

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, September 4, 1973

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

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

READING OF MINUTES

The minutes of August 21, 1973 were read and corrected.

The minutes of August 29, 1973 were read and corrected.

BIDS ON INVESTMENTS

Bids were received August 30, 1973 on Investments of \$200,000.00 for sixty (60) days and on \$800,000.00 for ninety (90) days.

The bids were as follows:

<u>AMOUNT</u>	<u>MATURITY</u>	<u>FIRST NAT'L BANK</u>	<u>MARYLAND NAT'L</u>	<u>MARYLAND BANK & TRUST</u>
\$200,000	60 days	10.26%	10.01%	9-3/8%
\$800,000	90 days	10.36%	10.21%	9-3/8%

Investments were purchased August 31, 1973 from the First National Bank in the following amounts:

\$200,000.00 for 60 days @ 10.26%

\$800,000.00 for 90 days @ 10.36%.

STEP PROGRAM - TRANSPORTATION

Present: Dr. Robert King, Superintendent of Public Schools
 Don Klein, Employment Superintendent, NAS
 Ted Newkirk, President, NAACP
 Wilbur C. Dohrman, Supervisor of Instruction, Board of Education

Mr. Klein explained the purpose of the STEP Program in that it gives on-the-job work experience to youngsters who may have otherwise dropped out of school. There are approximately 50 to 60

youngsters 16 to 22 years of age participating at the Patuxent Naval Air Station working three hours a day as part of their educational program. All youngsters are economically disadvantaged. Prior to the 1972-73 school year transportation from the high schools was provided by the Board of Education by means of a school bus. Anticipated funds from the State did not occur for the transportation; therefore, funds are requested from the County to provide transportation from Great Mills High School and Chop-ticon High School to the Naval Air Station. Mr. Klein further stated that at a meeting on August 22, it was unanimously decided that the youngsters should help in the funding of the transportation by paying \$2.00 each pay period. The students are paid a minimum wage of \$1.60 per hour. Mr. Newkirk expressed concern with this idea; however, Commissioner Guy felt it would be a practical experience for the youngster in learning how to allocate certain monies in order to derive additional monies.

Mr. Klein stated that approximately \$2400.00 would be needed in addition to the \$2 per pay period from each student. The program is scheduled to start Monday, September 10.

Commissioner Guy asked if this would qualify as a revenue sharing item, instead of coming from the contingency fund. Commissioner Bowles stated that, because it is a Federally funded program, it may be prohibited.

Commissioner Bowles stated that the Commissioners are in favor of the program and would be willing to assist in funding of transportation; however, Harris Sterling, Finance Director, is not in the office today. The Commissioners will review the request with him tomorrow and make a decision.

WALKERS TO PUBLIC SCHOOLS

Dr. King stated three public hearings were held concerning youngsters who live within one mile from school and who will be walking to school instead of riding a school bus. The painting of school crosswalks at Lexington Park Elementary, Town Creek Elementary and Esperanza Middle School was requested. The Commissioners approved of the painting of the crosswalks and a memorandum is to be sent to Douglas Bond, Resident Maintenance Engineer, State Highway Administration, requesting same.

Dr. King stated the Board of Education would like to investigate the possibility of pathways to Lexington Park School through the back of Queen Anne Apartments; also, a pathway through the Recreation and Parks property adjacent to the school.

STUDY ON COUNTY BUILDING DEPARTMENTS

Present: Mr. Willard P. McCrone, Ass't Director, Codes Administration, Community Development Administration
Mr. Glendon R. Mayo, Consulting Engineer
John Norris, County Engineer
Robert Willard, Planning Director

Mr. McCrone stated that he and Mr. Mayo have come before the Commissioners to discuss a study being made in St. Mary's, Worcester, Queen Anne's and Washington Counties regarding the Building Departments in these Counties. Mr. Mayo was retained by the State Department of Economic and Community Development to assist in the preparation of this study.

Mr. Mayo stated that the study will provide a model performance code package, which includes building, electrical and plumbing, and if the Model Performance Code being developed by Mr. Mayo is adopted by a County, local amendments cannot be made without going back to the Department of Economic Development stating reasons for changes and receiving their permission. The above Counties were selected because it was felt they were atypical, and from these Counties they will come up with guidelines to be used by the building departments. The report will state what is needed to implement building codes. Data is needed from the different departments in the County; i.e., Planning and Zoning, Fire, Health, etc. Mr. Mayo requested permission from the Commissioners to meet with people in the County to assist in filling out the Data Survey Sheet and to meet with a designated person today for information and again in a few weeks. A copy of the report will be furnished St. Mary's County, but no Counties will be named in the report. The County could adopt this model performance code package, or if they wish to have their own package, the report would give them guidelines. From this study also will come what should be included in the budget for assistance in any jurisdiction that will go code operational to pay for training inspectors and the furnishing of documents.

After reviewing the Data Survey Sheet, Commissioner Bowles asked for an expression as to the necessity and purpose of the building permit and the certificate of occupancy. Mr. Mayo explained that the purpose of the building permit is to provide health, safety and welfare for the user of the building, and to make sure any structure conforms to certain national standards. It is also a recording device which is important in knowing what happens in the County. Continuing, Mr. Mayo stated that the purpose of the Certificate of Occupancy is the final check.

Commissioner Guy stated that the County presently has an Industrialized Building and Mobile Home Code and a Plumbing Code and the Commissioners have discussed having a Building Code, and perhaps going with the National BOCA Code.

Mr. Mayo and Mr. McCrone are to work with John Norris for the information needed.

SIGNING OF METROPOLITAN COMMISSION BONDS

Present: John Pleisse, Attorney for Metropolitan Commission
 Gordon Calvert, Bond Counsel for Metropolitan Commission
 John Little, CPA

Mr. Pleisse and Mr. Calvert requested the Commissioners' endorsement on the temporary bonds to be issued for the purchase of Patuxent Water Company and to sign the Signature Certificate with relation to the signing of the bonds. The bonds have been prepared in accordance with the Resolution of the Metropolitan Commission and Resolution No. 73-22 of the Board of County Commissioners. There are seven bonds, one of which is for \$50,000 for a term of ten (10) days with no interest. The other six bonds reflect the \$600,000 to be issued by the Metropolitan Commission to the holders of the stock of the Patuxent Water Company. The Signature Certificate certifies that the Commissioners did, on this day, sign the bonds and the signatures are true signatures. The bond and Signature Certificate are to be signed by Commissioner Bowles and Paul Raley on behalf of the County Commissioners, and the County Commissioners' Seal is to be affixed to the bond.

Commissioner Aud made a motion that Commissioner Bowles sign the Signature Certificate and the St. Mary's County Metropolitan Commission Bonds (Second Issue) (Temporary), seconded by Commissioner Guy and Commissioner Bowles made it unanimous and signed same.

Paul Raley signed the Certificate verifying the effectiveness of the appointments of the St. Mary's Metropolitan Commission members. Paul Raley also signed the Certificate and copy of Resolution No. 73-22 passed by the County Commissioners for the issuance of the bonds.

BOARD OF EDUCATION - STATE AND/OR FEDERAL PROGRAMS

Commissioner Guy made a motion to approve the State and/or Federally financed programs in the amounts indicated in the letter from the Board of Education to the County Commissioners dated August 21, 1973, subject to said funds being received from Federal and/or State Government. These programs are approved as a separate item and not part of the 1973-74 budget. The programs are as follows:

a. Neighborhood Youth Corps Summer Program	\$ 32,862.00
b. Work Incentive Program	11,110.39
c. Programs for Hearing Impaired Pupils	23,252.00
d. Model Early Childhood Learning Program	125,000.00

- | | |
|---|------------|
| e. Model Early Childhood Learning
Program Workshop in Baltimore | 1,267.20 |
| f. Model Early Childhood Learning
Program Pre-Services Workshop
for Total Staff | 3,854.00 |
| g. Psychological Services for the
Handicapped | 12,200.00. |

Commissioner Aud seconded the motion and Commissioner Bowles made it unanimous.

TAXPAYERS' ASSOCIATION

Present: James Dobry
Roger Richardson

WATER AND SEWAGE PLAN - Mr. Dobry stated in regard to the Comprehensive Water and Sewage Plan that there is no justifiable reason to extend the water and sewer line to St. Mary's College. He stated that the original basis for the establishment of the sanitary commission was to take care of problem areas in the vicinity of Lexington Park, where most of the income of the County is located and not go into virgin areas.

LAND-USE PLAN - Mr. Dobry asked if Mr. Demetriou, the consultant who is doing the Land-Use Plan, is qualified to come up with a Plan. Mr. Dobry said it is the second study the County has had and how is the firm selected to do the Plan. Commissioner Bowles stated that Mr. Demetriou is approved by the State Planning Commission, Tri-County Council, County Commissioners and the Planning and Zoning Commission. Mr. Dobry asked that, since the County now has a Planner, will the County be utilizing local planning services? Commissioner Bowles stated the Commissioners hope that the planning can be done in-house.

Mr. Richardson stated that the Taxpayers' Association is forming a zoning committee.

Mr. Dobry requested a report of the Land-Use Plan hearing held August 9, 1973 to report at the next Taxpayers' meeting. Commissioner Bowles informed Mr. Dobry this was a public meeting and he should have attended. The purpose of the meeting was to inform the public.

Mr. Dobry stated at their next meeting with the County Commissioners they would like to discuss assessment procedures and the trailer situation.

BUILDING PERMIT - RICHARD REEDER

Present: Richard Reeder
 Andy Bailey, Attorney in South Carolina (works with
 Charles Norris, Attorney, Leonardtown)

Mr. Bailey stated that Mr. Reeder applied for a building permit May 14, 1973 for a body shop on Patuxent Beach Road and Planning and Zoning had tabled the matter several times. Mr. Ernest Bell, Attorney for Planning and Zoning, was asked for an opinion in July in which he stated that the area is not zoned, the property is not in a recorded subdivision, and there are no covenants or restrictions on the deed. Mr. Bailey further stated, in the case of Steuart Petroleum Company v. County Commissioners, Judge Dorsey ruled that, in areas of the County where no zoning exists, one is "free to put their property to any legal use". Mr. Bailey said issuance of the building permit by Planning and Zoning was denied in August and was apparently denied because the area was mainly residential. Along Patuxent Beach Road there is a beauty shop, a trailer park, refrigerator shop; it is not in a residential area, although it is close to Town Creek. Mr. Bailey stated if the request for a permit is denied, a suit will be filed in the same type of case as Judge Dorsey's. Commissioner Guy said he did not see how the Commissioners can hold up Mr. Reeder from obtaining a building permit; however, he did not know what the County Attorney would say.

Commissioner Bowles asked Mr. Reeder if he had received Health Department approval for an on-site sewage system and water supply. Mr. Reeder replied that he did not need this because he did not intend to install an on-site sewage system or water in the building; however, he would connect a garden hose to his house to use at the shop.

Commissioner Bowles stated the request will be reviewed and a reply will be given at a later date.

BID OPENING - SITE IMPROVEMENT TOWN CREEK

Present: John Baggett, Director, Recreation and Parks

The following bids were received on the above project:

<u>Name</u>	<u>Grubbing of hillside</u>	<u>Installation of fence</u>	<u>Hydraseeding of hill</u>	<u>Tennis Courts</u>
B. A. Garner & Son	\$300	\$312	\$295 (Total - \$907)	No bid
Walter Wise	\$330	\$360	\$300 (Total - \$990)	\$18,962
B & J Nursery	(time & mate- rial basis)	\$350	(time & mate- rial basis)	\$21,250

Mr. Baggett will review the bids and make recommendations at a later date.

BID OPENING - ST. CLEMENT'S SHORES SHELTER BUILDING (RE-BID)

Present: John Baggett

The following bids were received on the above project:

<u>Name</u>	<u>Construction of Building</u>	<u>Plumbing (inside building & septic system)</u>	<u>Electricity</u>
Melvin Construction Co.	\$13,984	\$5,950	
Owen's Electric Co.			\$2,211.55

Melvin Construction had bid \$16,343 on July 31, 1973. \$13,984 represents an elimination of certain items.

Mr. Baggett will review the bids and make recommendations to the Commissioners at a later date.

BIDS ON ST. CLEMENT'S SHORE SITE IMPROVEMENT

Present: John Baggett

Bids were opened August 28, 1973 on the above project. The bid was as follows:

Walter Wise bid \$19,400. With the elimination of one ball diamond - \$2400; the assembling of picnic tables - \$300; and the assembling of bleachers - \$500 the bid will be reduced to \$16,200. John Baggett recommended that the bid be accepted this way. Commissioner Guy made a motion that the bid be awarded to Walter Wise in the amount of \$16,200, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

WATERSHED PROJECT - SITE 1

Present: John Baggett

John Baggett stated he will be receiving \$17,223.60 from the Fish and Wildlife Administration, which will bring the total received on this project to approximately \$67,000.00.

ST. ANDREW'S CHURCH ROAD CONSTRUCTION CONTRACT

Present: John Norris, County Attorney

Commissioner Aud made a motion to award the contract to Regal Construction Company, Contract No. SM-599-1-518, State Aid No. 0370228 in the amount of \$467,452.50, seconded by Commissioner Guy and made unanimous and signed by Commissioner Bowles. John Norris stated the contract has been signed and returned by the President of Regal Construction Company. A Certificate of Insurance was also forwarded.

PERCOLATION TEST

Present: Major Honadle

Major Honadle stated he would like to present to the Commissioners three problems concerning the Health Department. First, he has encountered many delays in having a perc test on his property at Golden Beach. The Health Department had informed him he would have to wait 55 days. Secondly, he was informed that the County Health Department has stopped taking water tests of individual water supplies throughout the County. He further stated that later he was informed it was a partial discontinuance under emergency circumstances. Major Honadle said VA and FHA require these water testings before mortgages are approved. Commissioner Guy agreed that this was a problem.

Further, Major Honadle questioned why more sanitarians were not hired. Commissioner Guy stated that additional funding was provided in the budget for this purpose; however, the Health Department has had some difficulty in filling the positions because of the lack of availability of qualified people.

Major Honadle inquired if the Board of County Commissioners act as the Board of Health. Commissioner Guy stated that the Commissioners can make a rule that is stronger or more stringent than the State Health Department's Regulations.

Commissioner Bowles said the Commissioners will review this matter with Dr. Marek and reply to him at a later date.

YOUTH COMMISSION

Present: Ed Cox, Executive Secretary, Youth Commission
Les George, Chairman of Youth Commission

Mr. George presented the annual report of the accomplishments of the Youth Commission in the past year. The report contained the various projects of the Youth Commission and a list of designated members and selected members and committees that have been formed.

Regarding the Crownsville issue, Mr. George stated that all that has been done so far was to nominate someone to be a liaison with the Health Department for St. Mary's County. There will be continued work on this situation.

Mr. George stated a survey will be made in Grades Six through Twelve to find out what these youths need, what they want and what problems they have, if any. A Committee has been set up to handle this.

Mr. George said they would like to keep the Commissioners more informed of the Commission's activities and it was decided

that the minutes of the Youth Commission should be sent to the Commissioners, in addition to an annual report.

At this point, Commissioner Bowles left the meeting.

ANGELOS C. DEMETRIOU CONTRACT - COMPREHENSIVE LAND-USE PLAN

Present: Bob Willard, Planning Director

Mr. Willard said Project No. P-1002 of the Demetriou Contract, in the amount of \$2,744.38, has been completed and, therefore, payment is in order. Commissioner Guy made a motion to approve payment, seconded by Commissioner Aud.

Mr. Willard further stated that the first phase of Project No. 1008, in the amount of \$3,477.94, has been completed, and, therefore, payment is in order. Commissioner Guy made a motion to approve payment, seconded by Commissioner Aud.

MAINTENANCE AT BUILDING NO. 4 - LEONARD HALL

Paul Raley is to check with different maintenance companies for prices to clean Building No. 4, Leonard Hall.

OPEN TRASH HAULING TRUCKS

Present: John Norris

John Norris is to send a memorandum to commercial trash haulers stating that no open trucks are to be used and would result in their suspension of hauling trash to the landfills.

The meeting recessed at 5:00 p.m.

Wednesday, September 5, 1973

Present: Commissioner George R. Aud
Commissioner J. S. Guy, Jr.
Judith A. Mullins, Recording Secretary

(Commissioner J. Wilmer Bowles was not present.)

The meeting reconvened at 11:30 a.m.

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise
Dick Myers, WKIK
Dave Fox, WPTX
Patty Muchow, Beacon

The regularly scheduled Press Conference was held at this time. A tape of the Press Conference is on file in the Commissioners' Office.

TRANSPORTATION FOR STEP PROGRAM

Present: Harris Sterling

Mr. Sterling stated that since the transportation for the STEP Program is an emergency item, he recommended that the Commissioners give their approval. Commissioner Aud made a motion to fund the program not to exceed \$2400 for the transportation for the STEP Program from the contingency fund, seconded by Commissioner Guy. Mr. Sterling stated he would discuss whether it would be eligible for Revenue Sharing funds with John Little, CPA.

REZONING HEARING - J. W. BOWLES

Present: John Bailey, Attorney, representing J. W. Bowles
John Norris, County Engineer

John Bailey came before the County Commissioners to request the rezoning of the property owned by Mr. Bowles, consisting of 15.7 acres and located on Peggs Lane, Eighth Election District, from Agricultural to Commercial. John Bailey stated Mr. Bowles intends to use the area for general office space and other desirable commercial enterprise. This would be a definite down-grading as to the density that could be used on this property and a definite up-grading to the use itself. It would be an economic benefit to the County, giving potential revenue for taxing sources. This strip of land is adjacent to Riley Brothers, and was presented to Planning and Zoning August 27, and by a new procedure it has been referred to the Technical Review Board for recommendation. At the time the public notice was published in the paper, this procedure was not in effect at that time. Mr. Bailey requested favorable approval for this zoning request by the Commissioners and by the Planning and Zoning Commission.

Commissioner Guy asked if the general public was allowed to speak for or against the property at the August 27 meeting and John Norris said they were.

There were no protestants present.

The Commissioners will make a decision on this rezoning request after a recommendation from Planning and Zoning is received.

The meeting adjourned at 2:30 p.m.

J. Wilmer Bowles 10/31/93
J. Wilmer Bowles
President