

Board of County Commissioners' MeetingFriday, February 19, 1971

Present: George R. Aud, President
J. Wilmer Bowles, Commissioner
J. S. Guy, Jr., Commissioner
B. Harris Sterling, Director of Finance
Paul R. Raley, Administrative Officer
Helen M. Bailey (Mrs.), Admin. Asst. (Recording)

The meeting was called to order at 10:00 a.m.

The minutes of the previous meeting which was held on February 9, 1971 were read and approved.

Personnel Actions

Mr. B. Harris Sterling, Director of Finance, recommended that the Board of County Commissioners promote Mrs. Cecelia B. Adams from Stenographer, Salary Scale 3, Step 2 @ \$5,255 to Secretary A, Salary Scale 4, Step 1 @ \$5,453, an annual increase of \$198.00. The Board of County Commissioners concurred with this recommendation and stated that a letter requesting such promotion would be directed to the Director of Finance.

With regard to the Secretary B vacancy and the Stenographic vacancy, Commissioner Bowles motioned that the complement of the Office remain as it is until examinations could be scheduled, and a list of eligibles obtained, so that the vacancies could be filled on a permanent basis, rather than on a temporary basis pending establishment of the list of eligibles. The motion was unanimously carried.

Mr. Sterling stated that the examination would be given for the Secretary B vacancy on March 6, 1971 and that he would like to obtain approval from the Board to advertise examinations for all County Merit System positions so that a list of eligibles can be maintained. Commissioner J. S. Guy, Jr. suggested that the positions of County Engineer, and a new position of overseer for landfill operations also be advertised for examination. Commissioner Guy also projected the need for someone to

maintain the County Recreation and Parks areas, the duties to include grounds-keeping and building maintenance for the various County Government-owned buildings in which the various County Departments are housed. Mr. Guy pointed out that the Department of Recreation and Parks has the authority, by statute, to set up a Maintenance Department. Mr. Sterling stated that such a department might well be called the County Maintenance Department.

The Board requested Mr. B. Harris Sterling to work up a job description for a maintenance overseer after he has conducted a complete maintenance and equipment needs study for the various departments of County Government. Mr. Sterling's recommendations will then be reviewed by the Board of County Commissioners.

Jail Attendants

Mr. B. Harris Sterling, Director of Finance, presented the Board with job specifications for proposed Jail Attendants, entitled under the State Merit System as "Detention Officer", at Salary Scale 4, \$5,144 to \$6,769 per year. The nature of the work is in the maintenance of security in a detention-type facility (in this case, St. Mary's Jail). Under general supervision and an assigned shift, the employed performs work in receiving, custody, safekeeping and well-being of the inmates; and release of prisoners at the County Detention Center; and performs related work as required.

Mr. Sterling's analysis included a work schedule for a total of four people on a 24-hour per day basis, with progressive days off. Mr. Sterling stated that from all appearances, such employees would necessarily be employed under the County Merit System. The Board took Mr. Sterling's written analysis under advisement.

Joseph Paul Jones, Jr.

The Board of County Commissioners unanimously agreed to employ Joseph Paul Jones, Jr. of Richneck Road as a maintenance worker, under the supervision of the Administrative Officer, for three-months' trial, at the rate of \$150.00 per week. The Board requested Mr. Paul R. Raley to notify Mr. B. Harris Sterling of this action, and to request Mr. Sterling to implement the employment, to commence Monday morning, February 22, 1971. Mr. Jones is to use his own vehicle and is authorized mileage at 10¢ per mile.

Recreation and Parks Department
Maintenance Budget

Mr. John V. Baggett, Director, Department of Recreation and Parks was requested to appear to explain his budget request for maintenance funds in the amount of \$13,282.00. Mr. Baggett stated that this figure represented cost for only four months of the fiscal year 1971-1972. In addition to grass-cutting, the maintenance costs include painting, carpentry, trash collecting, grading, and the like. Mr. Baggett anticipates the need for a three-ton dump truck, a tractor with rotary lawn mower, and a low-boy on which to haul heavy equipment. Mr. Baggett projects the need for two maintenance men. Mr. Baggett's total budget for this year will be approximately \$140,000 as compared with an award of \$115,269 for the previous year.

Roller Skating Program -- Mr. Baggett mentioned that his Department had been accused of competing with private business insofar as the Roller Skating Program is concerned. Mr. Maxie Guy has recently gone into business with roller skating and is using the Roller Rink on Route 235. President Aud advised Mr. Baggett that the County did not wish to go into competition with private business in this respect and was assured by Mr. Baggett that this was not the case. Because Mr. Guy's lawyer contacted Mr. Baggett, this matter was referred to Mr. Robert E. Wigginton, County Attorney.

Appointment to Nursing Home Board

Commissioner J. S. Guy, Jr. motioned and it was unanimously carried to appoint Mr. Harvey I. (Bill) Bailey to membership on the St. Mary's County Nursing Home Board.

Larry Hills Trailer Park

Mr. Paul R. Raley presented the plat and a request for approval of a 22-lot trailer court addition at Hills Trailer Park which had been previously approved on June 22, 1970. President Aud, upon unanimous approval of the Board, signed the plat.

Application for Trailer Park, "Southgate Park"
8th Election District, F.D. & F., Inc.

Mr. Paul R. Raley, Administrative Officer, presented a request and the plat for a trailer park, Southgate Park, for preliminary approval of the Board of County Commissioners. It was pointed out that the area had no sewerage nor water supply. The Board instructed Paul R. Raley to have the County Engineer review the plan to determine whether it complied with the necessary requirements for a trailer park and to report back to the Board.

Application for 20-unit Trailer Park on Trapp Road
1st Election District, James Dunlap

The Board of County Commissioners unanimously agreed to return the development plan for a 20-unit trailer park on Trapp Road, in the 1st Election District, to the Health Department for its prior approval, before action would be taken by the Board.

Payments Approved:

American Dredging Co., for dredging section of Southern Prong of St. Jerome's Creek, approx. 1,000 feet long by 50 feet wide-----	\$12,500.00
Dredging southern prong of St. Jerome's Creek for an additional 400 feet long x 50 feet wide---	8,900.00
Edwin A. and John O. Crandell for Jetties and Dredging Kingston Creek-----	16,424.00
Bussells and Co., Office Engineering 40 hours @ \$8.50 per hour, Hewitt Road Improvements-----	340.00

McKay's Beach Shore Erosion Project

Mr. Paul R. Raley reviewed a letter dated February 9 from Chesapeake Bay Affairs notifying St. Mary's County that it was no longer feasible to hold Fiscal Year 1968 funds for the Shore Erosion Control Project at McKay's Beach, St. Mary's County F 3-6910, SEC 12-68. The Board of County Commissioners requested that a copy of the new shore erosion bill and a copy of the letter under reference be sent to Mr. Koegel for his information.

Mark Pratt -- Bill for \$1,056.00
Work performed on Tall Timbers Shore Erosion Project

Mr. Paul R. Raley reviewed a bill submitted by Mr. Mark Pratt in the amount of \$1,056.00 for work performed at the Tall Timbers Shore Erosion Project. Mr. Raley mentioned that Mr. Pratt owed the County \$908.00 in trailer occupancy fees and past-due licenses (2 years). It was unanimously agreed to have two checks made out to Mr. Pratt -- one in the amount of \$908.00, which Mr. Pratt would endorse back to St. Mary's County in payment for the past-due trailer occupancy fees and past-due license fees. However, before payment and reimbursement is effected, the Board requested Mr. Raley to have the County Engineer certify as to actual performance of the work the County is being billed for.

Roads Meeting

Present: J. Douglas Bond, J. Dennis Raley, Jr.
 August H. Wagener, Mrs. Patty Duke, Beacon

Benedict Smith and Charles Bowser

Messrs. Smith and Bowser appeared to request a black-top road in the Benedict Sub-Division at St. Inigoes, stating that the traffic during the summer creates so much dust and mud that it is impossible for the residents to enjoy their porches and lawns. It was further requested that the road be named Benedict Smith Road, which was shortened by the Commissioners to be "Smith Road". The Board advised the gentlemen that the oiling schedule would be prepared with their request clearly in mind and that every effort would be made, within the County's financial means, to accommodate them.

Mr. Bond was requested to have the ditches cleaned from Shaffer's store on down to Tall Timbers.

Mr. Guy requested that the possibility of widening the road into Robert Lacey's in the 7th District be investigated. The County Engineer will determine whether this is possible.

Mr. Guy asked if it were possible to have a double-yellow line painted on Route 242 from Hurry's Corner on down past Guy Chevrolet, in the interests of safety. Mr. Bond suggested that a formal letter to this effect be written to the District Engineer.

Mr. Aud mentioned that he had received several calls from Bernard Trossbach in the 1st District, St. Jerome's Neck Road regarding the ditches. The County Engineer was requested to investigate the situation; if it is a problem for the County, the County should correct it; if it is not a County problem, then Mr. Trossbach will be so advised.

Mr. Aud requested that blocks of concrete and stones be deposited in front of the road owned by the County known as Beach Road, along that section of road adjacent to the shore line at Colton's Point.

Mr. Bond requested that the County Commissioners consider trading in the four broken-down graders they own for two new graders and that a chipper also be purchased. The cost of graders are estimated at \$18-\$20,000 and the chipper at \$5-\$6,000 each. The Board advised Mr. Bond that they would check with the Director of Finance and advise him at a later date depending upon the availability of funds.

Mr. Paul R. Raley reported that removal of gravel from the pit at Bay Forrest Road will cause the roadway to give and that some request should be made from the owner to cooperate in the matter. Mr. Bond said that he thought it was up to the Board of County Commissioners to so advise the owner of the gravel pit (Billy Dunbar).. Mr. Aud requested that Mr. Robert E. Wigginton, the County Attorney, handle the matter.

The Enterprise
Article by John Schilling February 18, 1971

Present: Mr. Jack Kershaw, Enterprise

As Mr. J. Douglas Bond left the Conference Room, he referred to the article by John Schilling in the Enterprise, under date of February 18, 1971 which stated . . . "work is scheduled on county roads by the commissioners, who act as Roads Commissioners also, and then carried out. The Commissioners are paid an extra stipend for this job, which is not listed when giving their salaries".

Commissioner Guy stated that it was a matter of some concern to him and that perhaps we should request the newspaper to print a statement of retraction or make some comment as to the source of their information -- that he was completely unaware of any revenues that would give him the right to collect any money from the County for sitting in County Commissioners' meetings and handling the roads problems. Mr. Aud agreed that the statement needed clarification. Mr. Guy said that it would certainly lead the general public to believe that we are getting money over and above salary for this purpose and paused to ask Mr. Jack Kershaw, Enterprise Reporter, if he had his tape-recorder on. Mr. Kershaw replied, "Yes, I do, as a matter of fact".

MR. AUD: You are not allowed to have tape recorders. Our policy is just to have tapes when we have press conferences. We are going to ask you not to even bring them in the room.

MR. GUY: We will have to ask you to turn it off.

MR. AUD: Is it off?

MR. KERSHAW: I don't know.

MR. AUD: You don't know how to turn it off?

MR. KERSHAW: Seems like it is off.

MR. AUD: Let's take it out of the room. (Pause)
You refuse?

MR. KERSHAW: I refuse.

MR. AUD: We will just hold the meeting up until it is removed.

There was silence in the conference room from 2:09 pm until 2:17 pm, when Mr. Robin Guyther (Enterprise) entered.

Mrs. Helen M. Bailey, Admin. Asst., was asked to call Mr. Aleck Loker into the Conference Room to act as Legal Counsel and Mr. Loker appeared at 2:22 pm.

Mr. Aud explained what had transpired to Mr. Loker.

MR. LOKER: Was this a resolution of the Board?

MR. AUD: This was a decision of the Board and it was made known to the press.

MR. LOKER: Mr. Kershaw, I am a little surprised you don't know whether your tape recorder is on. I would hope you would give us a truthful answer.

MR. KERSHAW: The tape recorder is off right now.

MR. LOKER: Is it to remain off?

MR. KERSHAW: No.

MR. LOKER: You won't take it out?

MR. KERSHAW: No sir. I will not. I have a right to have it in here. I think I have a right.

MR. LOKER: Then you are saying that you will turn it on during this meeting?

MR. KERSHAW: Yes, sir.

MR. LOKER: I am quite surprised coming from you . .

MR. KERSHAW: I have a right to report the activities in this room.

MR. LOKER: The County Commissioners have a right to conduct their meetings, to

MR. KERSHAW: I disagree.

MR. LOKER (addressing his remarks to the Board): As I see it, I think you have one of three alternatives -- either to have Mr. Kershaw evicted by the Sheriff -- I suppose certainly none of us want to tackle him. The second would be just to adjourn this meeting; third, would be to go into Executive Session. You have the right to do that. Of course, if you go into Executive Session and he refuses to leave or take the recorder out, you are still faced with total adjournment or eviction.

MR. GUY: Our desire is not to evict or deny him the right of access to our meetings. Our problem seems to be the tape recorders.

MR. LOKER: That is the way I understand it. He says he will turn it on and won't take it out.

MR. GUY: Would we have to get a Court Order stating that the press is not allowed to bring tape recorders in? Don't we have the right to set our own policy?

MR. LOKER: I think you do. If Mr. Kershaw wants to take the issue to Court, then that is up to him. Perhaps if you have nothing too pressing, just adjourn your meeting.

MR. AUD: We have some appointments here.

MR. LOKER: If you take them up another time, then you won't have to have eviction.

MR. AUD: What do you gentlemen want to do?

MR. BOWLES: I think the whole situation is asinine. I think we should go on and conduct our business and forget about what they are doing or not doing.

MR. AUD: If our policy doesn't stand, then Mr. Kershaw can have my seat.

MR. LOKER: You either have a rule or you don't. If you have one, either abide by it . . .

MR. AUD: The meeting is adjourned for today. (2:32 pm)

St. Clement's Shores Council (2:35 pm)

Present: Mr. Joseph J. Payne, Jr.
 Mr. H. K. Stetler
 Mrs. Dorothy Burch
 Mr. Dick Russell
 Mr. George E. Raley
 Mr. John V. Baggett
 Mrs. Dorothy M. Shannon
 Mr. Aleck Loker, County Attorney
 Mr. Jack Kershaw, with Tape Recorder, Enterprise
 Mr. Robin Guyther, Enterprise
 Mr. Dick Myers, WKIK, with Tape Recorder
 Mrs. Patty Duke, Beacon

The press remained when the meeting opened with the St. Clement's Shores Council and the question of the tape recorders came up again. Mr. George Raley stated to the press that so far as he was concerned, they could get out. Mr. Loker stated that it was unfortunate, but we would just have to adjourn the meeting, whereupon Mr. Stetler invited the County Commissioners to adjourn at his home. It was decided to continue in the Law Offices of Loker and Wigginton, and Mr. Loker cautioned the press that his office was private property -- that he could enforce the no-trespassing law. Mrs. Dorothy M. Shannon stated she was present in her capacity of President of the St. Clement's Shores Association, and not as a reporter for the Enterprise, but that she did work for the Enterprise, but that she would file a resume' of the meeting with the Enterprise.

The St. Clement's Shores Recreation Council reviewed the route of the proposed road at that facility and requested the Board of County Commissioners' consideration of rerouting it so as to avoid the residential area, using as preliminary access King Road and Long Leaf Road. Mr. Bowles suggested obtaining a 40-foot right-of-way, if possible. The County Engineer was requested to survey the opportunities for redirecting the proposed roadway to accommodate the residents' needs and to return with a cost estimate.

Teacher Recognition Week -- Resolution No. 71-2

Members of the County Council of Parent Teacher Associations, the Women's Club of St. Mary's County, and the Margaret Brent Business and professional Club were present to witness the presentation of a Teacher Recognition Week Resolution (No. 71-2) to Mr. Don O'Neal, President of the Parent Teachers' Association. The resolution declared February 25, 1971 as Teacher Recognition Day in St. Mary's County.

Airport Committee
Henningson, Durham and Richardson Proposal

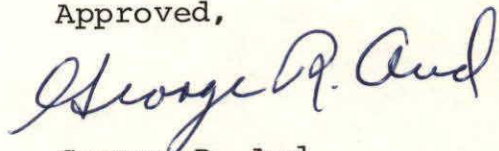
Present: Messrs. McGuyre, Burch and Gabrelcik
of the Airport Committee
Messrs. Shea and Bourne of Henningson,
Durham & Richardson
August H. Wagener, County Engineer
Mr. Brundage, Professional Flight Service

Mr. Brundage stated that he would like to have a letter from the Board of County Commissioners stating that in the event the Professional Flight Service went bankrupt, the payments on the loan which they have negotiated for the hangar construction would be assumed by the County until a new fixed-base operator took over. The item was discussed in detail and it was left that the County Attorney would look into the situation and make a recommendation to the Board.

The proposal for the master plan and industrial park for the Airport, submitted by Henningson, Durham and Richardson was discussed in detail and the Airport Committee recommended to the Board of County Commissioners that they ask for a more detailed price break-down on costs. Mr. Bourne stated that he fully understood that more specifics would be necessary and that he was prepared to resubmit his proposal giving more exact information. Mr. Bourne requested a complete set of "as-builts" which were prepared by Rader and Associates, so that the work would not have to be duplicated by his firm and any other topographical or technical information which the County had already purchased from Rader and Associates.

The meeting adjourned at 5:45 p.m.

Approved,



George R. Aud
President