

Board of County Commissioners' Meeting

Tuesday March 23, 1971

Present: George R. Aud, President
J. Wilmer Bowles, Commissioner
J. S. Guy, Jr., Commissioner
Robert E. Wigginton, County Attorney
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 9:30 a.m.

The minutes of the previous meetings, which were held on March 16, 1971 and March 17, 1971, were read and approved.

Mr. George S. Sanger, Fenwick Ford

Mr. George S. Sanger of Fenwick Ford appeared to request correction of the bid submitted on March 16, 1971 for Sanitary Landfill Equipment -- Tractor, Tandem Lowboy, and Winch. Mr. Sanger stated that the manufacturer had misunderstood Fenwick Ford's request for a price quotation and that he requested the bid submitted by Fenwick Ford be amended to show the following figures:

<u>TRACTOR</u>	<u>TANDEM LOWBOY</u>	<u>WINCH</u>
\$10,004.39	\$6,270.00	\$2,250.00

This brings the corrected total bid up to \$18,524.39, which is still the low bid. The Board of County Commissioners, being assured and convinced that the bid submitted was an honest error, awarded the bid for the equipment to Fenwick Ford. Anticipated delivery date will be early in July, 1971.

U. S. Navy, Surplus Vehicle

President Aud requested the Administrative Officer to contact the appropriate individual at the Naval Air Station and to arrange the acquisition of a surplus Naval vehicle for the County's use.

Courthouse Doors

The Board of County Commissioners requested that the Administrative Officer make immediate arrangements for the repair of the main entrance doors to the Courthouse; i.e., that they be reconstructed so as to permit two-way traffic.

Pension -- Claude Johnson

Mr. Robert E. Wigginton, County Attorney, was requested

to advise Mr. Claude Johnson that he should apply for a declaratory decree from the Circuit Court in the matter of his application for a County pension.

Senate Bill 31 Affecting the Metropolitan Commission

Senate Bill 31, introduced into the Maryland General Assembly by Senator Paul J. Bailey, which bill places the entire jurisdiction of the St. Mary's County Metropolitan Commission under the control of the Public Service Commission came under discussion. The Board of County Commissioners takes exception to the discriminatory implications of this bill in that it would, in fact, conflict with and deprive St. Mary's County of its authority to run its own Comprehensive Water and Sewerage Plan, which was mandated by State Law, and gives rate-fixing and other authority to the PSC at the State level; in addition, it would interfere with the authority of St. Mary's to achieve any success in implementing its proposed Planning and Zoning Ordinance, Solid Waste Disposal Plan and Sediment Control Plan. The Administrative Assistant was instructed to prepare letters to the Governor and the Legislators setting forth their objections to the passage of this bill.

Dukehart Creek

The County Engineer and the County Attorney were requested to develop specifications for the channelization of Dukehart Creek, using alternate Plan B, which is agreeable to both the Toombs heirs and the Department of Chesapeake Bay Affairs, and to effect appropriate remunerative measures with the Toombs heirs based on the actual amount of land to be used in Lot #4.

Bushwood Wharf

Mr. Robert E. Wigginton reported that he is in the process of preparing the lease for the use of Mrs. Alice Blackstone's land at Bushwood Wharf so that bulkheading and appropriate erosion measures can be taken for the public landing.

Sediment Control Ordinance

Mr. Robert E. Wigginton reported that he has almost finalized the preparation of the Sediment Control Ordinance and that it should be ready for the Board's approval at their next regular meeting.

Emergency Operations Center

MSP Request for Two Additional Radio Channels

Mr. Otis F. Wood, Acting Director, St. Mary's County Office of Civil Defense and Emergency Planning, appeared to report that the Maryland State Police had requested the

installations of two additional channels for their use in dispatching locally-assigned law enforcement officers, (which includes the Sheriff's Department). The Maryland State Police have agreed to pay the installation charge for using the two available console buttons at the EOC, which is estimated at \$135.00 per button. However, Mr. Wood indicated that with this installation, there are no more console buttons available for use and that the addition of more buttons will cost \$1,200 to \$1,500 each. Mr. Wood recommended that the MSP be authorized to make this installation provided the County does not have any plans to put in another frequency of its own in the foreseeable future. The Board gave its unanimous approval to Mr. Wood's recommendation.

President George R. Aud indicated that we should be mindful to purchase four-channel radios in the future so that the County can avail itself of the full dispatching potential of the Emergency Operations Center.

St. Georges Park

Mr. John V. Baggett, Director, Recreation and Parks, requested permission, by letter under date of March 16, to proceed with the purchase of 11 lots owned by Mr. Edward Curley at St. George's Park. Mr. Baggett reported that he has a quitclaim deed from the heirs of the land, Hillary M. Smith and Agnes Smith; that the agreed price is \$6,000; and that 3/4 of the funding will be returned to the County from the Federal and State Governments.

The Board of County Commissioners gave unanimous approval.

Suburban Mobile Estates Great Mills Road

The Board of County Commissioners unanimously voted to approve the application of Cook and Kaine for the development of Suburban Mobile Estates. The plat and plan calls for the installation of 275 units on a space-rental basis, and was approved in final by the Planning and Zoning Commission at their regular monthly meeting on March 22, 1971. (See footnote on page 99)

1971-72 Budget Preparation and Hearings

The Board of County Commissioners agreed to conduct their annual preliminary budget preparation on Monday, March 29, 1971 and to hold the required public hearings on Tuesday afternoon, April 20, 1971 at 2:00 P. M., and at 7:30 P. M. on Thursday, April 22, 1971 at the Leonardtown School. The entire budget will be covered at each Public Hearing.

Payments Approved

Tall Timbers Shore Erosion Project:

Delahay's Pile Driving Service, labor and equipment
furnished for the week of March 8 to March 12, 1971 --
\$ 1705.00

Third Quarter Payment to St. Mary's County
Historical Society for operation of a
tourist information center ----- 1250.00

Purchase of 11 lots of land owned by Mr.
Edward Curley, St. George's Park,
Recreation and Parks Project ----- 6000.00

1st Congressional District of Maryland
Proposed Redistricting

Ref.: S.B.'s 772, 777 and H. B.'s 1315, 1343, 1345 & 1356.

The Board of County Commissioners indicated that they were opposed to the redistricting as presently designed by the Maryland Assembly since the economy of St. Mary's is linked with the Washington, D. C. and Baltimore areas rather than with the Eastern Shore of Maryland. The Administrative Assistant was requested to draft an appropriate letter of objection to the Governor and our Legislators in this regard.

Roads Meeting

Present: Allan W. Tate, District Engineer, SRC
J. Douglas Bond, Resident Engineer, SRC
August Wagener, County Engineer
Chauncey Karstens, The Beacon
Dick Myers, WKIK
Janet Shaffron, The Enterprise

EQUIPMENT

Mr. Tate indicated that he foresaw no need for the Board of County Commissioners to make expenditures for a chipper or additional graders for maintenance of roads in the County System; that adequate equipment would be made available by his office, upon request.

SRC Storage Building Near Fairgrounds on Route 5

Mr. Tate stated that destruction of the storage building the SRC is using near the Fairgrounds, on Route 5, was scheduled, but that the SRC would delay until the calcium stored was either used or moved to a new location.

Maddox Road

Mr. Tate stated that the reconstruction of Maddox Road should be completed about July 1, 1971; that the roadbed was being raised approximately one foot in order to combat flood-tides; and that the cost of construction would approximate \$200,000-\$300,000.

St. Andrews Church Road

In answer to Mr. Aud's query, Mr. Tate stated that it would cost approximately \$400,000 to complete the remaining portion of St. Andrews Church Road -- and that \$200,000 per mile was the current "going" figure for road construction. Mr. Tate indicated that he would like to see the survey plans prepared by Wilkerson on St. Andrews Church Road; and the figures on traffic counts. The County Engineer was requested to make arrangements for Mr. Tate to review the survey plans.

Junk Car Disposal

John A. (Honeyboy) Combs

Mr. Combs appeared to request a ruling concerning the storage of junked cars in the Oakville Sanitary Landfill and referred to the Department of Motor Vehicle ruling for disposing of junked cars through licensed auto wreckers. Mr. Combs contends that the County is going into competition with licensed auto wreckers and deprives them of collecting the bounty due by allowing storage of junked cars at the Oakville Sanitary Landfill.

The County Attorney was requested to look into the legal implications concerning junked car storage and disposal; to meet with the Maryland State Police to review their rules and regulations on this subject; and to report back to the Board of County Commissioners.

Mr. Michael McCauley
SATAV Corporation

Mr. McCauley appeared with Mrs. Herbert, President of the SATAV Water Company and Mrs. Woodland, Secretary-Treasurer, to request approval of their application for the installation of a privately-owned water system, which was granted by the Board. The officers of the SATAV Corporation were advised that their next step is to have their engineer present the detailed plans for a community water system to serve the housing development to the State Department of Health for its review and approval. The Board took the assurances of the SATAV Corporation that the community water system constructed would be consistent with good planning and be compatible with any future acquisition of same by any County or State agency. Further, once the State Health Department has approved the design of subject water

system, the Board requested that the SATAV Corporation review same with the Beavin Company in order to be sure that their system is compatible with any Metropolitan Commission future expansion plan.

Board of Education -- State Foundation Program of Public Education Established; Financial Support

Present: John C. Little, David M. Gruber and Company
B. Harris Sterling, Director of Finance
W. Stanley Donaldson, Consultant (Finance)

Mr. Little reviewed the progress made to date with regard to the percentage of assessments to sales and appraised values in St. Mary's County as it is realized in State Aid to Education. Mr. Little recommended the following action, which was implemented:

1. Endorsing Emergency Bill 1018, which in effect would prevent retroactivity of the loss of funds; and/or
2. Enact the proposed amendment to Emergency Bill 1018 (drafted by Mr. Little), which would prevent loss of funds to St. Mary's County and other counties in a similar position; and/or
3. Requesting the proper legislative committee to review the Aid to Education Bill prior to the next meeting of the Legislature to correct inequities that occur with amounts based on estimated fair market value of all property located in the County.

Distribution of Employees' Pay Checks and All Other Disbursements

President George R. Aud signed a memorandum to the Treasurer requesting that his office handle the sorting, distribution, and mailing of all disbursements so that the responsibility is now removed from the Office of the Board of County Commissioners.

Harry Lundeberg School of Seamanship
Application for Abatement of Personal Property Taxes

Acting upon the written request of the law firm of Berenholtz, Kaplan & Heyman, representatives for the Harry Lundeberg School of Seamanship, for abatement of personal property taxes for the years 1968 and 1969, which indicated their willingness to pay real estate taxes to the County if the personal property taxes for 1968 and 1969 are abated, the Board of County Commissioners, by majority vote, denied their petition for abatement. Mr. Aud voted in favor of abatement; Messrs. Bowles and Guy were opposed.

The County Attorney and the Administrative Assistant were requested to so advise counsel for the Harry Lundeberg School of Seamanship.

The Board of County Commissioners requested the presence of the County Treasurer, the Supervisor of Assessments, and the Director of Finance and apprised the gentlemen of their decision.

The meeting adjourned at 4:35 p.m.

Approved,

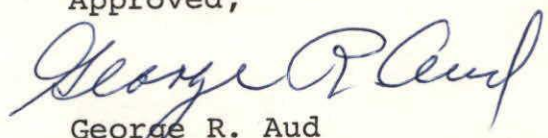


George R. Aud
President

* FOOTNOTE

The fourth paragraph, page 95, has been questioned by Commissioner Bowles as to the unanimous vote. It is his opinion he disqualified himself from voting due to a possible conflict of interest. Commissioners Aud and Guy being made aware of the situation feel this does not change their vote for this park and concur in Commissioner Bowles' abstention.

Approved,



George R. Aud
President