

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, November 13, 1973

Present: Commissioner George R. Aud
 Commissioner J. S. Guy, Jr.
 H. D. McGlade, Director of Administration
 Judith A. Mullins, Recording Secretary

(Commissioner J. Wilmer Bowles was not present due to illness.)

READING OF MINUTES

The minutes of November 6, 1973 were read and corrected.

MYRTLE POINT SUBDIVISION

Commissioner Guy made a motion to approve the Assignment of Savings Account in the amount of \$37,500 in Maryland National Bank in lieu of bond, for completion of approximately 2500 feet of road at Section 1, Myrtle Point Subdivision, St. Mary's County, Maryland. Said Assignment was signed by Marvin C. Franzen and Edward N. LeFaivre and approved by Joseph Weiner, County Attorney, and John Norris, County Engineer. Commissioner Aud seconded the motion. Commissioners Guy and Aud signed the Agreement in the absence of Commissioner Bowles.

BUILDING PERMIT REFUND

John Norris, County Engineer, forwarded a memorandum to the Commissioners requesting that a refund be granted to Mr. Donald J. Patrick in the amount \$111.50 for building permit No. 5776 for construction of a dwelling on Patuxent Beach Road, California, Maryland due to the fact that the Patricks do not intend to build until much later in the future. Commissioner Guy made a motion that \$111.50 be returned to the Patricks as per Mr. Norris' request, seconded by Commissioner Aud.

BILLS APPROVED

The following bills were approved by the Commissioners:

John Thomas, St. Andrew's Landfill caretaker, for 75 hours overtime - \$120.00;

David M. Gruber & Company, dated October 23, 1973, for services rendered to June 30, 1973 re Phase I of Revised Financial System and Balance of Phase I - \$9,650.00;

David M. Gruber & Company, dated October 23, 1973, for services rendered for 1972-73 Audit Report - \$2,000;

BILLS APPROVED (CONTINUED)

Colvin. Burroughs & Cooke, dated October 31, 1973, for making an examination of the books and records of the St. Mary's County Metropolitan Commission for the fiscal year ending June 30, 1973 - \$5,200;

Dale Cropper, Engineering Inspector, mileage expenses for the month of October - \$66.10.

MENTAL HEALTH SERVICES (TRI-COUNTY AREA)

Commissioners Aud and Guy authorized Dr. William Marek, Health Officer, to act as liaison for St. Mary's County to the study committee for mental health services in the tri-county area. Mr. McGlade is to advise Dr. Marek of this action.

RESIGNATION (BARBARA L. TIPPETT)

A letter of resignation dated November 12, 1973 was received from Barbara L. Tippet, Secretary A in the County Engineer's Office, effective that date. Commissioner Guy made a motion to accept this resignation, seconded by Commissioner Aud.

TICKETING BY LEONARDTOWN POLICE (COURTHOUSE PARKING LOT)

Commissioner Guy mentioned that the Leonardtown Police have been ticketing automobiles on the courthouse parking lot for not parking in designated areas. He stated that he visited the Town Commissioners to verify authority to do this and was informed that they do have the authority as well as the State Police to ticket. Commissioner Guy requested Mr. McGlade to determine the legality of the Leonardtown Police ticketing automobiles on the courthouse parking lot and who does have this authority if authority does exist. Mr. McGlade is to coordinate with John Norris the relaying out of the parking lot.

JOHN W. CAMERON FAMILY SUBDIVISION

Commissioner Guy made a motion to accept Mr. Cameron's letter of November 6 which stated he has no further intention of subdividing the land in this area and that in order to bring the private road into the County system, construction would have to be done to County specifications at his own expense, and to accept the plat changing the lot lines. Commissioner Aud seconded the motion.

STEUART PETROLEUM REFINERY

Present: Robert Willard, Planning Director

Mr. Willard presented a proposal for obtaining technical

expertise to develop environmental standards in connection with the proposed Steuart Petroleum Refinery. The Commissioners will review said proposal for discussion at a later date.

BID OPENING ON INVESTMENTS

Present: Harris Sterling, Finance Director

Sealed bids were opened on investments as follows:

<u>Amount</u>	<u>Maturity</u>	<u>First Nat'l</u>	<u>Maryland Nat'l Bank</u>	<u>Md. Bank & Trust</u>
\$400,000	90 days	8.265%	8.25%	8.51%
365,000	90 days	8.265%	8.25%	8.51%
100,000	60 days	8.625%	8.00%	8.56%
200,000	90 days	8.265%	8.25%	8.51%
327,382.54	90 days	8.265%	8.25%	8.51%

Commissioner Guy made a motion to award the highest bids as follows:

\$100,000.00 for 60 days to The First National Bank - 8.625%
 \$400,000.00 for 90 days to Maryland Bank & Trust - 8.51%
 \$365,000.00 for 90 days to Maryland Bank & Trust - 8.51%
 \$200,000.00 for 90 days to Maryland Bank & Trust - 8.51%
 \$327,382.54 for 90 days to Maryland Bank & Trust - 8.51%

Commissioner Aud seconded the motion.

COUNTY ENGINEER'S OFFICE

Present: John Norris, County Engineer

PERSONNEL - John Norris stated he would like to change the Secretary A position in his office to a Secretary B which would enable him to use Mrs. Nancy Hutson, presently employed in a Clerk Typist position in the Engineer's Office. Mrs. Hutson has passed the Secretary B examination. A Clerk Typist position will then be open in his office and Mr. Norris stated there are several people on the register for this position. Commissioner Guy made a motion to create a Secretary B in the County Engineer's Office in place of Secretary A and put Mrs. Nancy Hutson in that position, effective November 12, subject to Personnel Officer being able to do this.

BIDS ON TRACKS AND TIES - On October 30, 1973, Midwest Steel submitted a bid in the amount of \$240,100 for the railroad tracks and ties. Subsequently a letter was received from Mr. Stanley Silverstein of Midwest Steel dated November 7 in which they stated they made an error in their bid due to the fact that the cost for dismantling the track was not deducted and their bid should be \$189,924. However, Mr. Silverstein

indicated he would stand behind his original bid. John Norris recommended awarding the bid to Midwest Steel, highest bidder, in the amount of \$240,100. Commissioner Guy made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Aud.

BIDS ON RELOCATION OF AGNES ABELL'S TRAILER - ST. ANDREWS CHURCH ROAD - John Norris stated he contacted several companies for the relocation of this trailer; however, only one bid was received, which was from Bob's Mobile Home, Great Mills, in the amount of \$1800. Commissioner Guy made a motion to award the bid to Bob's Mobile Home in the amount of \$1800, subject to receiving a \$200 deposit from him in lieu of performance bond, seconded by Commissioner Aud.

RECORDATION OF DEED - John Norris requested \$8 in order to record the Deed between Mary E. Russell and Robert and Charlotte Huston so that the County can abandon the old portion of Richneck Road. Commissioner Guy made a motion to pay the \$8 to record the Deed, seconded by Commissioner Aud.

REMOVAL OF FENCE - HERSCHELL MCLEOD - John Norris stated he received several prices for the removal of the fence; however, the lowest bid was received from B & J Nursery for the removal of the fence on Mr. McLeod's property on St. Andrew's Church Road in the amount of One Dollar per foot, 1300 foot of fencing, totalling \$1300. Mr. McLeod informed John Norris that he would do it himself for \$1200. John Norris recommended allowing Mr. McLeod to do the work in the amount of \$1200. Commissioner Guy made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Aud.

SCOTCH POINT ROAD CONSTRUCTION AGREEMENT - John Norris stated the Road Construction Agreement for this project expired October 31, 1973 and that the materials used in the construction are of poor quality due to the fact that the clay content is too high. Don Forey of Land Development Associates, owners of Scotch Point, had been in touch with John Norris and indicated they would forward a letter to him by November 16 as to the expired road construction agreement.

TEMPORARY LANDFILL EMPLOYEE - John Norris stated that Mr. Valakis had been hired to clean up the Ridge Dump and would be interested in using him again for the purpose of hauling material and gravel from one site to another rather than obtaining a contract for a larger fee. Mr. Norris is to discuss this with Harris Sterling, Finance Director, and return to the Commissioners with a recommendation.

AIRPORT - John Norris stated that at the last Airport meeting, he was to look into the possibility of relocating

the fence by the parking area. That particular area is now seldom used for parking and would be used to tie down planes. The cost for this relocation would be \$1,000. Commissioner Guy requested Mr. Norris to look into the possibility of using tie-down fees to pay towards the relocation costs.

SAFE FOR ENGINEER'S OFFICE - John Norris requested permission to purchase a safe for his office which would cost approximately \$375. The Commissioners agreed that this be done. Commissioner Guy inquired if the employees in his department were bonded and John Norris said he would look into this.

SCOTCH POINT - John Norris submitted a letter advising the Commissioners that the concept plan of Scotch Point Subdivision containing Sections One and Two was received in the Engineer's Office October 19, 1972 and presented to the Planning Commission on October 24, 1972, which is before the December 26, 1972 Road Directive. Commissioner Guy made a motion to exempt Section 1A and 2 from the Road Directive, seconded by Commissioner Aud. A letter is to be forwarded to Jim Kenney, Attorney, setting forth the above and expressing concern by the Commissioners of the road problem of Section 1 and their hopes that the problem would be resolved.

BUILDING PERMIT PROBLEM

Present: Mr. and Mrs. Tiger
Lelia Rogers, Secretary, Planning Office
John Norris, County Engineer

Mrs. Tiger stated that she and her husband bought a piece of property (Lot 6) off of Flat Iron Road from Mr. Lelon Keister in November 1971, and were unable to build on it because they were told by the Planning Office that it would be an illegal subdivision due to the fact that Lots 1, 2, and 3 were put on record as a subdivision in July 1969. Lot 5 was given to Mr. Keister's daughter. Mrs. Tiger said Mr. Keister offered to trade them for Lot 3 in place of Lot 6, but she said he could not do this because FHA has a lien on Lot 3. Commissioner Guy explained that there is a policy in the County regarding family subdivisions. A parent can give his children certain lots in a given property and there are certain regulations pertaining to subdivisions that a family subdivision does not have to comply with except when selling for profit. Commissioner Guy further stated that two or more lots constitute a subdivision.

Commissioner Guy said Mr. and Mrs. Tiger should determine the dates that the other property was purchased and if they were the first they would be entitled to a building permit.

John Norris said they should talk to Mr. Keister about reimbursement or exchange of lots or it could be resolved by a civil suit against Mr. Keister. Mr. Norris said if there could be an exchange of lots, they should be sure to get a perc test and approval from the Health Department.

BUILDING PERMIT - RICHARD REEDER

Present: Richard Reeder
 Charles Norris, Attorney
 Andrew Bailey, Attorney
 Robert Willard, Planning Director

Mr. Reeder had come before the Commissioners on September 4, 1973, regarding his difficulty in obtaining a building permit. The question was raised at that time whether a health permit would be needed. Mr. Bailey stated that Mr. Reeder's property passed the perc test and he has now obtained a health permit; therefore, there is no valid reason why a building permit should not be issued. All requirements have been met.

Commissioner Guy made a motion that John Norris be instructed to issue the Building Permit to Mr. Reeder since all regulations have been complied with. Commissioner Aud seconded the motion.

ST. MARY'S COUNTY DEVELOPMENTAL CENTER FOR THE MENTALLY RETARDED


Present: Kathy Hoosier, spokesman
 Shirley Bond
 Marion Sterling
 Eileen Hislop
 E. A. Schotta
 Joyce Cusic

The parents representing the Developmental Center came before the Commissioners to present petitions from 41 parents requesting help from the County Commissioners to aid in building their new center. The total estimated cost of the new building is \$332,855 and the total funds available is \$192,157, leaving a balance of funds needed \$140,698.

Mr. McGlade stated he had been doing research to find a source for these funds, but at this time, he was unable to locate a source. Mr. McGlade said he also looked into the possibility of obtaining funds for school age children at the center that the Board of Education receives for special education. However, the chance for this funding seems rather remote. Special legislation seems to be the only alternative. Mr. McGlade requested the parents to develop a legislative proposal to be included in the County legislative package which will be forwarded to the legislative delegation in Annapolis and the Center should also submit a legislative package to the delegation. Commissioner Aud suggested that they invite the delegates and senator to their board meeting so they could be sympathetic to their cause.

Commissioner Guy stated that the Commissioners would include the request in their legislative package that the Commissioners would be allowed to spend tax money for their funds. However, he felt the cost should reflect inflation.

The meeting adjourned at 4:30 p.m.


George R. Aud, Commissioner


J. S. Guy, Jr., Commissioner