namely Ed Clark of Smith, Somerville and Case) must be sought to determine the advisability and mechanics of such a bond issue;

(c) David M. Gruber and Company must be consulted to obtain their counsel regarding the financial capability of the Metropolitan Commission to return sufficient proceeds to amortize the \$650,000 bond issue;

(d) The local banks must be consulted in an effort to determine whether one of them will take a \$50,000 issue, so that St. Mary's County can be reimbursed their \$50,000 advance without having to await proceeds from the entire bond issue.

The meeting adjourned at 5:25 p.m.

Approved,



F. Elliott Burch  
President