

BOARD OF COUNTY COMMISSIONERS MEETING

February 26-27, 1975

Wednesday, February 26, 1975

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

The meeting was called to order by Commissioner President McKay at 9:00 a.m.

READING AND APPROVAL OF MINUTES

The minutes of February 19-20, 1975 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

BILLS APPROVED

The following bills were approved by the Commissioners:

Maryland State Department of Education for refund due for overpayment on community center projects - \$2,817.69;

David M. Gruber & Company for services rendered during period July 1, 1974 - December 31, 1974 (reassessment notices) \$11,025.75;

St. Mary's College of Maryland for scholarships from February 3, 1975 and ending May 27, 1975 for 16 students - \$2550.00;

Eames Drum Co. for four base drums and eight snare drums - \$1,536.00.

Commissioner Jarboe made a motion to approve payment of the above bills, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

COUNTY BUDGET PUBLIC HEARINGS

In a memorandum dated February 24, 1975, Mr. O'Dell, Budget Officer, recommended that the public hearings for the budget be held Tuesday, May 20 and Wednesday, May 21, 1975 between 7:00 p.m. and 10:00 p.m.

The Commissioners agreed to these dates and will decide at a later time whether one of these dates will be set aside for the Board of Education budget.

ESTABLISHING OF NEW ACCOUNT - "STREET LIGHTING - COUNTY WIDE"

The Budget Officer has recommended that contrary to current practices a new account be established entitled "Street Lights - County Wide". This would correct the present practice of Mr. Paul Raley encumbering monthly costs of the Lexington Park Street Lights Agreement between the County and SMECO and will eliminate the account established by Mr. John Norris under Capital Improvements when, in fact, the service contract is not a capital improvement. During this year, FY '75, Account No. 95-95741 is to be credited for \$5,500 and the new account "Street Lights - County Wide" is to be debited.

Commissioner Parlett made a motion to accept the Budget Officer's recommendation, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

RESCISSION OF RESOLUTION PERTAINING TO TRI-COUNTY ANIMAL SHELTER BILLING (TRANSFER OF FUNDS)

Because of additional information from the Finance Office that there was an Accounts Payable for Tri-County Animal Shelter costs for FY '73 and because there were sufficient funds budgeted in FY '75 to cover both FY '74 and '75 animal shelter costs, Mr. Cox requested that the Commissioners rescind the portion of their former resolution of February 19, 1975 pertaining to the transfer of funds from the Contingency Fund for the payment of the afore-mentioned costs.

Commissioner Jarboe made a motion to rescind said portion of the previous resolution, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

BICENTENNIAL COMMISSION - OUTDOOR DRAMA ASSOCIATION

Mr. Cox submitted for the Commissioners' approval three items:

1. The Agreement by and between St. Mary's City Commission, Bicentennial Commission and the Outdoor Drama Association;
2. Combined budget for Bicentennial Commission and Outdoor Drama Association in the amount of \$30,000;
3. Memorandum of Understanding concerning fiscal procedures by and between St. Mary's County, Bicentennial Commission and Outdoor Drama Association.

Commissioner Jarboe made a motion to approve these three items as submitted, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

Mr. Cox further requested that the Commissioners approve the new county position within the Bicentennial Commission entitled Administrative Aide I, at Grade 10, Base, \$8,973 according to the submitted job specifications. This will be a contractual position to be filled in the standard county personnel practices.

Commissioner Jarboe made a motion to approve this position and to begin the process of advertising for the filling of this position, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

LETTER TO LEGISLATORS (LEGISLATIVE PACKAGE)

Mr. Cox submitted for the Commissioners' approval a letter concerning the 1975 Legislative Package in which were mentioned the following items:

1. Item #V - Correction of Annual License Fees for beer licenses;
2. Item #XVIII - Correction of Public Local Law referring to Electrical Board of Examiners;
3. Item # XXIII - Legislative amendments concerning Youth Commission;
4. Item #XXIV - Legislative request for authorization to appropriate funds for historic record of the Naval Air Test and Evaluation Museum.

Commissioner Jarboe made a motion approving said letter, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

(Commissioner McKay left the meeting at this time and Commissioner Parlett presided over the meeting.)

PROCLAMATION NO. 75-14
ROTARY FOUR WAY TEST WEEK

Present: Bert Fenwick, Rotary Club
George Werner, Chairman, Four Way Test

The Commissioners presented Proclamation No. 75-14 to the above persons proclaiming March 10 through 14, 1975 as Rotary Four Way Test Week.

RESIDENT TROOPER PROGRAM

Present: Capt. Dykes, Md. State Police (Planning Research)
Lt. Muchow, Md. State Police (Leonardtwn)

Captain Dykes explained the Resident Trooper Program to the Commissioners and presented a sample Agreement with attached rules and regulations. The cost is on a 75% (county) - 25% (state) basis; cost including, a fully trained and equipped trooper, salary, fringe benefits, car, etc. The contract price per trooper unit is \$17,169.

Commissioner Parlett questioned Capt. Dykes whether St. Mary's County has a sufficient number of troopers to which he replied that St. Mary's is not up to full strength; however, when the training school is completed in March, we will be receiving additional men, but he did not know how many. He also explained that the State did not have a sufficient number of troopers.

In closing, Commissioner Parlett discussed the Agreement between the County and the Maryland State Police wherein the County donated land located at the Fairgrounds for the purpose of a police barracks and he questioned the possibility of exchanging this property for land located at the recently acquired Leonard Hall School. He further stated that the County would like to create a campus-type atmosphere at this location and Leonard Hall would be an ideal location for the State Police Barracks. Capt. Dykes stated they are working on a five-year plan and would advise the Commissioners at what point the planning is on this project.

LAW ENFORCEMENT STUDY

In discussing the study that he and Commissioner Parlett are conducting, Commissioner Dean suggested that their study determine the proper allocation of State Troopers by using the formula set forth by Capt. Dykes in his letter of Feb. 13, 1975 and in addition, Commissioner Millison suggested that the LEAJ study should evaluate the proficiency in the Sheriff's Department.

LIBRARY BOARD OF TRUSTEES

Present: Kitty Hurrey, Regional Library Assoc.
Jim Kenney, Board Member
Viola Gardner, Board Member
Polly Barber, Board Member
Tina Lancaster, Board Member

Mrs. Hurrey explained how the Library Board of Trustees operates and appointments to the Board. The Library Board makes recommendations of nominees to the Board and then submits them to the Commissioners for appointment. The Library Board recommended Dr. Robert Goldsmith for appointment to the Board to replace Adm. Clark, whose term has expired. The Commissioners advised Mrs. Hurrey that they will advise her when they make a decision, and requested a complete list of appointments on the Library Board of Trustees, with dates of expiration.

Mrs. Hurrey distributed copies of the Five Year Plan for Southern Maryland Regional Library Association and also the 1976-1980 Plan for the Development of Library Services in the State of Maryland.

Commissioner Parlett informed Mrs. Hurrey of the inadequacy of the County Law Library and inquired if she was aware of any funds that would be available to improve it. Mrs. Hurrey said she would look into this and advise the Commissioners.

The Board of Trustees has been working on developing the library salary levels on a comparable level with the State and Mrs. Hurrey submitted recommended salary increases with related job descriptions for the Commissioners' review prior to budget time.

In closing, Mrs. Hurrey requested Commissioner President McKay's signature on two forms to be submitted to the Maryland State Department of Education; one pertaining to the Public Library Incentive Fund - \$7,861 from the County General Fund for the year ending June 30, 1975 to be used for Debt Service and the other form pertaining to Public Library - County Expenses, setting forth the payments from the County for the year ending June 30, 1975. The Commissioners unanimously agreed to authorize Commissioner McKay to sign said forms.

230 KV TRANSMISSION LINE

Present: Jim Kenney, Attorney

Jim Kenney recommended that the Commissioners request Richard Platt, Director, Land Use and Development, to designate the zoning categories within the immediate area of the proposed transmission line in the Town Point/Patuxent Beach area for the Public Service Commission's use for presentation at the February 28 public hearing.

Later in the meeting, Mr. Platt was requested to provide this information.

BIDS ON REPLACEMENT OF GUTTERING AND DOWNSPOUTS AT LEONARD HALL BLDG NO. 4

Present: Paul Raley, Administrative and Logistic Officer

Bids were opened February 24 for the replacement of guttering and downspouts at Leonard Hall Building No. 4. Bids were as follows:

<u>NAME OF COMPANY</u>	<u>ITEM A</u>	<u>ITEM B</u>	<u>ITEM C</u>
Winters Sheet Metal	(No bid)	\$1,650.00	(No bid)
Cullison Sheet Metal	\$1,675.00	\$1,265.00	\$930.00
G.M. Wilson	\$ 840.00	\$ 735.00	\$945.00
Bates & Assoc., Inc.	(No bid)	\$ 942.90	\$830.65

Commissioner Dean made a motion to award the bid to G. M. Wilson in the amount of \$840.00 for Item A, seconded by Commissioner Jarboe. All Commissioners present voted in favor of this motion.

PLANS FOR LEONARD HALL BUILDING NO. 4 RENNOVATION

Present: Paul Raley

Mr. Raley presented the final plans for the Leonard Hall offices for Land Use and Development and the County Engineer and requested the Commissioners' signature on the plans in order that the work can proceed. Commissioner Jarboe made a motion authorizing Commissioner Parlett to sign said plans and approving same, seconded by Commissioner Dean. All Commissioners present voted in favor of this motion.

Because of the workload of the maintenance people, it was suggested that all work on Building No. 4 be contracted out. The Commissioners expressed agreement that the work should be done by contract.

SUBDIVISION REGULATIONS

Present: Richard Platt, Director Land Use and Development

Mr. Platt stated that John Norris has requested a six-week delay of technical input in the Subdivision Regulations. The Commissioners agreed to grant Mr. Norris a six-week postponement. Mr. Platt was requested to contact Oliver Gyther to ascertain the work accomplished by various committees made up of developers who were to provide input prior to the adoption of the new Subdivision Regulations.

FLOOD INSURANCE

Present: Richard Platt

Mr. Platt informed the Commissioners that Robert Rauch from the Department of Water Resources will be appearing before the Commissioners at next week's meeting regarding the flood insurance program and recommended that the County participate.

STAFFING OF OFFICE OF LAND USE AND DEVELOPMENT

Present: Richard Platt

Mr. Platt submitted a memorandum dated February 26 to the Commissioners setting forth his recommendations concerning upgrading of the Zoning Technician; Chief, Permits and Inspections; and Administrative Assistant. He also requested authorization to advertise for three new positions - Planning Technician, Secretary to Director and Building and Zoning Inspector at the grade levels set forth in his memorandum. The Commissioners took these requests under advisement.

RESOLUTION NO. 75-16
EXEMPTION FROM PERMIT FEES FOR HOME FOR THE ELDERLY, INC.

Present: Richard Platt

Mr. Platt presented Resolution No. 75-16 - Exemption from Permit Fees for Home for the Elderly, Inc., on Cedar Lane, Third Election District, for the Commissioners' approval.

Commissioner Dean made a motion to adopt said Resolution, seconded by Commissioner Millison. Three Commissioners voted in favor of this motion. Commissioner Jarboe abstained.

RESOLUTION TO EXEMPT FROM PERMIT FEES COUNTY-OWNED AND/OR SPONSORED STRUCTURES

Present: Richard Platt

Mr. Platt submitted a resolution entitled "Exemption from Permit Fees for County-owned and/or Sponsored Structures. The Commissioners tabled this matter at this time.

LITTLE LEAGUE BASEBALL DIAMONDS

Present: Durwood Wiley
John Baggett, Director, Recreation and Parks

Mr. Wiley came before the Commissioners to express the need of ball diamonds for the Little League teams in the Ridge area. The priest at St. Peter's Rectory has agreed to lease land adequate for three diamonds for \$300 per year for a one-year lease. Mr. Baggett explained the problems encountered in trying to purchase property in the First District for the purpose of ball diamonds and that is the County wanted to lease the property at St. Peter's the maintenance people in Recreation and Parks would be able to put the diamonds in proper condition.

Commissioner Millison suggested property at Mt. Zion Methodist Church at St. Inigoes for the purpose of constructing a ball diamond and the Commissioners requested Mr. Baggett to contact Rev. Haskin and James Bush concerning this and in addition to contact the priest at St. Michael's for the use of their diamonds.

Commissioner Dean made a motion that the County lease land at St. Peter's for \$300 a year and instructed Mr. Baggett's department to assist the Little League in construction of the diamonds, seconded by Commissioner Jarboe. All Commissioners present voted in favor of this motion.

DEVELOPMENT OF LEXINGTON PARK SCHOOL PARK
(APPLICATION TO STATE)

Present: John Baggett

Mr. Baggett recommended approval from the Commissioners to forward the Application to the State for funds for the development of Lexington Park School Park for a 100% grant.

Commissioner Jarboe made a motion to authorize Commissioner McKay to sign said Application, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

WILLOWS ROAD PROJECT

Present: John Baggett

Mr. Baggett came before the Commissioners to request a settlement date for the acquisition of 20 acres located on Willows Road, which would be developed at a later time.

Commissioner Millison discussed the possibility of the County purchasing property adjacent to the Patuxent Park homes in lieu of the Willows Road property and requested Mr. Baggett to notify landowners of property within this location that Mr. Baggett feels would be suitable for a park.

The Commissioners decided to table the Willows Road matter at this time until Mr. Baggett returns with this information.

PROJECTS IN RECREATION AND PARKS DEPARTMENT

Present: John Baggett

Mr. Baggett gave the Commissioners a progress report of the projects in process in his department - Laurel Grove, Chaptico Wharf, Forrest Landing, Lexington Park School Park, Willows Road, Leonardtown School Annex and Seventh District property.

PROCLAMATION NO. 75-15 - GIRL SCOUT WEEK

Present: Joyce Gatton, Assistant Leader
Members of the Girl Scouts

The Commissioners presented Proclamation No. 75-15 to the above persons proclaiming March 9 through March 15, 1975 as Girl Scout Week in St. Mary's County.

The meeting recessed at 4:45 p.m.

Thursday, February 27, 1975

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

The meeting reconvened at 9:00 a.m.

TRAILER TAX ADJUSTMENT

The Commissioners discussed a proposed increase in trailer taxes for mobile homes in trailer parks and that a public hearing should be held. Commissioner Millison stated he was opposed to any tax increase and Commissioner Parlett said he felt that it was not necessarily an increase in taxes but rather an equalizing measure.

Commissioner Jarboe made a motion that a public hearing be held to investigate the possibility of tax adjustments on mobile homes in mobile home parks and other matters pertaining to mobile homes, seconded by Commissioner Dean. All Commissioners voted in favor of this motion. The hearing was set for Saturday, April 12, 1975 at 9:00 a.m. at the St. Mary's Technical Center.

ZONING ORDINANCE - FOUNDATIONS FOR TRAILERS

The Commissioners discussed the interpretation of the requirement of foundations for trailers as set forth in the Zoning Ordinance. Commissioner Dean stated he would explore this further and report to the Commissioners.

LETTERS TO GOVERNMENT AGENCIES CONSIDERING RELOCATION

Commissioner Millison suggested that letters be forwarded to government agencies in the Washington area to inform them of the advantages of relocating in St. Mary's County. The Tri-County Council is to be requested to compile a cost of living index for St. Mary's, Charles and Calvert Counties as opposed to the Washington, Baltimore and Philadelphia areas and in addition provides us with a roster of government agencies in these areas who may be considering relocating.

RELOCATION OF STATE'S ATTORNEY'S OFFICE

A memorandum was received from the State's Attorney stating that their lease would be expiring on March 31 and inquired if the Courthouse facility would be prepared for their use by April 1. The Commissioners requested that a letter be forwarded to the State's Attorney advising him that the Courthouse facility will not be prepared by April 1 and requested that he have his lease extended an additional 60 days and if funds are not available in his budget, the County will allocate funds for this purpose.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Commissioner Jarboe made a motion to appoint/or reappoint the following persons to the following Board and Commissions with expiration dates as noted:

METROPOLITAN COMMISSION	Frederick Pumphrey	7-1-75 (unexpired term of Com. Parlett)
PLUMBING BOARD	Walter Raum	7-1-76 (reappointed)
	William R. Thompson	7-1-76 (reappointed)
	J. Hillary Copsey	7-1-76 (reappointed)

RECREATION AND PARKS	Judy Roa	1-1-79 (appointed)
	Mary Ruth Horton	1-1-79 (appointed)
	Bruce Pethel	1-1-79 (appointed)
	Erva Davis	1-1-79 (reappointed)
	C. I. Fenwick, Jr.	10-31-78(reappointed)

COMMISSION ON AGING	Clarence Dodge	3-1-76 (reappointed)
	Joseph H. Goode	3-1-77 (reappointed)
	William Groome	3-1-77 (reappointed)
	Leroy Thompson	3-1-77 (reappointed)
	Eloise Pickrell	3-1-78 (appointed)
	Grace Loffler	3-1-78 (reappointed)
	Louise Chase Barnes	3-1-78 (appointed)

COMMISSION ON AGING	William Marek	No term of office
(Advisory Members)	Virginia Thomas	No term of office

Commissioner Parlett seconded the motion. All Commissioners voted in favor of this motion.

EXECUTIVE SESSION

At this time the Commissioners unanimously agreed to hold an Executive Session to discuss personnel matters at which Robert Willard was present.

FOREST VIEW TRAILER PARK

Present: Ruth and Joseph Owens
 Richard Platt, Director, Land Use and Development
 Clarence Fox, Health Department
 Lelia Rogers, Secretary to Planning Commission
 Paul Raley, Administrative and Logistic Officer

Mr. and Mrs. Owens explained that they had obtained approvals from county agencies in 1971 for ten trailer units on 4.9 acres of land located on Trapp Road, Dameron, and received approval from the County Commissioners in June of 1971. The Owens did not proceed with the project at that time because of lack of financial backing and now that they are ready to proceed, the Health Department has advised them that the plat for the trailer park had to be recorded. Mrs. Owens stated that the Clerk's Office had advised her that, to their knowledge, trailer parks had not been required to be recorded.

Mr. Raley mentioned that the Health Department law requires that the plat be recorded within six months after receiving approval or it becomes null and void. The Commissioners requested Mr. Raley and Mr. Fox to contact the County Attorney to obtain a legal

determination whether recordation was required in 1971 and if so, what, if any, relief the Commissioners could provide under the law.

TOWER HILL SUBDIVISION

Present: Oliver Guyther, Attorney

Mr. Guyther came before the Commissioners to state for the record that in fact Tower Hill Subdivision is not an illegal subdivision. Mr. Guyther explained the history of the property and the fact that he entered into a joint venture with Holger Jansson to purchase 150 acres of land in order to create a buffer zone to protect Mulberry Fields and Belvedere Farms. When Col. Ducote approached him for the purchase of land for six homes on 37 acres for his brothers and himself, Mr. Guyther said it was understood that the road was a private road and that all property owners in that area wanted a private road and, in fact, still want a private road. Mr. Guyther further stated that Col. Ducote has now changed his plans for the use of that land contrary to prior agreements and covenants.

INDIAN CREEK ESTATES SUBDIVISION (ECONOMIC IMPACT FEE)

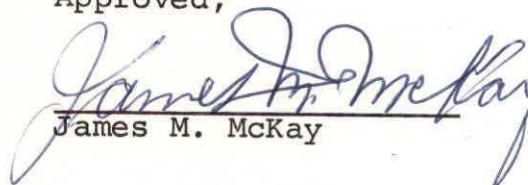
Present: Oliver Guyther

Mr. Guyther denied the applicability of the Economic Impact Fee as applied to Indian Creek Estates since said subdivision had been in process prior to the adoption of the Economic Impact Fee Resolution and legislation.

However, Mr. Guyther stated that he has already offered the County by letter dated April 12, 1974 payment of the Economic Impact Fee in the amount of \$200 per lot for 94 lots. Mr. Guyther presently claims that because the total number of lots could not be used and because the impact upon county roads was not as great as previously anticipated, that the \$200 per lot fee be changed to \$150 per lot at 81 lots. The Commissioners accepted Mr. Guyther's comments and stated that matter would be reviewed by the County Attorney to determine whether or not the Commissioners had the flexibility to alter the payment of the Economic Impact Fee.

The meeting adjourned at 12:20 p.m.

Approved,


James M. McKay