

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, June 4, 1974

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

(Commissioner J. Wilmer Bowles was not present.)

Also present were: Jack Kershaw, Enterprise and  
 Dick Myers, WKIK.

The meeting came to order at 9:45 a.m.

READING OF MINUTES

The minutes of May 28, 1974 were read and corrected.

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

Present: Joseph Weiner, County Attorney

Mr. Weiner stated that he has been in contact with Mr. Andrew E. Greenwald, Attorney representing Gordon Fedders, pertaining to the suit against the County for damages to his property created by the depositing of dredged materials from St. Jerome's Creek. Mr. Greenwald informed Mr. Weiner that Mr. and Mrs. Fedders are willing to settle their claim in the amount of \$12,000 and requested permission to enter County property to correct the flooding problem.

Commissioner Aud made a motion to pay \$12,000 to Mr. and Mrs. Fedders to settle the case and granting permission to them to enter County property to attempt to correct the situation at no responsibility to the County, seconded by Commissioner Guy.

TAX ASSESSMENT APPEAL BOARD

Commissioner Guy made a motion to add the name of John C. Benson for consideration to the Tax Assessment Appeal Board to be submitted to the Governor's Office along with J. Alfred Abell, whose term expired May 31, 1974. Mr. Benson's name was added because he resides in the Fifth Election District, the fastest growing area in the County and there is no representation from that area on the Board. Commissioner Aud seconded the motion.



EMPLOYMENT CONTRACT  
JAY FRANCIS McGRATH

Commissioner Aud made a motion to approve and authorize Commissioner Bowles to sign the Employment Contract for Jay Francis McGrath, Engineering Technician in the County Engineering Office, effective June 3, 1974, seconded by Commissioner Guy.

EMPLOYMENT CONTRACT  
RICHARD L. PLATT

Present: Richard L. Platt

Commissioner Aud made a motion to approve and authorize Commissioner Bowles to sign the Employment Contract for Richard L. Platt, Zoning Administrator, effective June 3, 1974, seconded by Commissioner Guy.

SUMMERTIME EMPLOYMENT FOR INTERNS

Ed Cox requested confirmation of an effective date of May 28, 1974, for the employment of David Robbins, working in Mr. McGlade's Office, and James Hickey, working in Mr. Cox's Office, at the rate of \$3.50 per hour. Time sheets will be maintained and presented to the Finance Office. Commissioner Aud made a motion to accept Mr. Cox's recommendations, seconded by Commissioner Guy.

BILLS APPROVED

The following bills were approved by the Commissioners:

Edward V. Cox, Chief Clerk, expenses for the month of May - \$70.26;

M & S Tours, dated May 29, 1974, invoice for airline tickets for the Steuart Refinery Study Group - \$2,842.24;

Department of Health and Mental Hygiene, dated April 23, 1974 for case formula and 75/25 disbursements for second half of fiscal 1974 - \$45,417.00;

MARYLAND ASSOCIATION OF COUNTIES CONVENTION - EXHIBIT

A letter was received from the Maryland Association of Counties inquiring if St. Mary's County would like to have an exhibit at the Convention in July. Ed Cox is to work with Paul Raley on this matter.



ST. MARY'S CITY  
BUILDING PERMITS

A letter dated May 15, 1974 was received from the St. Mary's City Commission requesting that all building permits related to the St. Mary's City area be referred to their Commission prior to approval to provide them an opportunity to determine the impact on archaeological sites and prevent possible destruction of important historic foundations.

The Commissioners advised Ed Cox to advise the Commission that our Zoning Ordinance covers the type of building and development that will occur in that area. Mr. Cox is to determine if there is a representative from St. Mary's City Commission on the Planning Commission who would be able to advise the Planning Commission of the feasibility of anything being done in that area.

FILING CABINET FOR EDC OFFICE

Mr. "Buck" Briscoe forwarded a request for a filing cabinet for his office. Commissioner Aud made a motion granting this request, seconded by Commissioner Guy.

MILEAGE EXPENSES

EXECUTIVE SECRETARY TO THE YOUTH COMMISSION - DAN RALEY  
EXECUTIVE SECRETARY TO THE COMMISSION ON AGING - HENRY FISHER

Ed Cox asked the Commissioners whether or not they wanted to approve the mileage expenses of the above persons or whether or not they were willing to give him permission to do this until July 1, at which time a system for their approval should be established. Commissioner Aud made a motion to grant permission to Mr. Cox to make the above approvals, subject to another system being established and subject to the expenses being provided for in the budget, seconded by Commissioner Guy.

VACANCIES ON COMMITTEES

Ed Cox brought to the attention of the Commissioners the fact that there were several vacancies on various committees.

AIRPORT COMMITTEE - Commissioner Aud made a motion to reappoint George M. Sullivan and Joseph L. Dunn to the Airport Committee for three-year terms, effective July 1, 1974, seconded by Commissioner Guy, subject to the above persons accepting this reappointment.

PLUMBING BOARD - Commissioner Aud made a motion to reappoint Walter Raum, John Coffey and J. Hillary Copsey to the Plumbing Board, effective July 1, 1974, subject to the above person accepting this appointment, seconded by Commissioner Guy.



PURCHASE OF EQUIPMENT OUT OF GENERAL REVENUE SHARING FUNDS  
BOARD OF EDUCATION

Present: Harris Sterling, Finance Director

Mr. Sterling requested approval that a letter be forwarded to the Board of Education forwarding a Certification that would be accepted for purchases of equipment out of General Revenue Sharing Funds, in lieu of actual invoices. Mr. Sterling stated that John Little, CPA, verified that this action is in compliance with federal regulations. Commissioner Aud made a motion authorizing Mr. Sterling to forward this letter to the Board of Education, seconded by Commission Guy. Commissioners Aud and Guy signed said letter.

HIGHWAY CONSTRUCTION BONDS

Present: Harris Sterling, Finance Director

Mr. Sterling stated that a letter dated May 28, 1974, was received from the Department of Transportation advising that the amount of bond money available has been reduced from \$800,000 to \$600,000 and were the Commissioners willing to participate in this amount. Commissioner Aud made a motion that the County participate in the Highway Construction Bonds at a reduced amount of a maximum of \$600,000 and authorized Commissioner Bowles to sign the letter to the Department of Transportation with this information, seconded by Commissioner Guy.

RESULTS OF AUDIT OF ST. MARY'S COUNTY  
DEVELOPMENTAL CENTER FOR THE MENTALLY RETARDED, INC.

Present: Harris Sterling, Finance Director

Mr. Sterling forwarded a memorandum to the Commissioners setting forth the results of the above audit which shows a total overpayment by the State for General Operating Expenses in the amount of \$1,045.25 and Transportation in the amount of \$551.60 for the period July 1, 1965 through June 30, 1972, for a total of \$1,596.85. Mr. Sterling recommended that the County assume the responsibility and pay \$1,596.85 to the State. Commissioner Aud made a motion to make this payment, seconded by Commissioner Guy.



DEPARTMENT OF SOCIAL SERVICES  
UNDERAPPROPRIATION FISCAL YEAR 1973

Present: Harris Sterling, Finance Director

A letter dated May 10, 1974 was received from Joseph Carter, Department of Social Services, enclosing an invoice in the amount of \$5,206.00 representing the deficit in the county appropriation fiscal year 1973 due to a difference between the assessable base established by the State Department of Assessments and the estimate used by the County. Mr. Sterling presented a letter for Commissioner Bowles' signature stating the County Commissioners appropriated and paid to the Department of Social Services the full amount requested and felt they have met their obligation and do not recognize any liability in the amount of \$5,206.00.

Commissioner Aud made a motion to approve Mr. Sterling's recommendation and authorize Commissioner Bowles to sign said letter, seconded by Commissioner Guy.

PHOTO ID'S  
RECIPIENTS OF PUBLIC ASSISTANCE

Present: Joseph Carter, Director, Social Services  
 Harris Sterling, Finance Director

Mr. Carter advised the Commissioners that all recipients of public assistance will be required to have a photo ID and he has received permission to use the Armory to have these pictures taken. He stated there is \$318 in his Training Account and he requested permission to use part of these funds for insurance and towards the cleanup afterwards. Commissioner Aud made a motion to approve this expenditure, seconded by Commissioner Guy.

RYKEN SWIMMING POOL PROGRAM  
LEONARDTOWN RECREATION COUNCIL

Present: Mary Ruth Horton, President  
 John Baggett, Director, Recreation and Parks  
 Harris Sterling, Finance Director

Mrs. Horton stated that the Leonardtown Recreation Council will be sponsoring the swimming pool program again this year and memberships will remain at \$30 per family. Mrs. Horton presented the Commissioners with the lease for the pool and requested their signatures. Commissioner Aud made a motion to sign the lease, seconded by Commissioner Guy.

Mrs. Horton requested technical assistance from Recreation and Parks Department and insurance coverage through the County as had been done last year, which the Council will reimburse



at the end of the season. Harris Sterling stated that a rider has been placed on the County policy for this coverage. Mrs. Horton also requested the Finance Office to handle their payroll as had been done last year and Mr. Sterling said this could be done. The Commissioners gave their approval.

Mrs. Horton invited the Commissioners to attend the opening of the pool, June 23 at 1:00 p.m.

#### ST. MARY'S COUNTY FESTIVAL THEATER

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett stated that the new amphitheater will be opening June 11 and requested a Proclamation from the Commissioners dedicating the theater to the people. Ed Cox will handle this.

#### PRESS CONFERENCE

Present: Jack Kershaw, Enterprise  
 Sunny Schust                   "  
 Jean Matheson                 "  
 Dave Fox, Cablevision and Guardian  
 Dick Myers, WKIK  
 Patty Muchow, Beacon

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

#### ZONING ADMINISTRATOR

##### PRESS RELEASE

At the above Press Conference, the Commissioners presented a Press Release with information concerning the new Zoning Administrator for St. Mary's County, Richard L. Platt and introduced Mr. Platt to the members of the Press.

#### REZONING FILE NO. 0011

##### JAMES DOBRY

Present: James Dobry  
 Allen Handen, Attorney  
 Mark Singerman, Attorney  
 Robert Willard, Planning Director  
 Richard Platt, Zoning Administrator

Mr. Handen explained that Mr. Dobry had submitted an application for rezoning for a PUD in Lexington Park, known as Greenview Knolls, West, Eighth Election District, and Mr. Handen inquired as to the status of this application. Commissioner Aud stated that the County had recently adopted a



Zoning Ordinance and the property in question was designated as a PUD on the zoning maps. He further stated that this project is contingent upon the plans that Mr. Dobry has submitted to the Planning Office. Mr. Willard stated that this action would eliminate the application that was in progress. Mr. Dobry and his attorneys agreed. In conclusion Mr. Willard explained to Mr. Dobry what would be necessary in the way of restrictions, to meet the Planning Commission's requirements.

DRAINAGE PROBLEM - STAMNOS

Present: Eugene Stamnos  
Janet Stamnos  
John Norris, County Engineer

Mrs. Stamnos explained to the Commissioners that the drainage problem in the backyard of her home located in Patuxent Park has existed for over three years, and the accumulation of water is creating a health hazard because it attracts mosquitoes and snakes.

Mr. Norris stated that Mr. Lacey of the State Highway Administration visited the site with Mr. Norris approximately two months ago to determine what work needed to be done to correct the situation. Mr. Norris said there was some question as to whose responsibility it was to do the work. SHA requested additional information from Mr. Norris which he said would require him going on the property, ie, topography of the land and also showing what work needed to be done. The water would have to be channelized and Mr. Norris hoped this could be done with concrete walls, riprap and sodding.

Mr. Norris is to contact SHA and get back in contact with the Stamnos' as to what action will be taken.

BUCHART ASSOCIATES  
LEONARD HALL

Present: Charles Evans  
Nelson McCloskey

Mr. Evans and Mr. McCloskey came before the Commissioners regarding the County's option to purchase Leonard Hall and to acquaint the Commissioners with the firm of Buchar Associates and discuss their services. Mr. McCloskey showed the Commissioners a report that had been done for Carroll County and Mr. Evans said he would deliver a copy of this report to the Commissioners' Office on Thursday.

Commissioner Aud advised Mr. Evans and Mr. McCloskey that there was a committee working through our Planning Director, presently making a study of the facility. The Commissioners thanked them for their presentation and said they would keep their firm in mind.



TRAFFIC CONTROL  
DEPARTMENT OF TRANSPORTATION

Present: Thomas Hicks, Assistant Chief Engineer, Traffic Division  
Department of Transportation

In response to Mr. Hick's letter of April 8 regarding cost sharing of the traffic signal at Md. Rte 235 and Chancellors Run Road, Mr. Hicks came before the Commissioners to explain the Department of Transportation's policy regarding traffic control and safety. Mr. Hicks stated that their policy is on a 50-50 sharing basis regardless of the amount of county roads involved. Other situations arising because either a new State road intersects an existing county road or a new county road intersecting an existing State road will be dealt with on an individual basis. The Commissioners agreed to this policy. As mentioned in his April 8 letter, Mr. Hicks stated that the State has a safety control program and the county traffic controls should be brought up to standards. Commissioner Guy suggested that someone from the Department of Transportation meet with John Norris, County Engineer, to determine the status of the county's safety control program.

The Commissioners also discussed several other problem areas in the County with Mr. Hicks:

Route 246 and the entrance to the new Safeway - Commissioner Aud felt the entrance should have been on Essex Drive and the light at Midway Drive should have been placed at Essex Drive.

Cedar Lane and Route 5, Leonardtown - Commissioner Aud said that the brothers at Ryken School wanted a manually controlled light which they would control themselves. Mr. Hicks said this request was denied. Commissioner Guy said that the new Home for the Elderly will be constructed across from the Medical Building which would further impact that intersection. Commissioner Aud advised Mr. Hicks that the brothers at Ryken would allow the State to remove part of the hill to improve the visibility and Mr. Hicks agreed that the State would do this at the State's expense.

Intersection at Route 234 and Route 242 - Commissioner Guy stated that traffic is very heavy at certain times of the day at this intersection but a request for a light had been denied. Commissioner Guy further stated that road signs blocked a driver's vision and Mr. Hicks said he could have that situation corrected. Mr. Hicks stated his Department had no record of any accidents at that intersection.

Intersection at Route 245 and Route 235, Hollywood - Commissioner Aud said a light is needed at this intersection and Mr. Hicks said this would be taken care of when the dualization of that portion of Route 235 is completed.



APPLICATIONS FOR STATE GRANT TO ABATE OR PREVENT HEALTH HAZARDS

Present: Kurt Pronske, Engineer Consultant, Barton-Aschman  
 Mike Marlay, Metropolitan Commission  
 John Fortunato, Metropolitan Commission  
 John Norris, County Engineer

As had been mentioned in previous minutes (April 23, 1974 and May 14, 1974), monies were being made available by the State Health Department to abate or prevent health hazards.

Mr. Norris stated that Barton-Aschman Associates has been working on the application for St. Clement Shores. A tertiary treatment plant is planned which would require a point of discharge for 176 homes at St. Clement Shores. St. Clements Bay has been closed for the taking of oysters and will remain closed until the problem is corrected. The amount of the application for this project is \$1,338,800.

Mr. Marlay described two other projects being submitted to the State: First, was 11-S and 13-S, the area on Rte. 235 from Esperanza to Lexington Park. Eight problem areas were listed in order of importance. Cost of this project is \$532,000. Second, was Janet Lane (formerly Forest Park Drive) south of Lexington Park at a cost of \$20,000.

Commissioner Aud made a motion that the priorities for the grant be listed as follows: (1) St. Clement Shores, (2) 11-S and 13-S and (3) Change Order 5 to 8A-S, seconded by Commissioner Guy.

Commissioner Aud made a motion to approve and for the Commissioners to sign Resolution No. 74-23 St. Clement Shores Waste Water Treatment Project authorizing Edward V. Cox, Chief Clerk to the County Commissioners, to execute and file an application on behalf of St. Mary's County with the Federal Water Pollution Control Administration and/or the State Department of Health and Mental Hygiene, on the above project and to execute all other documents in connection therewith, seconded by Commissioner Guy.

Commissioner Aud made a motion authorizing Commissioner Bowles to sign the Assurance of Compliance of Civil Rights Act, seconded by Commissioner Guy.

PROCLAMATION FOR STOP SIGNS  
WATERLOO AND BOWLES ROADS

Present: John Norris, County Engineer

Commissioner Aud made a motion to approve and adopt the above Proclamation for the installation of Stop signs at the intersection of Bowles Road and Waterloo Road and Waterloo Road and Waterloo Road, seconded by Commissioner Guy.



RENTAL OF LANDFILL COMPACTOR

Present: John Norris, County Engineer

Mr. Norris requested permission to rent a landfill compactor for \$12,000 for the first year with rental being applied to the purchase price if the County should decide to buy it. The Commissioners discussed the requirements of competitive bidding and requested John Norris to obtain additional information.

TANNER CREEK SHORE EROSION DISTRICT

Present: John Norris, County Engineer  
Harris Sterling, Finance Director

John Norris stated that there are thirty properties at Tanner Creek that have not been assessed and are not included on the tax maps. He stated this information has to be obtained prior to next week in order to proceed with the bid from the Department of Natural Resources. Mr. Cox checked with Mr. Lawrence, Supervisor of Assessments and was informed that the properties in question have been assigned ownership to the estate of Mary E. Ridgell and assessed at \$50 a lot for a total of \$1500.

RAILROAD RIGHT-OF-WAY STUDY  
BARTON-ASCHMAN

Present: John Norris, County Engineer

John Norris advised the Commissioners that the total billing for this project by Barton-Aschman is \$12,732.91; however, Barton-Aschman has been unable to complete the project because the only specific alignment proposed by Barton-Aschman is that between Laurel Grove and Hillville. They were unable to complete the study for alternatives in the other sections of Route 235 because State Highway Administration has not to date furnished the County with right-of-way plats. Therefore, John Norris recommended payment to Barton-Aschman in the amount of \$6,066.94, which represents professional services rendered from March 10, 1974 through April 20, 1974. Commissioner Aud made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Guy.

EXTRA WORK AUTHORIZATION - HERMANVILLE ROAD

Present: John Norris, County Engineer

John Norris recommended extra work authorization totalling \$20,210 for cost overruns for extra materials needed for Project No. SM-352-1 Reconstruction of Hermanville Road. Commissioner Aud made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Guy.



OFFICE SPACE  
RECREATION AND PARKS SUPERVISOR

Present: Dr. Robert King, Superintendent of Schools  
 Marvin Joy (past principal of Great Mills)  
 Bernard Johnson, Principal, Great Mills

Commissioner Guy explained that funds have been included in the 1974 fiscal budget beginning July 1 for office space for the Recreation and Parks Supervisor, Ed Atkins; however, the Commissioners would like to request that he remain in the office at Great Mills until that time.

Mr. Johnson stated he planned to keep athletic equipment in that room; however, he would be willing to wait until July 1. He also mentioned that this office is also being used by the school psychologist and a time schedule is being worked out with the school and the Recreation and Parks Department.

Commissioner Guy said that there should be a written agreement between the Board of County Commissioners and the Board of Education to prevent a situation like this happening again. Dr. King agreed.

GUARD SYSTEM FOR SCHOOLS

Mr. Johnson suggested to the Commissioners the possibility of a guard system to prevent vandalism in the schools. He stated he would provide information to the Commissioners where this system has worked in other schools.

CUSTODIAL PROBLEMS IN SCHOOLS

John Baggett stated he wanted to advise the Commissioners and Board of Education of a potential problem involving custodial help wherein the custodians in certain schools are requesting a certain amount of hours work or they will not work. He said he will advise the Board of Education if a problem arises.

DEVELOPMENT PROPOSAL  
GILLENS GROVE

Present: Thomas Waring (for Hugh Allston)

Mr. Waring came before the Commissioners and stated that Mr. Allston had entered into an agreement on construction of a state road and a county road, straightening out of MacIntosh Road and extension of said road between old Route 235 to new Route 235. Mr. Waring said it was impossible to live up to the conditions of that Agreement, and said Mr. Allston would



like to revise the Agreement and pay to the County \$200 per lot on all of the roads in Gillens Grove, including those roads in Section One and Two which have been placed on record, and Sections Three and Four which have not been recorded - a total of 103 lots. Mr. Waring agreed to give to the County the right-of-way necessary between old Route 235 and new Route 235, and will deed the right-of-way necessary for the straightening of MacIntosh Road paralleling the Gillens Grove Subdivision. He stated he was unable to obtain the land from Mr. Higgs, who owns land on the opposite side of the road from the subdivision and Mr. Allston was unable to go any further until this land was acquired. He stated the County would probably have to condemn.

Commissioner Aud made a motion that the County accept the \$200 per lot, 103 lots for a total of \$20,000 (as per House Bill 1497 - Economic Impact Fee), plus the engineering that has been done, plus the right-of-way that Mr. Allston has acquired across old Route 235 connected to the new Route 235, plus he will deed whatever right-of-way that he has in his possession on MacIntosh Road adjacent to Gillens Grove, subject to this information being written into an Agreement between Mr. Allston and the County Commissioners, seconded by Commissioner Guy.

Commissioner Aud made a motion to rescind the previous agreement, subject to receiving the appropriate signatures on this new Agreement, seconded by Commissioner Guy.

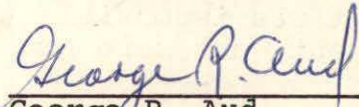
DEVELOPMENT PROPOSAL  
INDIAN RIVER ESTATES, SECTION ONE

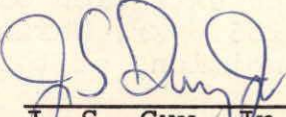
A Development Proposal was received from Orval B. Upole whereby Mr. Upole agrees to pay to the County \$4,000, for 20 lots at \$200 per lot, for Indian River Estates, Section One. Commissioner Aud made a motion that in compliance with House Bill 1497 (Economic Impact Fee), that Mr. Orval B. Upole pay to the General Fund of St. Mary's County, the sum of \$4,000 (representing 20 lots at \$200 per lot) and that said sum is to be paid within thirty days prior to recording of plat for the above subdivision. Commissioner Guy seconded the motion.

VOUCHERS APPROVED

Commissioner Aud made a motion to approve Vouchers No. 7878 through 8152, dated May 3, 1974 through May 31, 1974, seconded by Commissioner Guy.

The meeting adjourned at 4:45 p.m.

  
George R. Aud  
Commissioner  
6/25/74

  
J. S. Guy, Jr.  
Commissioner