

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, December 11, 1974

Present: Commissioner James M. McKay, President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe
Commissioner J. Laurence Millison
Commissioner John K. Parlett
Edward V. Cox, Chief Clerk
Judith A. Mullins, Recording Secretary

Also present were: Patty Muchow, Guardian; Jack Kershaw Enterprise; Eric Bromley, WPTX; Randy Buehler, Beacon; Mike Kleinbeck, WKIK and David Densford, Cablevision.

The meeting was called to order at 10:00 a.m. by Commissioner President McKay.

OPENING REMARKS BY BOARD OF COMMISSIONERS

In opening the meeting, each Commissioners made statements concerning his goals during his four-year term as County Commissioner.

BOARD AND COMMISSIONS - COUNTY COMMISSIONER APPOINTMENTS

Commissioner Parlett made a motion to appoint Commissioner McKay to the following: Airport Committee, St. Mary's Hospital Board and the Tri-County Council of Southern Maryland; Commissioner Parlett further moved to appoint Commissioner Dean to the following: Electrical Examiners Board, Planning Commission and the Plumbing Board. Commissioner Parlett further moved to appoint Commissioner Jarboe to the Mental Health Advisory Committee, Social Services Board and the Tri-County Council of Southern Maryland. Commissioner Millison seconded the motion. The Commissioners voted unanimously to approve the above appointments.

Commissioner Dean made a motion to appoint Commissioner Millison to the Economic Development Committee, Sedimentation Control Task Force and the Youth Commission. Commissioner Dean further moved to appoint Commissioner Parlett to the Recreation and Parks Board, Tri-County Council for Southern Maryland and as Commissioner Liaison to the St. Mary's Metropolitan Commission. Commissioner Jarboe seconded the motion. The Commissioners voted unanimously to approve the above appointments.

APPROVAL OF BILLS

The following bills were approved by the County Commissioners:

Mervell M. Dean, Inc. - For period from November 1 to November 30, 1974, application No. 6 for alterations and additions to St. Mary's County Nursing Home - \$40,725.00.

Cross and Adreon - Dated December 6, 1974 for 87.4% completion of Architects fee for Nursing Home project - \$1,076.52.

Custom Metals, Inc. - For period from October 23 to November 27, 1974, payment No. 1 for Metal Maintenance/Storage Building at St. Andrews Landfill - \$11,476 less 10% retainage - \$10,328.40.

Thrift Oil Company, Inc. - Dated October 31, 1974 for fuel, oil and tires for County landfill - \$1,159.77.

Whalen & Purdy, Inc. - Dated November 27, 1974, Estimate No. 3, franchised builder contract option, for construction of metal maintenance hangar building at St. Mary's Airport - \$12,483.00.

Colliflower & Peterson, Inc. - Dated November 18, 1974 for the completion of Piney Point Wharf - \$4,415.00.

Commissioner Jarboe made a motion to approve payment of the above bills, seconded by Commissioner Dean. The Commissioners voted unanimously to approve said bills.

CONTINGENCY FUND

Commissioner McKay requested Ed Cox to submit a report to the Board on the unencumbered monies in the Contingency Fund. In addition, he requested a report whether all Departments will be able to stay within their budgets.

BILL APPROVING AUTHORITY

Ed Cox stated that he had been given approval authority by the past Board of Commissioners for bills up to \$1,000 subject to certain conditions. Mr. Cox distributed copies of a memorandum dated October 21, 1974 addressed to all Department heads explaining the checks and balances in his bill approval authority. The Commissioners had no objection to this procedure.

SPEED LIMIT RESOLUTIONS - HERMANVILLE ROAD

Ed Cox presented two Resolutions from the County Engineer's Office, setting the speed limits on Hermanville Road. This matter was deferred until Ed Cox obtains the letter from the State Police as to how speed limits were determined for this road.

RESOLUTION - CHANGING OF STREET NAMES IN SOUTHAMPTON SUBDIVISION

Ed Cox presented a Resolution from the County Engineer's Office changing the names of the streets in the Southampton Subdivision, formerly known as Patuxent Heights. The changes are as follows: Adams Avenue to Southampton Drive, Madison Avenue to Brighton Avenue, Roosevelt Avenue to Cambridge Avenue, Taylor Place to Bristol Avenue and Van Buren to Winsdor Drive. Commissioner McKay stated that he would like for John Norris to appear before the Commissioners for clarification.

TANNER CREEK SHORE EROSION CONTROL PROJECT

A memorandum was received from Jay McGrath, County Engineer's Office, who is project manager for the above project, stating that the project has been completed. The County Engineer's Office received a letter from Mrs. Blosser, President of Tanner Creek Citizens Association accepting the project and in addition a letter from the Department of Natural Resources certifying as to the quality of construction. The County Engineer's Office has inspected the project and recommends acceptance by the Board of County Commissioners. Commissioner Dean made a motion to accept the Tanner Creek Shore Erosion Control Project, and seconded by Commissioner Parlett. The Commissioners voted unanimously to accept the project.

COMPREHENSIVE WATER AND SEWER PLAN PUBLIC HEARING

John Norris, County Engineer, had been in contact with Mr. Lacey of the State Health Department, who advised Mr. Norris to hold a public hearing on the update of the St. Mary's County Comprehensive Water and Sewer Plan prior to receiving formal comments from the State Health Department. This matter was deferred by the Commissioners until such time as Mr. Norris appears before the Commissioners.

BICENTENNIAL COMMISSION

Correspondence was received from Marvin Joy, Chairman Bicentennial Commission stating that David Maxson is resigning from the Commission and Mr. Joy therefore recommended appointing Dr. Oakley Winters to the Bicentennial Commission. Commissioner Millison made a motion accepting Mr. Joy's recommendation, and seconded by Commissioner Jarboe. The Commissioners voted unanimously to appoint Dr. Winters to the Bicentennial Commission.

PROPOSED AGREEMENT - RAILROAD RIGHT-OF-WAY

Ed Cox stated he has received the proposed agreement among C & P Telephone Company, Southern Maryland Electric and the County Commissioners of St. Mary's County involving the use of the railroad right-of-way. Ed Cox stated he has reviewed the Agreement and it is not in compliance with the suggested agreement previously drawn up. The Commissioners requested Mr. Cox to have the County Attorney give a legal determination to the Commissioners and to give the Commissioners the background on other documents with the County, C & P Telephone Company and Southern Maryland Electric.

AICUZ BRIEFING

Ed Cox stated that Mr. Platt, Director, Land Use and Development, received a notice to be brought to the Commissioners' attention of an AICUZ briefing at the Naval Air Station Officer's Club, January 14, 1975 at 9:30 a.m. The briefing will be followed by a no-host lunch and a guided tour. The Commissioners were in agreement to the date and time of this briefing.

SCHEDULES FOR COMMISSIONERS

The Commissioners requested that all schedules for dates for the Commissioners be set up through the Chief Clerk's Office.

GROUP INSURANCE AMENDMENT

Ed Cox stated that the County had recently entered into a group insurance policy with John Hancock, effective October 1, 1974. There is an amendment that needs to be signed stating that anyone over 65 having Medicate will not be covered by the group policy. Commissioner Dean questioned the ability of an employee who reaches 65 in obtaining another policy. Mr. Cox stated that Mr. Frank Combs, Jr. will appear before the Commissioners at next week's meeting to answer any questions the Commissioners may have. This matter was deferred until next week.

STEUART PETROLEUM COURT CASE

Present: Mr. Joseph Weiner, County Attorney

Mr. Weiner distributed copies of the Court Opinion regarding the Steuart Petroleum case. Mr. Weiner stated that the court decided in favor of the County Commissioners and that Judge Powers upheld the County in every point; the validity of the Building Permit Ordinance, substantial compliance of the Board of Election laws and that Senate Bill 389 was constitutional.

COUNTY ATTORNEY

Present: Joseph Weiner, County Attorney

Commissioner McKay requested Mr. Weiner to continue as County Attorney. Mr. Weiner agreed to continue and stated that if he was not available that his associate, Michael Davis, could be contacted.

VICE-PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS
DUTIES OF PRESIDENT OF THE BOARD

Present: Joseph Weiner, County Attorney

Commissioner McKay requested Mr. Weiner to give the Commissioners a legal interpretation of the meaning of the phrase "temporary absence" as cited in Section 16(c) of the Code of Public Laws of St. Mary's County which deals with the President of the Board of County Commissioners and the appointment of a vice-president.

It was decided that the Commissioners would postpone appointment of a vice-president and formal description of the duties of the president until they had gained some experience in office.

NAMING OF STREETS AND ROADS AND SETTING OF SPEED LIMITS

Present: Joseph Weiner, County Attorney

Commissioner McKay inquired of Mr. Weiner what authority do the Commissioners have in the naming of streets and roads and the setting of speed limits. Mr. Weiner replied that the Commissioners have full authority to regulate them.

INDEPENDENT AUDIT

Present: Joseph Weiner, County Attorney

Commissioner Jarboe asked Mr. Weiner if the Board of Commissioners had the authority to request an independent audit over and above the annual audit. Mr. Weiner replied that the Commissioners would have the power to request an independent audit.

REPORT ON STORM DAMAGE

Present: Otis Wood, Acting Director, Civil Defense

Mr. Wood came before the Commissioners to report on the damage from the storm that occurred December 1 and 2. 247 calls were received at the Control Center as of noon Friday, December 6. Estimates of damages are as follows: residential - \$867,040, places of business - \$185,250 and county property - \$26,000. The total amount of damage to the County is approximately \$1,078,290.

Mr. Wood stated that Governor Mandel has requested that the Federal Government declare St. Mary's County as a disaster area and Mr. Wood is now waiting to hear from the Federal Government.

Mr. Wood further stated that according to Public Law 93-288, which is a new law, the Federal Government can no longer give direct grants but must extend low interest rate loans to those with damages, which is in contrast to the procedures at the time of Hurricane Agnes.

CHANGE IN STREET NAMES

Present: Otis Wood

Mr. Wood requested that whenever there is a change in a street name, the Control Center should be notified. The Commissioners agreed to this and the fact was mentioned that the present county maps should be updated.

LINE ITEM TRANSFER
STATE'S ATTORNEY'S OFFICE

Present: H. D. McGlade, Comptroller

Mr. McGlade stated he received a request from John Bailey State's Attorney, to transfer funds in the amount of \$2400 from Salaries Account #20-22191 to Operating Expenses (Office Supplies) Account #20-22210. This amount represents clerical support for one-half a year. Mr. McGlade stated that in the future this will not be a problem because the new State's Attorney, George Sparling, proposed to have clericals on the county payroll.

Commissioner Dean made a motion that the above transfers be made as proposed by Mr. McGlade, seconded by Commissioners Jarboe. The Commissioners voted unanimously to approve this transfer.

CATV

Ed Cox stated correspondence was received from CATV notifying us of a rate change to the residents and a payment change to the County. Mr. McGlade reviewed said correspondence and its impact and suggested that it was unacceptable. Mr. Cox is to schedule a briefing session with David Robbins (a past intern with the County) of St. Mary's College, who has completed for the Comptroller an extensive study of CATV and its implications to St. Mary's County.

REQUEST FOR ACCEPTANCE OF ROADS IN HOUSING AUTHORITY PROJECT

Correspondence was received from Thomas C. Hayden, Jr., Attorney regarding acceptance of the Deed for the streets in the Housing Authority project in order that said streets can be recorded. Commissioner Jarboe stated that John Norris, County Engineer, has inspected the streets and has accepted them. Mr. Norris is to be requested to submit recommendations in writing to the Commissioners.

RECOMMENDATIONS TO THE COMMISSIONERS

At this time Commissioner Dean suggested that all recommendations coming before the Commissioners for approval of projects be made in writing.

The meeting recessed for lunch at 12:15 p.m. and reconvened at 1:30 p.m.

HOUSING AUTHORITY

Present: Donald Curtis, Acting Executive Director
John Slade, Member
Leroy Thompson, Acting Chairman

Commissioner Jarboe, who resigned as Chairman of the Housing Authority Monday, December 9, 1974, distributed a report on the leased housing program. He made a presentation of the progress and history of the housing project.

Mr. Curtis presented copies of budget figures showing income and expenses for the Housing Authority. A loan in the amount of \$12,000 was acquired from the First National Bank of St. Mary's at 7% interest in order to cover cost overruns of the project. Commissioner Jarboe stated that there is an oil system in the project and the Housing Authority is responsible for the utility bills. Income to the Authority is to come from two sources; an annual contributions contract through HUD and from tenant rents; however, there are no tenants. The Housing Authority needs approval from HUD for occupancy, and HUD will not give this approval until certain construction requirements are met at the project. Mr. Salde stated that HUD will accept the units at the project one of three ways; if we comply with the construction requirements, or \$75,000 in cash, or provide a Certificate of Completion that these requirements will be met. Union Commercial in Nashville has taken over the project. Commissioner Jarboe stated that approval of the project will be forthcoming but the delays have created problems.

Mr. Curtis stated that there are two basic requests, one is to have the County assist the Housing Authority in three loan payments to First National in the amount of \$4,260 each and

secondly, that the Housing Authority would like to hire an Executive Director who would be a county employee. Mr. Curtis also mentioned that it was the hope of the Housing Authority that the County could take over administration and management of the Leased Housing project.

Commissioner Jarboe stated that the Executive Director for Housing could answer the many questions that arise concerning low-income housing, would be a service to the community at large, and also serve the low-income people through the Housing Authority. He stated that the Housing Authority would like to be considered in the budget in the coming year.

Commissioner McKay stated that before any county funds could be committed, several questions should be answered, ie, office space, location of office, what projects the Housing Director would participate in, etc. Commissioner Jarboe said there was office space available at the project.

The Commissioners deferred this matter until a future date.

DOUGLAS-TUBMAN ESTATES (NORRIS ROAD PROJECT)

Present: Donald Curtis
Leroy Thompson
John Slade

Mr. Thompson stated that the Housing Authority would like to name the Norris Road (low-income project) Douglas-Tubman Estates, and if so named would like to have a brick sign made to that affect. Mr. Thompson also stated that the tenant association had suggested name changes for the roads within the project and would like street signs with these names. The Housing Authority is to work with John Norris on this matter.

The Housing Authority members also requested that clothes-lines be erected. The C & P Telephone Company agreed to let them have used telephone poles for .12¢ per running foot for 620 feet. Commissioner McKay suggested that perhaps SMECO might have surplus poles and that crossbars would also be needed. The Commissioners requested Mr. Cox to work with John Norris and the Housing Authority on this.

SATAV CORPORATION - KING KENNEDY ESTATES

Present: Mr. Stephen Young, President, SATAV
Mrs. Louise Barnes, Board Member
Mr. Mike McCauley, Director of Housing Service, TCCA Program

Mr. Young stated the SATAV Corporation has come before the Commissioners to discuss the Escrow Agreement.

Mr. McCauley explained that the Escrow Agreement provides for the release of \$23,000 upon completion of remaining portions of roads in Section I, II, and part of III of King Kennedy Estates. Dean Construction proposed to pave 2900 feet of the remaining 4200 feet of road at a cost of approximately \$15,400. The remaining 1300 feet would be paved in the Spring. Mr. McCauley stated that the problem is that the \$23,000 is set up to be released in one lump sum and Mr. Dean was of the opinion that only the 2900 feet (representing 2/3 of the remaining portions of road) is ready to be paved. To delay the entire paving project until Spring could mean increased in cost; therefore, Mr. McCauley requested that the funds be released in two portions.

Commissioner Dean inquired if there would be enough funds remaining to cover the 1/3 left to be paved. Mr. McCauley stated that there would be.

Commissioner Dean made a motion to agree to this request, seconded by Commissioner Jarboe. The Commissioners voted unanimously that the funds be released in two portions.

COUNTY - INTERN PROGRAM - ST. MARY'S COLLEGE

Present: Dr. Frank Van Aalst

Dr. Van Aalst came before the Commissioners to discuss the county-intern program with St. Mary's College. He stated that the College Program is somewhat unique and has gained some national recognition. Students can work full time under the direction of an experienced supervisor. Dr. Van Aalst stated he was interested in knowing how many students could be used in County Government during the Spring semester, and if the Commissioners were interested in the Program. Commissioner Dean stated he was in favor of the Program and that the success of the Program would lie in two areas; one, in the person who agrees to take an intern and secondly, in careful screening of the intern.

Commissioner McKay stated that the experience he has had with the intern program was very successful. Commissioner Jarboe made a motion to authorize negotiations with Dr. Van Aalst to determine number of students and category of county offices to participate in this program, seconded by Commissioner Dean. All Commissioners voted unanimously in favor of this motion.

Dr. Van Aalst closed by stating that perhaps the St. Mary's County Courthouse could be known as a teaching courthouse.

REZONING HEARINGS

Present: Richard Platt, Director, Land Use and Development

Mr. Platt stated that there are seven, with a slight possibility of eight, rezoning applications which have been before the Planning Commission and now require a public hearing and decision by the Board of County Commissioners. He stated that the Planning Commission had recommended disapproval of three applications. Commissioner McKay asked Mr. Platt if all the hearings could be held at one time. Mr. Platt replied that they were relatively uncomplicated and was of the opinion that they could be held within 1 1/2 to two hours in total. It was decided that the hearings would be held at 3:00 p.m., Wednesday, January 8, 1975. Mr. Platt will arrange the advertising in the local newspapers.

TAPE RECORDERS AT COMMISSIONERS' MEETINGS

Present: Dick Myers, WKIK

Dick Myers stated that he was distressed that the Press was unable to place their tape recorders on the table during the opening remarks at the Commissioners' meeting this morning. He said he was unable to pick up their voices because the recorder was too far back. Mr. Myers stated that after the court case two years ago in which the Judge ruled that recorders would be allowed at the meetings as long as it did not interfere with the Commissioners' business, the Journalist Association discussed the possibility of a central taping system with the Commissioners. Mr. Myers stated that nothing came out of the negotiations because the Commissioners were in the process of purchasing their own taping system and Mr. Myers said he would like to reinstitute these negotiations.

Commissioner McKay stated that it was not his intent to deny the news media the access of their voices this morning, but he was concerned over the lack of table space.

Commissioner Dean said he had no objection to the use of recorders and Commissioner Parlett agreed and asked for suggestions in how it could be set up. At this time there was considerable discussion as to the type of taping system and the placing of microphones.

Dick Myers stated that perhaps discussion of a permanent taping system should be postponed until such time as the Commissioners decide whether they will be moving to Leonard Hall.

YOUTH COMMISSION

Commissioner Parlett stated he attended the Youth Commission meeting last Thursday at which time he suggested that they consider appointing a committee to re-evaluate themselves to see if the Youth Commission would need any legislative changes and the Youth Commission agreed to this. Commissioner Parlett said that at this meeting, he was made aware of the fact that they do not have any secretarial support. He further stated that he mentioned this problem to Ed Cox and Mr. Cox said that it could be handled through his Office.

Commissioner Parlett made a motion to give secretarial assistance to the Youth Commission, seconded by Commissioner Jarboe. The Commissioners voted unanimously in favor of this motion.

CHRISTMAS EVE AND NEW YEAR'S EVE

Commissioner Jarboe made a motion to grant all employees a half day off beginning at 12:30 p.m. on Christmas Eve. and New Year's Eve, seconded by Commissioner Dean. The Commissioners voted unanimously in favor of this motion.


BOARDS AND COMMISSIONS

The Commissioners discussed vacancies in the various Boards and Commissions of the County and the possibility of letters of solicitation to all groups and organizations in the County requesting names to serve on these Boards. In addition Mr. Cox is to draft an advertisement to be placed in the newspaper soliciting volunteers.

Commissioner McKay requested that the Commissioners be notified at least 30 days prior to expiration of a term of someone serving on a Board.

The meeting adjourned at 4:00 p.m.

Approved,


James M. McKay
President

12-26-74