

BOARD OF COUNTY COMMISSIONERS MEETING

Tuesday, March 6 and Wednesday, March 7, 1973

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

Also present were Jack Kershaw, Enterprise; Patty Muchow, Beacon; Dick Myers, WKIK; Dave Fox, WPTX; Robin Guyther, Enterprise; Sunny Schust, Enterprise.

The meeting came to order at 10:00 A.M.

READING OF MINUTES

The final draft of the minutes of December 26, 1972 were read and corrected.

The final draft of the minutes of January 9, 1973 were read and corrected.

Commissioner Guy made a motion to approve the corrections on Page 305, Paragraph 3 and Page 315, Paragraph 1 of the Dec. 19, 1972 minutes in the 1972 Minute Book. Commissioner Aud seconded the motion and Commissioner Bowles made it unanimous.

HARRY LUNDEBERG SCHOOL

Present: Joseph D. Weiner, County Attorney

Mr. Weiner stated the attorney for the Harry Lundeberg School had filed a Petition of Appeal for the abatement of the personal property taxes of the School for the years 1968-69 in the Maryland Tax Court. The Commissioners instructed Mr. Weiner to file suit for these taxes in Civil Court of St. Mary's County. The above-referenced suit was filed this date.

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise
Robin Guyther, Enterprise
Sunny Schust, Enterprise
Patty Muchow, Beacon
Dick Myers, WKIK
Dave Fox, WPTX

The regular monthly press conference was held at this time and is on file in the Commissioners' office.

PETITION BY GREENVIEW KNOLLS CIVIC ASSOCIATION

Present: Mrs. Charles Carroll
Mrs. Catherine Westfall
Mrs. Alice Wagner
Mrs. Rita Ferguson

Mrs. Carroll stated there has been a petition circulated through Greenview Knolls Civic Association regarding the location of the low-cost housing to be placed in that area. She stated the Association is requesting a public hearing in the interest of good government.

Mrs. Carroll stated a representative from HUD and the Housing Authority and the County Commissioners should jointly hold the public hearing. Commissioner Aud suggested a copy of their petition be submitted to the Housing Authority.

Commissioner Bowles stated the Commissioners can request the Housing Authority to have a public hearing but cannot force them. Commissioner Guy stated a public hearing request to the Housing Authority by the Civic Association would be in order.

SOUTHERN MARYLAND DRUG ABUSE PROGRAM

Commissioner Aud made a motion for the Commissioners to sign the Memorandum of Understanding between Charles and St. Mary's County Commissioners with reference to the Southern Maryland Drug Abuse Program. Commissioner Guy seconded the motion, and Commissioner Bowles made it unanimous.

A & M MOBILE PARK (KINSEY W. BURKE)

Present: John Norris, Assistant County Engineer

Mr. Norris stated that at the February 26 Planning Commission meeting it was recommended that approval be given for a trailer park (nine lots) on Indian Bridge Road, being created so as to provide space for the four trailers being displaced because of reconstruction of St. Andrews Church Road. Commissioner Aud made a motion to approve Kinsey Burke setting up a trailer park of nine lots. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous.

ST. ANDREWS LANDFILL

Present: John Norris, Assistant County Engineer

Mr. Norris showed the plat of the St. Andrews Landfill explaining the necessity to purchase 1.02 acres of land from Mr. Herschel McCloud. Mr. Norris stated he would like to acquire a 40 foot right of way from St. Andrews Church Road to Area B on the Plat. All Commissioners were in agreement to the purchase based on past per acreage costs of this tract of land. Mr. Norris is to have a deed drawn up for the 1.02 acres of the property owned by Herschel McCloud.

ST. CLEMENTS SHORES

Present: John Norris, Assistant County Engineer

Mr. Norris stated the lowest proposal to perform a drainage study of the St. Clements Shores area was from Lorenzi, Dodds and Gunnill in the amount of \$8500. John Norris is to outline the estimated cost of a storm drainage system to the residents of St. Clements Shores and present same to the Commissioners at a later date.

DREDGING OF DUKEHART'S CREEK

Present: John Norris, Assistant County Engineer

A survey performed by the Department of Natural Resources shows a reduction in cubic yardage removed over the original contract quantity. The reduction was in the amount of 14,900 cubic yards based on \$1.20 per cubic yard, the dredging contractor is due \$52,317.60. The County has to date paid the contractor \$41,600. In addition cost overrun was submitted by the contractor this past summer in the amount of \$7,500 and was approved by the Commissioners. The total monies due the contractor to date are \$18,217.60.

Commissioner Guy asked Mr. Norris about the status of the jetty to be reconstructed to protect the dredged channel leading to Dukehart. The County Engineer's Office is waiting for wash borings and profile data from a contractor so that design can be completed. This information is needed to determine the length of the piling and sheeting and to complete the profile section of the design sheets. The Corps of Engineers has received the necessary information to advertise for public hearing on the proposed project.

COLTON'S POINT ROAD

Present: John Norris, Assistant County Engineer

Commissioner Guy stated the road is being torn up by contractors hauling rock for shoreline protection of a property owner's land in the Colton Point area. Commissioner Guy reported approximately 400 feet of county road had been destroyed and asked what legal authority the County had in this matter. Mr. Norris is to check with Mr. Weiner, County Attorney, concerning this.

TALL TIMBERS EMERGENCY REPAIRS

Present: John Norris, Assistant County Engineer

Mr. Norris presented OEP Form 152 - Project Application for Federal Assistance to the Commissioners for the designee, Commissioner Aud's signature. Said application was revised to include monies spent to perform emergency repairs at Tall Timbers caused by Storm Agnes. The project application was in the amount of \$43,574.37 which includes all monies expended to date and represents the final payment. John Norris made the Commissioners aware that there are

additional repairs needed. The Form 152 is being submitted to insure the County does not lose those funds expended to date. Any additional monies expended will be County funded. The Commissioners asked John Norris to contact the Corps of Engineers to ascertain the status of the permanent wall and maintenance repairs and report back to them.

BILLS APPROVED

J. Moakley Mattingly & Son for hauling dirt at Oakville landfill and Walden Counseling Center in the amount of \$1176.00.

Clark Automatic Division for the repair of the unit shovel used by State Roads in the amount of \$3760.95.

Expense Report of Thomas L. Cryer, County Inspector, in the amount of \$141.39.

VOUCHERS SIGNED

Vouchers No. 4361 through 4423 dated February 26, 1973 through March 5, 1973 were unanimously approved by the Commissioners and signed by Commissioner Bowles as President.

MRS. VIOLA GARDNER'S RESIGNATION

Mrs. Viola Gardner, Administrative Assistant, submitted her resignation by letter of February 23, effective March 10, 1973. Commissioner Guy made a motion to accept her resignation, seconded by Commissioner Aud and Commissioner Bowles made it unanimous.

HERMANVILLE RADAR GAP SITE

Present: John Baggett, Director of Recreation and Parks

Mr. Baggett stated he had received a letter from General Services relinquishing all rights to the machinery and equipment at the Hermanville Radar Gap site. He requested permission to advertise for bids on the motor generators and diesel electric generator set. The Commissioners were in agreement to invite bids on this equipment.

AMPITHEATER (GREAT MILLS HIGH SCHOOL PARK DEVELOPMENT NO. 3)

Present: John Baggett, Director of Recreation and Parks

Mr. Baggett presented the following forms for Commissioner Bowles' signature: Application to Federal Government for funding - Land and Water Conservation Fund and Application to State Government for funding - Program Open Space. Commissioner Guy made a motion to approve and sign the applications, seconded by Commissioner Aud and same was signed by Commissioner Bowles.

PINEY POINT

Present: John Baggett

Commissioner Bowles showed picture of the trash cans at Piney Point area to John Baggett and suggested dumpsters should be used instead of drums. John Baggett said he would take care of this.

COMPREHENSIVE RECREATION AND PARK PLAN

Present: John Baggett

The Commissioners requested Mr. Baggett to arrange with Mr. Stewart Allan, Consultant for Comprehensive Recreation and Park Plan to hold a formal public meeting in St. Mary's County upon completion of his preliminary plan.

SHOTGUN OWNED BY DEPUTY CHANCE

A letter was received from Sheriff Williams stating he was in agreement that repair should be made on Deputy Chance's .357 magnum in the amount of \$15.45 and his 12 gauge shotgun should be replaced.

Commissioner Guy made a motion that the County reimburse Deputy Chance for repair of his .357 magnum and replacement of his shotgun up to \$70 which is to be charged to the Sheriff's Department's budget. Commissioner Aud seconded the motion and Commissioner Bowles made it unanimous.

PATUXENT DEVELOPMENT COMPANY

Paul Raley presented a Quitclaim Deed between the County Commissioners and Patuxent Development Company, Inc. and Certificate of Publication with a Public Notice from the Beacon for Alteration of a County Right-of-Way (Maryland National Bank, Lexington Park). Mr. Charles Norris, Attorney, advertised it for a public hearing without submitting it for the Commissioners' approval before going into the paper. Because of this, the Commissioners voted against giving a Quitclaim Deed to Patuxent Development Company. Commissioner Bowles requested Paul Raley to return it to the newspaper and request they return it to whomever sent it to them. All Commissioners were in agreement.

DOCK'S LANDING ROAD

Paul Raley stated he had spoken with Lewis Forrest concerning the public landing at Dock's Landing Road. Mr. Forrest wanted to know if it was, in fact, a public landing. Paul Raley asked if the County is desirous of maintaining it as a public landing. Commissioner Guy suggested a petition from the people in the area to indicate how many people are using it. Paul Raley said about five or six people are being denied use of the landing.

COMPENSATORY TIME (JUDITH MULLINS)

Paul Raley made the recommendation that Judith Mullins, Secretary, be paid for her accumulated 19-3/4 hours Compensatory Time. The Commissioners were in unanimous agreement that this be done.

BUDGET HEARINGS (TECH CENTER)

The budget hearing for the Board of Education has been set for April 16, 7:30 P.M.

The overall county budget hearings will be Tuesday, April 17, 2:00 P.M. and Wednesday, April 18, 7:30 P.M. at the Tech Center.

The meeting recessed at 5:15 P.M.

Wednesday, March 7, 1973

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

Also present were Patty Muchow, Beacon; Dave Fox, WPTX; Dick Myers, WKIK.

The meeting reconvened at 10:00 A.M.

READING OF MINUTES

The minutes of January 16, January 23, January 25, January 30-31, February 2, February 6, February 7, February 9, 1973 were read and corrected and are to be entered into the Minute Book.

1973 Legislative Package

The County Commissioners legislative proposals for 1973 was presented to the legislative delegation on Saturday, February 3, 1973. The package is on file in the County Commissioners' Office and covered the following subjects:

- (1) Cable TV - Authority to Issue a Franchise and Impose a Franchise Tax;
- (2) Circuit Court - Change in legislation relating to the Circuit Court Judge's Secretary;
- (3) County Treasurer - Appointment of a designee to act in absence of County Treasurer;
- (4) Electrical Examiners - Change in Name of Inspection Agency;

- (5) Hucksters and Peddlers - Additional Persons to be licensed and increase in fee;
- (6) Human Relations Commission - Annual Appropriation;
- (7) New Legislation - Cash Deposit on Beer and Beverage Containers;
- (8) St. Mary's County Developmental Center for Mentally Retarded, Inc. - Elimination of Limitation on Per Pupul Transportation Funding;
- (9) St. Mary's Hospital - Appropriation for Phase 1 Construction Program;
- (10) St. Mary's Nursing Home - Appropriation for Addition;
- (11) Sanitary Districts;
- (12) Sheriff's Department - Transferring administration of the jail;
- (13) Tall Timbers Erosion District - Change in Erosion Control Assessment;
- (14) Youth Commission - To repeal and re-enact certain sections.

ST. MARY'S HOSPITAL BUILDING FUND

A letter dated March 7, 1973 was sent to Dr. Martin, Administrator of St. Mary's Hospital by the County Commissioners as a letter of intent subject to legislative action. The Commissioners unanimously agreed that said letter be sent, and same was signed by Commissioner Bowles.

PLUMBING BOARD

Present: Walter Raum, Secretary
Hillary Copsey
James T. Tennyson
Vernon Saunders, Chairman

Mr. Raum stated that the plumbing board was at the point where fees must be decided for plumbing inspections. Necessary forms will be needed in order for them to function.

The forms used by Charles County were presented which the plumbing board would like to use as their guide. The fees would be set up as follows: \$15 for the inspection of the first eight fixtures, plus \$2 each for extra fixtures, and \$5 for each inspection after the first two. A \$10 yearly license fee must be paid by all plumbers whether from St. Mary's County or not. Replacement of fixtures up to \$200 could be made without inspection or permit.

Commissioner Guy told the plumbing board that the Commissioners would request Harris Sterling, Finance Director, to develop figures for next year's budget.

The plumbing board is to develop the package and make recommendations to the Commissioners before it is adopted. Commissioner Guy suggested that the different Departments review the package for their comments.

Mr. Raum stated applications are being accepted for St. Mary's County Master Plumber, St. Mary's County Journeyman, and Journeyman - Statewide which are due March 16. The examinations will be given April 5 at the Tech Center at 6:00 P.M.

The position of a Plumbing Inspector has been advertised and should be available by July 1, 1973.

BOARD OF COMMISSIONERS OF PRACTICAL PLUMBING

Present: Harris Sterling

Harris Sterling was requested by the Commissioners to set up a new account for the Board of Commissioners of Practical Plumbing which will be taken out of the contingency fund. \$5,000 is to be put into the account. After June 30, 1973 unused money will revert back to the General Fund.

AMPITHEATRE

Commissioner Guy made a motion for Commissioner Bowles to sign Form 1350 Insurance of Compliance of Civil Rights Action of 1964, Attachment No. 7 to the Applications that were presented by John Baggett at yesterday's meeting concerning the Ampitheatre. Commissioner Aud seconded the motion and Commissioner Bowles signed same.

ST. MARY'S COUNTY COMMISSION ON AGING

Commissioner Guy made a motion that Mr. Joseph Cippoloni be appointed the Board of Education member to the St. Mary's County Commission on Aging to fill the unexpired term of Jane Mattingly. Commissioner Aud seconded the motion and Commissioner Bowles made it unanimous.

HUMAN RELATIONS COMMISSION

Commissioner Guy made a motion that Mr. Norman Moore be appointed a member of the Human Relations Commission to fill the unexpired term of Peter T. McGuckian. Commissioner Aud seconded the motion and Commissioner Bowles made it unanimous.

CONTROL CENTER ANNUAL REPORT

Present: Otis Wood, Acting Director, Civil Defense

Mr. Otis Wood presented to the County Commissioners the

1972 annual operation report for the Control Center, which is on file in this office. The Commissioners thanked Mr. Wood for his presentation.

WATERSHED PROJECT - SITE 1 ALLAN OWENS PROPERTY

Present: Mr. Albert Focer - Lorenzi, Dodds and Gunnill
Mr. Harris Sterling, Finance Director

The Commissioners reviewed the Deeds of the property owned by Mr. Allan Owens. The property descriptions were compared for accuracy. At this time Mr. Allan Owens entered the meeting and signed the Deed conveying property to St. Mary's County for the watershed project - Site 1. Commissioner Guy made a motion to sign the Deed conveying back to Mr. James Allan Owens the property described in the land records of St. Mary's County in Liber 185, Page 200. Commissioner Aud seconded the motion and Commissioner Bowles made it unanimous.

Mr. Sterling is to issue a check to Mr. Owens in the amount of \$5,862.02. \$852.42 represents 4.272 acres at \$200 per acre. \$5,009.62 represents punitive damages for items such as but not limited to: tillable land, water supply for live stock, gravel pit and relocating of fencing.

APPLICATIONS FOR SECRETARY B

The Commissioners reviewed the applicants for the position of Secretary B in the County Commissioners' Office and instructed Paul Raley to employ temporarily Mrs. Barbara Dotson until such time as the examination will be held and a permanent employee selected.

The meeting adjourned at 4:30 P.M.

J. Wilmer Bowles 4/3/73
J. Wilmer Bowles
President