

Board of County Commissioners' Meeting

Tuesday, February 6, 1973

Present: Commissioner J. Wilmer Bowles, President
Commissioner George R. Aud
Commissioner J. S. Guy, Jr.
Paul R. Raley, Administrative Officer
B. Harris Sterling, Finance Director
Judith A. Mullins, Recording Secretary

Also present were Jack Kershaw, Enterprise, Dave Fox, WPTX, Patty Muchow, The Beacon and Dick Myers, WKIK.

Bills Approved

L. Earl Griswold for film on St. Mary's County in the amount of \$2,000.

University of Maryland Extension Service, for special funding in support of nutrition program in the amount of \$5,000.

St. Mary's County Historical Society for office salary in connection with the operation of the Tourist Information Center in the amount of \$416.66.

St. Mary's Nursing Home for financial assistance in the amount of \$13,258.22.

David M. Gruber for auditing (Second quarter) in the amount of \$2,250.00.

J. Moakley Mattingly and Son for graveling at the Walden Counselling Center in the amount of \$112.00.

David M. Gruber for services rendered on the audit of the Metropolitan Commission for the year ending June 30, 1972, in the amount of \$5,500.00.

Breakdown of Bill from H. Vernon Eney

Mr. Harris Sterling presented a letter from Mr. H. Vernon Eney with a complete breakdown of his bill. The letter stated that the cost of his services were \$11,470. However, he reduced the bill prior to submission to \$9,555.02. Commissioner Guy made a motion to pay this bill. Commissioner Bowles seconded the motion. Mr. Aud was not present at this time.

Vouchers Signed

Vouchers numbered 4108 through 4220 dated January 18 through February 21 were unanimously approved by the County Commissioners and signed by Commissioner Bowles as president.

Correspondence Presented by Paul R. Raley
Administrative Officer

Civil Defense - Letter of January 30, 1973 from Otis Wood, Acting Director of Civil Defense and Emergency Planning Agency, stating their office may exceed the amount budgeted for salaries for communications clerks due to illnesses in their office which may require part-time clerks. Commissioner Bowles suggested the letter should be given to the Finance Office.

Board of Library Trustees - Letter from Board of Library Trustees stating Mrs. Allen MacDonald has moved from the County and has resigned from the Library Board of Trustees. They requested the Commissioners to appoint a new member from the list they supplied. Commissioner Guy made a motion to appoint Mrs. Albertine Lancaster. Commissioner Bowles seconded the motion. Commissioner Guy made a motion to reappoint for another term, Mrs. Holger Jansson whose present term expired January 1, 1973. Commissioner Bowles seconded the motion.

Board of Zoning Appeals - Letter from Board of Zoning Appeals stating that a public hearing will be held Tuesday, February 13, 1973 at 8:00 p.m. in the Grand Jury Room of the Courthouse, upon notice of appeal by James J. McTamney, Vice-President of Am-Cal Construction requesting a variance on the existing 25 foot rear yard restriction for the construction of a Kinney Shoe Store to be located on the southwesterly side of Route 235.

Senate Bill 362 and Senate Bill 491

House Bill 341-Land Use - Letter from Joe Murnane, Maryland Association of Counties, dated February 1, 1973, requesting the Commissioners to express their opposition to Senate Bills 362 and 491 and House Bill 341 pertaining to land use to the General Assembly.

Radio Maintenance Contract - Letter from Mr. Otis Wood, Acting Director, Civil Defense and Emergency Planning Agency, stating that the present radio maintenance contract will be rebid. The present contract holder will be given a 60-day termination notice. Commissioner Guy made a motion to approve this. Commissioner Aud seconded the motion and Commissioner Bowles made it unanimous. Paul Raley is to notify Mr. Wood by letter of this approval. Mr. Gotshall of the Radio Shop in Hollywood has been

notified that the contract will be readvertised for bids.

Financial data accounting system - Letter dated January 24, from the Tri-County Council regarding feasibility and cost of a financial data accounting system for St. Mary's County.

Crime Statistic Report - Letter from Clark G. Gravelle, Criminal Justice Planner of Tri-County Council, with crime statistic report as requested by Commissioner Aud at the January 9, 1973 meeting.

Maryland Model Performance Code - Letter dated January 30 from the Maryland Department of Economic and Community Development enclosing a copy of the proposed rules and regulations for the Maryland Model Performance Code for building construction and enabling legislation. A public hearing on this will be held Wednesday, February 7, 1973 at 11:00 A.M. in the conference room of the Department of Economic and Community Development, Annapolis.

House Bill 16 and House Bill 1077 - Letter from James M. McKay stating he will not vote to override the veto on House Bill 16 and House Bill 1077.

Annual report of County water and sewage plan - Letter dated January 26, from Department of Health and Mental Hygiene regarding annual report of county water and sewage plan to be submitted to their department.

Human Relations Commission - Letter dated January 17, from Human Relations Commission requesting a replacement for the vacancy created by Mr. Peter T. McGuckian's resignation. The Commissioners stated they would like a week to consider this replacement.

Intergovernmental Personnel Agency - Federal grant application which was submitted to Mr. Robert Miller of Intergovernmental Personnel Agency by Ardath Mason, County Administrator of Charles County, to do a study of salaries, fringe benefits, etc. and comparing them with other counties. They have a grant and they will do this with the other two counties. Charles County will be the Administrator of this. Charles County does not have a classified employee system. This study would be of benefit to St. Mary's County and there would be no cost to St. Mary's County. In order for Charles County to do this, St. Mary's County must also participate.

Commissioner Bowles said Harris Sterling and Paul Raley should review same and make recommendations.

Community Service Internship - Letter from Mr. J. Renwick Jackson, Jr., of St. Mary's College stating the College is starting its Community Service internship program on an experimental basis this spring. The only cost to the County would be for transportation taking the students out of the County. Mr. Sterling is to check the authority to appropriate funds.

Comprehensive Open Space Plan - Letter from Dr. John Mills, Tri-County Council, requesting the \$834.00 for the second payment on the Comprehensive Open Space Plan. Commissioner Bowles stated we should receive a preliminary report from the Allen organization who is developing the plan.

Oyster Depletion-Hurricane Agnes - Letter from Department of State Planning with forms for application for the Department of Natural Resources concerning oyster depletion, Hurricane Agnes. Commissioner Aud made a motion to approve this application. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous.

Security Light for St. Georges Island Public Pier

Southern Maryland Electric Coop, Inc. submitted a security light agreement for the security light at St. Georges public pier for signature. Commissioner Aud made the motion that it should be signed; Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous.

Resolution for Payment in Lieu of Taxes

Paul Raley resubmitted the Resolution for payment in lieu of taxes for the St. Mary's Home for the Elderly. The last paragraph was to be corrected because it inferred the County would have to pay. It has now been changed to show it will be paid by the Home for Elderly. The resolution was approved and signed by the Commissioners.

St. Andrews Estates Social and Recreation Club

Paul Raley submitted a deed by the St. Andrews Estates Social and Recreation Club conveying to the County, the playground area and equipment thereon at St. Andrews Estates.

Agreement for Landing Area for Helicopter

Paul Raley submitted an agreement for a landing area for helicopters for evacuation of patients at St. Mary's Hospital for Mr. Weiner's approval.

Watershed Project-Site 1

Present: John Hall, Soil Conservation Service

Commissioner Bowles stated he had received a telephone call from Mr. Hall stating that Mr. Hall had received a letter from the Department of Agriculture in College Park, concerning the watershed site and the land which had been acquired from Mr. Owens. Commissioner Bowles felt that Mr. Hall should advise the Commissioners officially of the situation.

Mr. Hall stated that Mr. Owens did not wish to sell as much land as was required for Site 1. A surveyor from Soil Conservation Service ran a line which was the water line of the permanent water pool of the lake. If they get the entire water line they could put a road around the lake plus an easement for the flood line so College Park would be satisfied. Lorenzi, Dodds and Gunnill drew up the description for the deed which was sent to College Park. College Park wrote a letter stating that since the description written in the deed did not close, the land which had been enclosed by the survey as written in the deed did not cover the permanent pool and even if it does, there is not enough land to satisfy them. They wished something to be done. Mr. Hall said someone from Soil Conservation was on the property today re-establishing the minimum takeline.

Commissioner Guy asked how much more land is needed to which Mr. Hall said another five or six acres. The original 17 acres was reduced by 12 acres that Mr. Owens did not want to sell.

Commissioner Bowles asked Mr. Hall if he had contacted Mr. Owens about the situation. Mr. Hall said he had not told Mr. Owens they would need more land. Mr. Hall said he wanted to send a crew to make a survey. Mr. Hall said his office was most unhappy with the inaccuracies in the Lorenzi, Dodds and Gunnill survey. Mr. Hall said a crew is on the property this morning putting posts out into the field, which will be pulled out. College Park is not satisfied with the line.

Commissioner Bowles stated that unless we can finalize this land, we will lose the monies earmarked for this project.

Mr. Hall said College Park wants to sign a project agreement that commits the money. After that is signed, it would be several months before construction is started. If we do not have it by February, we would probably lose the money. We have to have the property 100%.

It was determined that a representative from the local Soil Conservation Service, College Park and Washington, D. C. meet with the Commissioners on this matter and establish the priorities. Mr. Hall will make arrangements with the different parties to arrange said meeting.

Commissioner Bowles asked Mr. Hall when would the surveyors who are working on the Owens property have the work completed. Mr. Hall said it should be within a couple of days.

Commissioner Bowles asked Mr. Hall about the status of the Jones heirs property. Mr. Hall stated that he would like to talk to Mr. Weiner, County Attorney, about the possibility of going ahead and filing suit. Commissioner Bowles stated that Mr. Weiner had been instructed if necessary to file condemnation on the Jones Heirs and Mr. Hall should meet with Mr. Weiner on this.

Film on St. Mary's County

Present: Mr. L. Earl Griswold

Mr. Griswold came before the County Commissioners to advise them on the use of the County film. He suggested a distribution system within the County. Some counties have done it through a system that is already operating such as a library. Someone should be in charge of distributing the film and inspecting it for damages when it is returned. There should be some type of campaign to announce the availability of the film. Mr. Griswold discussed the number of films required. A copy should be supplied to public television. He suggested supplying a copy of the film to Maryland Public Broadcasting at Owings Mills which will probably put it on Maryland Weekend. Also it would be a good idea to give a copy to the library for distribution and one for commercial television. Four copies would be needed for internal use. Mr. Griswold said he would contact program directors of the different television stations to inform them of the film. A copy should be kept for commercial television and no other use so it could be kept in good condition because they make their own tapes from it.

Mr. Griswold explained to the Commissioners that the film can be reduced to Super 8 cassettes which would be very easy to handle. He demonstrated how the cassette machine is used. The cost for the cassette machine is about \$390. The cassettes would cost around \$100.

Commissioner Bowles asked about sponsors for the film and Mr. Griswold said this would be done within the County.

Commissioner Guy mentioned to Mr. Griswold the criticisms that he has heard about the film; the tobacco sequence had no narration, there was too much of the County Fair and that there was not enough of Lexington Park. Mr. Griswold said he would check to see if comments could be added to the tobacco sequence.

At this time Mr. Arthur "Buck" Briscoe, Director of the Economic Development Committee entered the meeting. He stated that members of the EDC had viewed the film and found it very favorable. Mr. Briscoe said he would check to see if National Beer would be interested in sponsoring the film for prime time television.

Costs of the film were discussed and Mr. Griswold explained that it would cost less per film to order ten or more. Under ten would cost \$93, but if ten were ordered, the cost would be about \$8 less per film. He stated that if ten were ordered, he would suggest that they have an internegative made. The prints come off automatically and the cost would be less per film. The internegative would cost about \$120 to \$130. A fiberglass case for films would be one or two dollars each.

Mr. Griswold is to send the Commissioners a cost proposal for the films and cassettes and he is to check on the tobacco portion of the film. Mr. Griswold said he would also send information on the care of the films.

Maryland Day

Present: Mr. Arthur "Buck" Briscoe

Commissioner Bowles said that EDC had participated last year in the funding of the Maryland Day program at St. Mary's City and would they be interested again this year. Mr. Briscoe said yes and he would write to the Commissioners to that effect. Last years expenses were about \$325. Mr. Briscoe said money was in the budget for this and recommended that EDC would participate again this year but would like to eliminate the little Maryland flags.

Commissioner Aud did not attend the remainder of the meeting due to illness.

Old West St. Mary's County Road

Present: Mr. C. B. Davis
Mr. Joseph Weiner, County Attorney

Mr. C. B. Davis said that several years ago he bought some property in the second district. The property is located between Flat Iron Road and Frogs Marsh Road. He stated that he had a large increase in his tax assessment this year. He had spoken with the tax assessment officer and the assessment was to remain as is and he was too late to file for an appeal. Mr. Davis said he felt that since the tax assessment was not reduced, he was appealing to the Commissioners to open the road leading to his property. He said the road was improved from Flat Iron Road for about five blocks. Commissioner Bowles asked Mr. Davis if the road was open when he bought the property and Mr. Davis said it was not. Commissioner Bowles stated he was unsure whether the County has title to the road, because many old County roads did not have titles and were used by verbal agreement. When such roads ceased to be used or maintained the right-of-way reverted back to the adjoining property owners. Mr. Davis said the deed states the road is bordered by a County road and he feels it is a public right-of-way. Commissioner Bowles asked Mr. Davis if his displeasure was not because of the assessment and not the County road. Mr. Davis said it was because of the assessment that he feels he should make use of the property.

Mr. Weiner asked if he could build a house on the property to which Mr. Davis said he could not get any materials onto the property.

Commissioner Bowles told Mr. Davis that the County Attorney would have to determine whether there was a deed to the road.

Mr. Weiner said if it is a County road, it would be up to the County Commissioners whether they would want to go to the expense of opening the road but there is no legal right to open the road unless there is a deed. Mr. Davis said if it was not a County road, he would like to know who had the authority to improve the part of the road that is improved. Commissioner Bowles said the Commissioners would look into this.

Equipment for Sheriff's Department

Present: Chuck Kerr, Deputy
Gene Pellilio, Deputy

Deputies Kerr and Pellilio representing the deputies in the Sheriff's Department came before the County Commissioners to present a letter directed to Sheriff Williams listing certain equipment for the Sheriff's Department. They felt that the request for equipment is reasonable in the interest of the County and the safety of the deputies. A copy of said letter is on file in the Commissioners' Office.

Commissioner Bowles stated he was shocked at the lack of equipment for the men and he could not recall a request for equipment by the past or present sheriff that was not granted. The lack of equipment is due to the fact that it has never been requested by the Sheriff.

In the letter there was also a request for four additional men. The deputies said that deputies should be deputies and not jailers.

Commissioner Bowles said the Commissioners would be more than glad to supply them with the equipment needed but the Commissioners must respond to the request from the Sheriff because he is the elected official. The Sheriff must supply the Commissioners with a written request bearing his signature. Commissioner Bowles suggested a working relationship between the deputies and the Sheriff in developing the budget for the coming year. Commissioner Bowles stated if there is a desire to change the automobile specifications, the Sheriff should advise Paul Raley, Administrative Officer.

Bids on 3/4 Ton Truck

The bids received in this office for the 3/4 ton truck are as follows:

Aldridge Ford	\$4,258.84
Bell Motor Company	\$4,040.00
Fenwick Ford	\$4,336.44
McKay Implement	\$4,129.00
Suburban Chrysler	\$4,684.00

Commissioner Guy made a motion to award the bid to the Bell Motor Company subject to review of the specifications by Paul Raley. Commissioner Bowles seconded the motion.

Attorney for Social Services

Present: Joseph D. Carter, Director of Social Services
Joseph Weiner, County Attorney

Mr. Joseph Carter came before the County Commissioners to ask if the County Attorney would handle legal problems for the Department of Social Services. Commissioner Bowles stated this has been the practice in the past. Commissioner Guy asked if this has been done on a basis that Social Services provide funding for the work done by the Attorney. Mr. Carter said they provide funds for certain court fees. Commissioner Bowles informed Mr. Carter that the County Attorney will also be the attorney for Social Services.

Vending Machines

Present: Mr. Harris Sterling, Finance Director

Mr. Sterling stated the gross proceeds from the Coke machine for one year was \$2,427.51. The purchases for the machine amounted to \$2,109.90 leaving a profit of \$317.61.

Mr. Sterling was requested to check on the other vending machines in the Courthouse to see if the collection and wrapping of the change justifies an employee's time.

Amphitheatre at Great Mills

Mr. Harris Sterling is to write a letter to the Bay District Recreation and Park Council requesting their promised contribution of \$8,575.00 before construction can begin on the Amphitheatre at Great Mills.

Sale of Railroad Tracks and Ties

Paul Raley is to write to GSA requesting permission to sell tracks and ties for total right-of-way and to retain monies received from the sale for improvement and maintenance of railroad right-of-ways. Commissioner Guy asked if the deed to the railroad right-of-way was also recorded in Charles County. Paul Raley is to consult our attorney to let him handle this with the Charles County Attorney.

Mary O. Calloway Assessment Appeal

Commissioner Guy made a motion the the Commissioners sustain the position of the assessors concerning the assessment on the property owned by Mary O. Calloway located at Calloway, Maryland, whose hearing was held on January 23, 1973. Commissioner Bowles seconded the motion.

Appointments to Mental Health Advisory Committee

Commissioner Bowles made a motion to accept the appointments to the Mental Health Advisory Committee as recommended by William Kreitzer, Board of Education member of the Committee. They are: Dr. Robert Friedman, of the Tri-County Youth Services Bureau and Dr. Lee Broadbent, a Professor and counselor at St. Mary's College. Commissioner Guy seconded the motion.

Sheriff's Department

Request for Additional Men - Paul Raley is to write a letter to Sheriff Williams stating that the Commissioners do not feel the request for the four additional men for jailers is an emergency item, therefore, funding is not available at this time. Mr. Raley is to also inform the Sheriff that he may include this in his budget request for the coming year for the Commissioners' consideration.

Request for Crime Lab - Paul Raley is to write to Sheriff Williams stating the Commissioners do not feel this is an emergency item. St. Mary's County has been denied funding for this crime lab by the LEAJ because they funded the Charles County crime lab as a tri-county unit. The Sheriff may submit the crime lab in his next year's budget request for the Commissioners' consideration.

Seawall Assessment (William Virnstein)

Paul Raley stated that he had written to Mr. William Virnstein on January 30, 1973 stating the County Commissioners have forwarded his request for change in legislation regarding front-footage assessment to our legislative delegation. Said letter is on file in the Commissioners' Office.

John Norris, Assistant County Engineer

Valley Lee Dump Caretaker - Commissioner Guy made a motion to increase the hourly rate of Francis B. Cutchember, Valley Lee, dump caretaker from \$1.60 to \$1.75. Commissioner Bowles seconded the motion. The Commissioners also approved the materials and construction for a tool shed at the Valley Lee dump site.

Temporary Employee for Planning Office - Mr. John Norris stated he would like approval from the Commissioners to hire Mrs. Joyce Cusic on a temporary basis for approximately three weeks at an hourly rate of \$2.50. Commissioner Guy made a motion to approve the hiring of Mrs. Joyce Cusic and Commissioner Bowles seconded the motion.

Land Use Seminar (Breakdown of Expenses) - John Norris submitted a breakdown of expenses incurred by J. Ernest Bell, II and himself while attending the Practicing Law Institute Land Use Seminar on January 19 and 20 in New York City. The total expenses are in the amount of \$415.65. Commissioner Guy made a motion to make this payment and Commissioner Bowles seconded the motion.

Dukehart Creek @ John Norris stated that engineering services by D. and M. Research Company for survey work to obtain the bottom profile along Dukehart's Creek Channel extending 1,000 feet from the shoreline and field work required to obtain five wash borings at equal intervals along the 1,000 foot line to a depth of 20 feet below mean low water would be \$450. The Department of Natural Resources may or may not reimburse the County for this expense. Commissioner Guy made a motion to spend up to \$450.00. for this work with the understanding that we will probably be reimbursed by Department of Natural Resources. Commissioner Bowles seconded the motion.

Meeting-adjourned at 5:30 P.M.

J. Wilmer Bowles 3/13/73
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President