

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, October 1, 1974 and Wednesday, October 2, 1974Tuesday, October 1, 1974

Present: Commissioner J. Wilmer Bowles, President  
 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 2:00 p.m.

STEUART REFINERY CONSTRUCTION SUIT

Present: Senator Paul Bailey  
 Neal Myerberg, Attorney

Senator Bailey came before the Commissioners to request authorization from the Commissioners to have Neal Myerberg as his co-counsel in the County's suit against Steuart Petroleum Company. Senator Bailey stated that Mr. Myerberg has been very valuable to him in legislative and constitutional matters and was of the opinion that he would be an asset to him in this case. He further stated that Mr. Myerberg has agreed to work with him without compensation and/or reimbursement for travel expenses; therefore, his services would be at no expense to the County. Commissioner Aud made a motion to authorize Senator Bailey to utilize the services of Neal Myerberg as set forth above, seconded by Commissioner Bowles and made unanimous by Commissioner Guy.

PROCLAMATION NO. 74-33 - EIGHTH ANNUAL OYSTER FESTIVAL

Present: Marvin Joy, Chairman, Oyster Festival  
 C. I. Fenwick, Jr., President, Rotary Club

The Commissioners presented Proclamation No. 74-33 - The St. Mary's Eighth Annual Oyster Festival to Mr. Joy and Mr. Fenwick proclaiming October 12 and 13, 1974 as the Eighth Annual Oyster Festival Days.

BICENTENNIAL COMMISSION - OUTDOOR DRAMA

Present: Mr. Bernard Johnson, representing Outdoor Drama  
 Mr. Marvin Joy, Chairman, Bicentennial Commission

Mr. Johnson and Mr. Joy came before the Commissioners to discuss the Outdoor Drama, "Wings of the Morning" and the problems involved.



Mr. Johnson explained that the author of the drama, Kermit Hunter, wanted the play to take place at St. Mary's City where the events had actually taken place; however, the St. Mary's City Commission could not foresee this being done.

Mr. Johnson explained that public relations should be started now in order for a successful turnout next year, and they have been looking for sources of funding through the State but to date without success. Because of the necessity to expedite plans and publicity for next year, Mr. Johnson requested approval of funding in the amount of approximately \$30,000 for salaries for three people; General Manager for public relations, Director for the drama, and a secretary. He also mentioned the need for a place for these people to work. Commissioner Guy suggested Leonard Hall and Mr. Johnson was agreeable to this.

Mr. Joy pointed out the need of the Bicentennial Commission to have a person working for them to do the necessary follow-ups, letter writing, and coordinating with the various groups (schools, churches, organizations) involved in the Bicentennial projects. He suggested that the persons who would be hired for the General Manager and Secretary for the Outdoor Drama be used part time by the Bicentennial Commission, and that he and Mr. Johnson were in agreement to this.

Commissioner Guy made a motion to authorize the expenditure of up to \$30,000 for the employment of the following three positions: Coordinator/General Manager, secretary, and Director of the Outdoor Drama and because of the emergency nature of this request that said funds be transferred from the Contingency Fund to the Outdoor Drama and Bicentennial Commission Fund. Commissioner Aud seconded the motion and Commissioner Bowles made it unanimous.

#### AIRCRAFT IMPACT DISTRICTS

Present: Richard Platt, Zoning Administrator  
 Robert Willard, Planning Director  
 Joseph Garner, Zoning Technician  
 Joseph Gough, Chairman, Planning Commission  
 Captain E. V. Laney, Commanding Officer, NAS  
 Leonard Cole, Public Works, NAS  
 Mrs. Jack Witten  
 Dick Myers, WKIK  
 Randy Buehler, Beacon

Captain Laney made a preliminary presentation of charts showing the AICUZ area, noise levels, and potential accident areas prior to the public hearing on Aircraft Impact Districts.



PUBLIC HEARING - AIRCRAFT IMPACT DISTRICTS

Ed Cox opened the public hearing by reading the Notice of Public Hearing published in the local newspaper followed by the Resolution adopted by the Planning Commission on July 22, 1974.

Mr. Platt mentioned the fact that this Amendment should be a part of the Comprehensive Land Use Plan and not a part of the Zoning Ordinance as stated in the Planning Commission's Resolution. All present agreed to this.

The Commissioners requested Mr. Gough and Mr. Willard to provide them with a revised Resolution signed by members of the Planning Commission stating that the Aircraft Impact Districts should be made a part of the Comprehensive Land Use Plan and cancel the existing Resolution.

AWARDING OF BIDS - PORTABLE TOILET SERVICE  
PINEY POINT, BUSHWOOD WHARF, SMITH CREEK

Present: John Baggett, Director, Recreation and Parks

Two bids were received on the above project and were opened September 26, 1974. Bids were as follows:

Banagan Septic Tank Service	\$3,370.00 a year
Copsey's Septic Tank Service, Inc.	\$6,500.00 a year

Mr. Baggett recommended that the bid be awarded to Banagan Septic Tank Service, the lowest bidder, in the amount of \$3,370 a year. Commissioner Guy made a motion to accept Mr. Baggett's recommendation, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

AWARDING OF BIDS - TRASH COLLECTION AT BOAT LAUNCHING RAMPS

Present: John Baggett, Director, Recreation and Parks

Bids were opened September 26, 1974 on the above project and bids were as follows:

Buddy's Disposal Service - Trash collection at Chaptico Wharf, Bushwood Wharf, Colton Point, River Springs and White Neck Creek - \$80 per month;

John V. Curtis - Trash collection at Piney Point and Smith Creek - \$130 per month. (It should be noted that Piney Point has four large dumpsters).

John Baggett recommended Buddy's Disposal Service be awarded the bid for the boat launching ramps listed above in the amount of \$80 per month. Commissioner Guy made a motion to accept Mr. Baggett's

recommendation, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

John Baggett recommended that John V. Curtis be awarded the bid for the boat launching ramps listed above in the amount of \$130 per month. Commissioner Guy made a motion to accept Mr. Baggett's recommendation, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

The meeting recessed at 5:45 p.m.

Wednesday, October 2, 1974

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

The meeting reconvened at 10:00 a.m.

READING OF MINUTES

The minutes of September 24, 1974 were read and corrected.

APPROVAL OF MINUTES

Commissioner Guy made a motion to approve the minutes of August 27, 1974, seconded by Commissioner Aud and made unanimous by Commissioner Bowles, who signed same.

Commissioner Guy made a motion to approve the minutes of September 3, 1974, seconded by Commissioner Aud and made unanimous by Commissioner Bowles, who signed same.

Commissioner Guy made a motion to approve the minutes of September 11, 1974, seconded by Commissioner Aud. Commissioners Guy and Aud signed same. (Commissioner Bowles was not present at the September 11, 1974 meeting.)

SPRING VALLEY SUBDIVISION

Present: Richard Platt, Zoning Administrator

A letter dated October 1, 1974 was received from Attorney James Kenney stating that Section 4.9 of the Zoning Ordinance did not apply to Spring Valley Subdivision and building permits should therefore be issued. County Attorney Weiner was in agreement with Mr. Kenney and approved and signed said letter. Commissioner Aud made a motion that the Commissioners accept Mr. Weiner's recommendation and authorize the Zoning Administrator to issue the building permits. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous.



POSITIONS IN ZONING ADMINISTRATOR'S OFFICE

Present: Richard Platt, Zoning Administrator

Mr. Platt stated he interviewed Mrs. Elinor Mattingly for the position of Permits Administrator in his office and recommended that the Commissioners hire Mrs. Mattingly for this position at a Grade 5, Step 1. In addition, Mr. Platt recommended that Teresa Schaffer who presently holds the above position be transferred to the position of Secretary to Zoning Administrator, Grade 7. He recommended that these positions be effective October 14, 1974. Commissioner Guy made a motion to accept Mr. Platt's recommendations, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

BILLS APPROVED

The following bills were unanimously approved by the Commissioners:

Maryland State Highway Administration, dated September 16, 1974 for material testing and construction inspection at St. Andrews Church Road, Invoice No. 3675 - \$3,712.56;

The Tackle Box, dated September 24, 1974, for one Ruger Rifle with rotor clip and 500 rounds of ammunition for Animal Warden - \$71.95;

McClung Logan Equipment Company, Inc. for parts for landfill equipment - \$132.35;

State Highway Administration, dated September 16, 1974, for construction inspection and material testing at St. Andrews Church Road, Invoice No. 3674 - \$71.48;

Mr. Robert Lee Owens, for bank run gravel used as cover material at the Ridge Dump - \$316.40;

Gulf Oil for oil used at sanitary landfill - \$5.00;

Edward V. Cox, Chief Clerk, August and September mileage expenses - \$42.39.

CIVIL DEFENSE - REPAIR TO RADIO

A letter dated September 27, 1974 was received from Otis Wood, Acting Director, Civil Defense, stating that on July 10, 1974, lightning struck the Communication Center and damaged the radio and associated equipment in the amount of \$613.53. Mr. Wood requested authorization for a transfer of \$613.00 from the Contingency Fund to the maintenance of equipment account. Commissioner Aud made a motion to approve the transfer, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

PRESS CONFERENCE

Present: Randy Buehler, Beacon  
 Jack Kershaw, Enterprise  
 Dick Myers, WKIK  
 Dave Densford, Cablevision  
 Dave Fox, Guardian

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

PRESS RELEASE - NEAL P. MYERBERG

During the Press Conference, the Commissioners issued a Press Release stating that as per the request of Senator Paul Bailey, they had accepted the legal services of Mr. Neal P. Myerberg to assist in the legal proceedings involving Steuart Petroleum Company.

HALLOWEEN - TRICK OR TREAT NIGHT

The Commissioners unanimously agreed to declare October 31 as Trick or Treat Night for Halloween.

PERSONNEL CLASSIFICATION STUDY

Present: Linda Barnes, Intergovernmental Personnel representative  
 U. S. Civil Service Commission  
 Bob Mozer, Chief, Local Government Operations  
 Department for Economic Community Development  
 H. D. McGlade, Comptroller

The Commissioners reviewed the draft of the proposed Personnel Manual and discussed classifications and pay levels. Linda Barnes informed the Commissioners that a finalized report should be completed and submitted in two to three weeks.

PROCLAMATION NO. 74-34 - NATIONAL EMPLOY THE HANDICAPPED WEEK

Present: Eloise Pickrell, Chairman, St. Mary's County  
 Governor's Committee to Promote Employment  
 of the Handicapped

The Commissioners presented Proclamation No. 74-34 to Eloise Pickrell proclaiming the week of October 6th - 12th, 1974 as National Employ the Handicapped Week.

PROCLAMATION NO. 74-35 - NATIONAL BUSINESS WOMEN'S WEEK

The Commissioners unanimous agreed to sign Proclamation No. 74-35 proclaiming the week of October 20 to October 26, 1974 as National Business Women's Week.



PROCLAMATION NO. 74-36 - YOUTH DAY

Present: Les George, Chairman, Youth Commission  
 Dan Raley, Executive Secretary, Youth Commission  
 Nick Smith, Chamber of Commerce  
 Students representing Ryken, St. Mary's Academy,  
 Great Mills and Chopticon.

The Commissioners presented Proclamation No. 74-36 to the above persons, proclaiming October 25, 1974 as Youth Day.

BIDS ON BOOKMOBILE

Present: Paul Raley, Administrative and Logistic Officer

Bids were opened September 27 for the County Bookmobile. One bid was received which was from Thomas J. Moroney in the amount of \$31,980 with a one-half percent inflation factor per month until delivery. Mr. Raley stated it would be six months until delivery. He stated that he and Kitty Hurry, Administrator, Southern Maryland Regional Library Assoc., recommend that the bid be awarded to Thomas J. Moroney. Commissioner Guy made a motion to accept Paul Raley's and Kitty Hurry's recommendation and award the bid to Thomas J. Moroney. \$30,000 was budgeted for the bookmobile and the additional funds is to be transferred from the Contingency Fund, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

1974 ST. MARY'S COUNTY CODE SUPPLEMENT OMISSION

A letter dated September 25 was received from Mr. Carl Everstein, Director, Department of Legislative Reference, advising that there was an omission in the 1974 St. Mary's County Code Supplement. Mr. Cox informed the Commissioners that he was forwarding a letter to Mr. Everstein requesting an errata page at his Department's expense.

NUTRITION PROGRAM - TRAINING SESSION

Ed Cox advised the Commissioners that there will be a training session for project directors of nutrition programs, October 7-11 at Virginia Beach which would cost approximately \$200, and will be financed by the Commission on Aging Title VII Nutrition Funds. Mr. Cox stated that Mr. Henry Fisher, Executive Secretary, Commission on Aging, needs the Commissioners' approval for administrative leave to attend the training session. Commissioner Aud made a motion granting Mr. Fisher administrative leave for five days to attend the session and that he be forwarded \$200 to cover expenses which will be financed by the Title VII Nutrition Funds. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous.



GATES AT ST. ANDREWS LANDFILL

Ed Cox stated that John Norris solicited proposals for the 30 foot opening at the new entrance of the St. Andrews Landfill and only one was received which was from B & J Nursery in the amount of \$813.32. Mr. Norris recommended that the bid be awarded to B & J Nursery. Commissioner Aud made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

INSPECTION DRAFTSMAN - METROPOLITAN COMMISSION

Ed Cox stated that the Metropolitan Commission requested the Commissioners' approval of a new position on their staff - Inspection Draftsman for the inspection of public water and sewer and facility inspections throughout the County. This position is a Grade 9, Step 1, annual salary - \$8,847. Mr. Harold Haley has been conditionally hired subject to the Commissioners' approval. Commissioner Aud made a motion approving this position, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

NEW POSITION - ASSESSOR'S OFFICE

Mr. William Lawrence, Supervisor of Assessments, because of the increased workload, requested the Commissioners' approval for a new position in his office for Clerk I or II, pending clarification and approval from the Department of Personnel. Ed Cox requested permission to approve said position pending receipt of this information. Commissioner Aud made a motion granting this request, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

OFFER TO DONATE LAND - MRS. BERNICE SHERMAN, ABELL, MD.

Ed Cox stated that he was visited by Mrs. Bernice Sherman who had come before the Commissioners June 15, 1971 with regard to donating some land in the Seventh District. This donation (six acres) had certain restrictions; that the land be used for a recreational area for senior citizens and a building be constructed on the land for this purpose. Mr. Cox stated he had spoken with John Baggett, Director of Recreation and Parks and he recommended that the County not accept this offer unless the restrictions were removed. The Commissioners agreed to accept this recommendation because of the financial burden it place on the County.

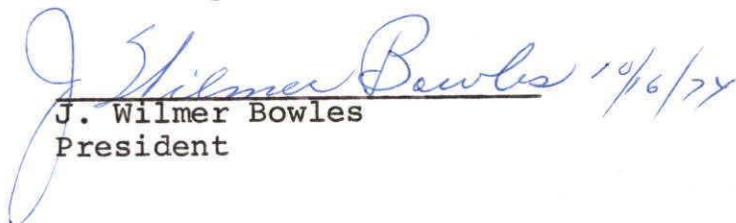


PATUXENT HEIGHTS (SOUTHAMPTON)

Present: Paul Raley, Administrative and Logistic Officer

Mr. Raley stated he had spoken to Tom Waring, developer, concerning the above project. Mr. Waring had informed him that the homes at Patuxent Heights had been demolished and new homes have been built on the existing lots. He has revised the subdivision plat changing the name to "Southampton" and changes the names of the streets in the Subdivision. Open space had also been included into the lots. Mr. Waring had stated that the resubdivision did not increase the number of lots and density and therefore felt that he was not subject to the Economic Impact Fee. The Commissioners requested Paul Raley to obtain a legal determination of this matter from County Attorney, Joseph Weiner.

The meeting adjourned at 5:30 p.m.

 10/6/72  
J. Wilmer Bowles  
President