

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, May 7, 1974

Present: Commissioner George R. Aud
 Commissioner J. S. Guy, Jr.
 Edward V. Cox, Chief Clerk
 Judith A. Mullins, Recording Secretary

The meeting came to order at 9:40 a.m.

READING OF MINUTES

The minutes of April 30, 1974 were read and corrected.

EXTENSION OF DALE CROPPER'S EMPLOYMENT

Ed Cox stated that John Norris, County Engineer recommended extending Dale Cropper's (Engineering Inspector) employment. Commissioner Aud made a motion to extend Mr. Cropper's employment until July 1, 1974, seconded by Commissioner Guy.

APPROVAL OF BILLS:

The following bills were approved by Commissioners Aud and Guy:

State Highway Administration dated April 16, 1974, for material testing on St. Andrews Church Road - \$57.02;

State Department of Health and Mental Hygiene dated April 29, 1974 for two patients committed to Crownsville Hospital - \$810.48;

Mr. Photo, dated April 29, 1974, for picture frame for Captain Kilcline - \$14.00;

Dale Cropper, Engineering Inspector, April mileage expenses - \$245.75;

Breton Bay Golf and Country Club dated April 10, 1974 - \$11.90.

(Commissioner Bowles entered the meeting at this time.)

APPROVAL OF BILLS

The following bills were unanimously approved by the Commissioners:

St. Mary's County Historical Society for operating expenses for the operation of the St. Mary's County Tourist Information Center for the month of April 1974 - \$516.66;

APPROVAL OF BILLS (continued)

J. R. McCrone, Jr., Inc. dated April 22, 1974, for prints for various projects in the Engineer's Office - \$40.75;

Beavin Company, dated April 30, 1974, for engineering services on the updating of the Comprehensive Water and Sewage Plan - \$980.00;

Margaret Childs, dated May 6, 1974, for 25 hours Compensatory (overtime) at \$4.51 per hour - \$112.75;

APPROVAL OF VOUCHERS

Commissioner Aud made a motion to approve Vouchers No. 7634 through 7877, dated April 3, 1974 through April 30, 1974, minus Voucher No. 7858, representing the retirement check for Sara King, who the Treasurer's Office has been unable to locate, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

LEONARD HALL BOUNDARY SURVEY

Ed Cox had solicited proposals for boundary survey and description of the Leonard Hall property, consisting of approximately 115 acres. Proposals were as follows:

J. R. McCrone, Jr., Inc.	Not to exceed \$25 per acre
Lorenzi, Dodds & Gunnill	\$3,100.00
Charles Robert Moore	\$13 to \$15 per acre (not to exceed \$1730)

Commissioner Guy made a motion to give Ed Cox authorization to proceed with the proposal from Robert Moore to have survey made of the Leonard Hall property and to verify that Mr. Moore can complete the job within 30 days and that the scope of work would include property survey and description. Commissioner Aud seconded the motion and Commissioner Bowles made it unanimous.

HEALTH DEPARTMENT BUILDING - LEXINGTON PARK

Present: Paul Raley, Administrative and Logistic Officer

Mr. Raley came before the Commissioners to discuss the renovation needed at the Lexington Park Health Department building. The Commissioners instructed Mr. Raley to meet with Dr. Marek to determine what work needs to be done and the Commissioners gave authorization for Mr. Raley to proceed with the renovations of the interior of the building.

SCHOOL BUS SERVICE AT SPRING VALLEY

Paul Raley stated that School Bus No. 10 driven by Mrs. Vilakis had been discharging and receiving children on State Route 235. Mr. Raley recommended that the bus be permitted to circle through Spring Valley Subdivision for the purpose of picking up and discharging of children eliminating this hazardous condition on State Route 235. The Commissioners were of the opinion that it would be safer for the school bus to enter into Spring Valley and therefore unanimously accepted Mr. Raley's recommendation.

TELEPHONE SERVICE AT LEONARD HALL

Present: Paul Raley, Administrative and Logistic Officer

Mr. Raley stated that the Leonard Hall Building No. 4 is presently tied into the courthouse telephone system at a cost of \$117.00 a month for five lines. If the Leonard Hall telephone system is converted to private lines with the same number of lines, it would cost \$183.75 a month plus installation of \$675. Mr. Raley was instructed not to make any changes.

ACCIDENT INVOLVING SCHOOL BUS DRIVERS

Present: Paul Raley

Paul Raley reported to the Commissioners the circumstances of the accident involving school buses whereby Mr. John Thomas Gatton was injured. Mr. Raley stated that this bus is owned by Robert Raley, who has workman's compensation covering his employees. No children were injured.

REQUEST FOR PRIVATE TELEPHONE LINE - DALE CROPPER

Present: Paul Raley

Mr. Raley stated that Dale Cropper would like to have a private line in his office because of the many calls he receives in the morning prior to 9:00 a.m. This would cost \$14.55 a month plus installation fee of \$30. Mr. Raley said he would look into the possibility of a private line or having a bell installed upstairs to allow Mr. Cropper to hear the telephone ring prior to the switchboard opening at 9:00 a.m.

PRESS CONFERENCE

Present: Dick Myers, WKIK
Sunny Schust, Enterprise
Richard Polk, Enterprise
Dave Fox, Guardian and Cablevision
Abby Ford, Guardian

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

DRAINAGE PROBLEM - ST. JEROME'S CREEK (GORDON FEDDERS)

Present: Paul Raley, Administrative and Logistic Officer
Joseph Weiner, County Attorney

(See minutes of February 26, 1974) Mr. Weiner stated he had talked to Andrew Greenwald, Attorney in Prince George's County who is handling Mr. Fedders' case for Briscoe and Kenney. Mr. Fedders intends to bring suit against the County Commissioners and all adjacent property owners because of the nuisance that had been created by the depositing of dredged materials from St. Jeromes Creek which had destroyed the value of his property. Paul Raley explained the conditions of the area and what measures had been taken to attempt to correct the situation.

Commissioner Bowles requested Mr. Raley to obtain copies of any Hold Harmless Agreements or other documents signed by the County holding harmless the Army Corps of Engineers and any documents signed by the residents of the area holding harmless the County.

DEMURRER ON RAILROAD TRACKS AND TIES CASE - EQUITY NO. A-5136
DARLENE BROWN VS. COUNTY COMMISSIONERS

Present: Joseph Weiner, County Attorney

The Demurrer by Joseph Weiner, County Attorney for the above case was held Thursday, May 2, and Mr. Weiner stated that Judge Mattingly had taken the case under advisement. The suit in this case was filed by Darlene Brown representing the taxpayers and Mr. Weiner stated he was of the opinion that the law must show some special interest other than what a taxpayer would have.

WILLIAM F. EVANS, AVIATION, YACHT AND COUNTRY CLUB VS.
COUNTY COMMISSIONERS - LAW No. 5436
RE: BUILDING PERMIT

Present: Joseph Weiner, County Attorney
Paul Raley, Administrative and Logistic Officer

Mr. William F. Evans, Aviation, Yacht and Country Club, was unable to obtain a health permit from the Health Department for a holding tank, and therefore was unable to obtain a building permit from the County. Mr. Evans brought suit against the County because of this and Mr. Weiner advised the Commissioners that the court ruled in the County's favor; however, Mr. Evans intends to appeal the case.

RELEASE OF CLAIM OF ONE-HALF OF ABELL DRIVE

Present: Joseph Weiner, County Attorney

Ed Cox presented a Deed on behalf of Attorney James Kenney for the County Commissioners' signature and concurrence with Containerization, Inc. and release of claim of one-half of Abell Drive, Barefoot Acres Subdivision to Joseph W. and Eva G. Eberts.

Mr. Weiner stated that he had talked to Mr. Kenney about this and was of the opinion that the Commissioners could not sign a Deed conveying property without publicly advertising the property for sale. The Commissioners requested Mr. Weiner to advise Jim Kenney of the legal requirements placed upon the Commissioners according to Article 25 of the Maryland Code and Mr. Kenney should proceed with the necessary advertisement at his expense.

SOUTHERN MARYLAND DRUG ABUSE PROGRAM

Present: Dr. Pat Hawkins, Director
 Dr. Frank Gunzberg, Psychologist
 Walden Counseling Center

Dr. Hawkins brought the Commissioners up to date on the progress of the Drug Abuse Program and presented statistics of cases for the last quarter ending March 1974.

Dr. Hawkins stated there will be a benefit dinner for the Southern Maryland Drug Abuse Program at Martha Washington Motel May 15 at 7:00 p.m. organized by citizens who are concerned about funds that the State does not allocate to the Program. Money derived from this dinner will go towards Calvert County Hotline and for an extension to the Walden Counseling Center. Dr. Hawkins stated that the employees of the Program were interested in contributing part of their salary towards these funds. The Commissioners gave their approval and suggested that Dr. Hawkins discuss the proper procedure for the transfer of funds with Mr. McGlade, Comptroller.

Dr. Hawkins stated there are two new positions in the Program; guidance counselor for St. Mary's and Calvert County and a researcher to do follow up on cases that have come through the program. This will be funded through the State.

Dr. Hawkins informed the Commissioners that the Drug Abuse Program has a new liaison offer from the state, Mr. Walman.

Dr. Hawkins will provide the Commissioners, for their information, a copy of the psychologists' schedules during the week at Walden Counseling Center.

REDGATE TRAILER COURT

Present: Marvin Franzen
Ed Florence
Charles Mander, Attorney

Mr. Franzen requested approval from the Commissioners for a trailer park consisting of 17 acres, located at Redgate, next to Winters' Sheet Metal Shop, formerly the Richardson property. Mr. Franzen stated that the Planning Commission objected to the trailer court because they felt it should contain 20 acres. There is a one and a half acre lagoon system on the property and the Health Department has given approval for 20 units. Mr. Franzen stated that Metropolitan Commission approval has also been received.

Mr. Franzen stated that if the Commissioners would approve the 20 unit trailer court, he would guarantee there would be no additional units added at a later time, and he would like this approval prior to the adoption of the proposed Zoning Ordinance.

Commissioner Guy advised Mr. Franzen that he should obtain approvals from all necessary agencies and then return to the Commissioners.

AIRPORT HANGAR PLANS

Present: John Norris, County Engineer

John Norris presented the Plans for the Airport Hangar. Commissioner Aud made a motion to approve and authorize Commissioner Bowles to sign said Plans, seconded by Commissioner Guy and made unanimous by Commissioner Bowles, who signed same.

PAYMENT TO MARTIN PATRICK CALLAN

Present: John Norris, County Engineer

John Norris requested approval of payment based on an hourly rate of \$12, of an amount not to exceed \$6500 to Martin Patrick Callan, Engineer (temporary employee in Engineer's Office), for the drawing up of plans and specifications for the Airport Hangar and the courtroom ceiling. Commissioner Aud made a motion authorizing this payment, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

MAINTENANCE AND STORAGE BUILDING
ST. ANDREWS LANDFILL

Present: John Norris, County Engineer

Mr. Norris requested approval to allow Martin Callan, Engineer (temporary employee in Engineer's Office), to draw up the plans and specifications for a maintenance and storage building, 26' x 32', which will cost approximately \$20,000,

including equipment. Mr. Norris recommended paying Mr. Callan \$10 per hour for the project, not to exceed a total amount of \$1500. Commissioner Aud made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

ALEXANDER MILBURN'S PROPOSAL
COURTHOUSE ROOF REPAIR

Present: John Norris, County Engineer

Mr. Norris stated that Mr. Milburn signed his proposal to repair the courthouse roof, with the proper wording added (see minutes of April 30, 1974), which Mr. Milburn initialed and Mr. Norris recommended the Commissioners accept Mr. Milburn's proposal in the amount of \$2400 to repair the courthouse roof. Commissioner Aud made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

PINEY POINT PIER - ST. GEORGE'S CREEK

Present: John Norris, County Engineer

John Norris recommended that the Commissioners approve and accept the terms and conditions of the Department of Army Corps of Engineers Permit to construct a pier at St. George's Creek. Commissioner Aud made a motion to approve and authorize Commissioner Bowles to sign said terms and conditions, seconded by Commissioner Guy and made unanimous by Commissioner Bowles, who signed same.

DEVELOPMENTAL CENTER FOR THE MENTALLY RETARDED

Present: John Norris, County Engineer

John Norris stated that Dr. Richard Martin, Administrator, St. Mary's Hospital, acting as coordinator for the Developmental Center for the Mentally Retarded, requested the County to grant an access easement 50 foot in width contiguous with the northern property line of the parcel of land as shown on the plans for the construction of the Center and on file in the County Engineer's Office. Commissioner Aud made a motion to grant this request, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

ST. CLEMENT SHORES

Present: John Norris, County Engineer

John Norris stated that State and Federal monies are being made available through the State Department of Health to abate or prevent health hazards and recommended that the consulting firm of Barton Aschman, under their retainer agreement with the County, make a study and prepare an application for these

funds. Commissioner Aud made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

PLUMBING BOARD

Present: John Norris, County Engineer

John Norris presented a letter from the St. Mary's County Plumbing Board, dated April 18, 1974, requesting the Commissioners to make a change in Ordinance No. 73-30 - Plumbing Permit Ordinance and the St. Mary's County Plumbing Code regarding the requirement of a plumbing permit for certain work and requiring the installation of water-saving devices in toilets. Mr. Norris stated that a change in the Ordinance would require a public hearing.

The Commissioners requested John Norris to proceed with the advertisement necessary to hold a public hearing on a regular Tuesday meeting of the County Commissioners.

BITUMINOUS CONCRETE SURFACING PROGRAM

Present: John Norris, County Engineer

John Norris recommended that the State Highway Administration be requested to prepare specifications in the contract for those roads which are included in the fiscal 1975 surfacing program. John Norris stated that it would be to the County's benefit to have State Highway Administration prepare the plans and contract documents and provide inspection services for these contracts. The Commissioners agreed that John Norris should proceed to have this work done.

TOWER HILL SUBDIVISION
THIRD ELECTION DISTRICT

Present: John Norris, County Engineer
Robert Willard, Planning Director

John Norris stated that Col. DeCote applied for a building permit for property purchased from Oliver Guyther. Mr. Norris stated that the Building Permit Ordinance dated November 1, 1973, has a clause which requires compliance with the County Subdivision Regulations prior to the issuance of building permits. Mr. Willard mentioned that this property is in an illegal subdivision and Mr. Norris added that the applicant, Col. Decote had been made aware of that fact. The Commissioners instructed John Norris to direct Col. DeCote to the Planning Commission to resolve the problem.

EXTENSION OF EMPLOYMENT OF TEMPORARY EMPLOYEE
KATHY KENNEDY - PLANNING OFFICE

Present: Robert Willard, Planning Director

Mr. Willard requested approval to extend Kathy Kennedy's employment until July 1, 1974. Commissioner Aud made a motion approving this extension at \$3.00 per hour, effective May 13, 1974 and that Mrs. Kennedy would also be available to assist with County Commissioners' Office work, workload permitting, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

FAMILY SUBDIVISION (J. ODGEN THOMAS)

Present: Robert Willard, Planning Director

Mr. Willard presented a plat for a family subdivision (one lot) for J. Odgen Thomas, Eighth Election District, "Part of Kirby's Lot and Creighton Farm" and requested the Commissioners' approval of same.

Commissioner Aud made a motion approving the private road, privately owned, serving the residents and that the residents thereon will not request the County to take said road into the County system and should the owner ever desire that the road be taken into the County system, it would be constructed to County specifications and deeded to the County at no cost. The plat is to contain the proper wording designating the owner's responsibility and liability for the road. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous.

FAMILY SUBDIVISION (MARIE GRAVES)

Present: Robert Willard, Planning Director

Mr. Willard presented a plat for a family subdivision (four parcels) for Marie Graves, Third Election District, and requested the Commissioners' approval of same.

Commissioner Aud made a motion approving the private road, privately owned, serving the residents and that the residents thereon will not request the County to take said road into the County system and should the owner ever desire that the road be taken into the County system, it would be constructed to County specifications and deeded to the County at no cost. The plat is to contain the proper wording designating the owner's responsibility and liability for the road. This approval is subject to wording being added to the plat that there should be a ten foot dedication on each side of Compton Road at no cost to the County. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous.

FAMILY SUBDIVISION (RICHARD RORABACHER)

Present: Robert Willard, Planning Director

Mr. Willard presented a plat for a family subdivision for Richard Rorabacher, Eighth Election District, "Part of Onion Field and requested the Commissioners' approval of same.

Commissioner Aud made a motion approving the private road, privately owned, serving the residents and that the residents thereon will not request the County to take said road into the County system and should the owner ever desire that the road be taken into the County system, it would be constructed to County specifications and deeded to the County at no cost. The plat is to contain the proper wording designating the owner's responsibility and liability for the road. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous.

FAMILY SUBDIVISION (THOMAS LANCASTER)

Present: Robert Willard

Mr. Willard presented a plat for a family subdivision for Thomas Lancaster, First Election District, and requested the Commissioners' approval of same.

Commissioner Aud made a motion approving the private road, privately owned, serving the residents and that the residents thereon will not request the County to take said road into the County system and should the owner ever desire that the road be taken into the County system, it would be constructed to County specifications and deeded to the County at no cost. This approval is subject to the proper wording being included on the plat, setting forth the owner's responsibility and liability as set forth above. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous.

ROBERT WILLARD'S EMPLOYMENT CONTRACT - ADDENDUM

Present: Robert Willard, Planning Director

Commissioner Aud made a motion to approve and authorize Commissioner Bowles to sign the addendum to Robert Willard's Employment Contract granting Mr. Willard the cost of living adjustments granted other County employees, seconded by Commissioner Guy and made unanimous by Commissioner Bowles, who signed same.

COMPREHENSIVE LAND USE PLAN

Present: Robert Willard, Planning Director

Commissioner Bowles instructed Robert Willard to work with the consulting firm of Angelos C. Demetriou to satisfy the final details, ie, edit, make corrections and recover the final draft of the Plan, in the completion of the adopted Comprehensive Plan for St. Mary's County.

RESOLUTION NO. 74-16ADOPTION OF RECREATION AND PARKS COMPREHENSIVE PLAN

Commissioner Aud made a motion to approve and sign Resolution No. 74-16, Adoption of Recreation and Parks Comprehensive Plan, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

BICENTENNIAL COMMISSION

Ed Cox stated that he had met with F. Elliot Burch and Henry Fowler of the Bicentennial Commission and approval was requested from the Commissioners to proceed with the obtaining of more-detailed information, in cooperation with Recreation and Parks, Economic Development Commission and the Chamber of Commerce, for a tourist information center to be located at the intersection of Route 5 and Route 6 at Charlotte Hall. The Commissioners gave their approval for the Bicentennial Commission to proceed with this project.

EASEMENT FOR WATER MAIN AND FIRE HYDRANT

Commissioner Aud made a motion that the Commissioners approve and sign the Easement for the water main and fire hydrant located on the Nursing Home property, by St. Mary's County and James W. and Elizabeth O. Mattingly, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

EFFICIENCY RATING - ROBERT WILLARD

Commissioner Aud made a motion that the Commissioners approve the efficiency rating for Robert Willard as satisfactory, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

TRI-COUNTY GROUP HOME

Commissioner Aud made a motion to approve and authorize Commissioner Bowles to sign the Agreement dated May 7, 1974 between the St. Mary's County Commissioners and Tri-County Group Home, seconded by Commissioner Guy and made unanimous by Commissioner Bowles, who signed same.

The meeting adjourned at 5:15 p.m.

J. Wilmer Bowles 5/21/74

J. Wilmer Bowles
President