

BOARD OF COUNTY COMMISSIONERS MEETING

April 30 and May 1, 1975

Wednesday, April 30, 1975

Present: Commissioner James M. McKay, President  
Commissioner Ford L. Dean  
Commissioner Larry Millison  
Commissioner John K. Parlett  
Commissioner J. Patrick Jarboe  
Edward V. Cox, Chief Clerk  
Alice V. Bailey, Recording Secretary

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

READING AND APPROVAL OF MINUTES

The minutes of the last meeting of the Board of County Commissioners was not read due to the fact that unforeseen circumstances did not permit the completion of same.

At 9:05 a.m. the Commissioners convened as the Board of Estimates to finalize the Recommended Estimate of Revenues and Appropriations for Fiscal Year 1975-76:

Present: Joseph P. O'Dell, Budget Officer

Mr. O'Dell presented to the Commissioners the Recommended Budget Document for their signature, which amounted to \$15,081,891.00.

Commissioner Jarboe made a motion to approve the Recommended Budget for Fiscal Year 1975-76, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

At this point, the Commissioners signed the Recommended Budget Document and returned same to Mr. O'Dell to be bound in booklet form.

Mr. O'Dell, Budget Officer, stated that there will be three copies available in the Commissioners Office of the Recommended Budget for inspection; also, a copy will be given to the news media.

At 9:11 a.m. the Board of Estimates adjourned and reconvened as Board of County Commissioners.

TRAFFIC SIGNALS AT SHANGRI-LA DRIVE,  
CLEMENTS AND TOWN CREEK

Commissioner Millison stated that he had received two phone calls on March 29 concerning stop lights in St. Mary's

County, in particular the areas of Shangri-La Drive and Route 235; Route 234 at Clements. These two areas have had several serious accidents and is of the opinion that the County should look into this situation by contacting the State Highway Administration.

It was also brought up that the same circumstances exist at the intersection of Route 235 and Town Creek Drive.

Commissioner Millison made a motion, seconded by Commissioner Jarboe, that a letter be sent to the State Highway Administration expressing the urgency of this matter and for them to reevaluate these areas as to installing appropriate traffic signals, and at the present time nothing has been done. All Commissioners voted in favor of this motion.

PRESENTATION OF LISTING OF  
BOARDS, COMMISSIONS AND COMMITTEES

Present: Edward V. Cox, Chief Clerk  
Eric Schnider, College Intern

Mr. Cox, Chief Clerk, introduced Eric Schnider who has been in the process of setting up a system for the appointment of boards, commissions and committees.

Mr. Schnider stated that each board, commission and committee has a supplement page which contains the purpose, goals and terms of each of the above.

Commissioner Parlett stated that he was of the opinion that the Johnson grass program should be investigated as to the law, in order to find out if the County Commissioners are to appoint the members.

Commissioner Jarboe stated that he would like to have these commissions, boards and committees separated in sections as to the ones appointed by the County Commissioners, and the ones appointed by other sources.

Commissioner Dean stated that the use of a tickler file would be appropriate for reference at any time as to the expired term of a member. Mr. Cox, Chief Clerk, stated that this was in the process of being accomplished.

Commissioner McKay stated that he would like to have a thirty day prior notice of termination of a person serving on a committee. This could be accomplished easily by the use of the tickler file.

Commissioner Dean advised that we should have an active file of all citizens who would like to serve, and if a particular person was appointed this name would be removed from the file.

Commissioner Parlett stated that he has received a letter from the Economic Development Commission showing the attendance of their members. It was evident that some of the members were not attending and this problem is a factor that does not help making a commission work satisfactorily.

The Commissioners suggested that a letter be sent to each board, commission or committee requesting them to give a listing as to the member attendance.

#### MARGARET BRENT ISSUE

Mr. Cox, Chief Clerk, presented the following to the Commissioners for their information in reference to the Margaret Brent Issue.

1. Questions to be answered to resolve Margaret Brent Issue.
2. County Attorney's correspondence dated 3/24/75 to Attorney of Board of Education.
3. Response from Board of Education regarding adequacy of renovation.
4. Response from Walton, Madden, Cooper, Inc., regarding costs of renovation, B.O.C.A. standards and delay impact.
5. Response from Interagency Committee for State Public School Construction regarding Margaret Brent questions plus an addendum entitled, "Guidelines for a Remodeling Project".

Mr. Cox stated that the only item missing would be an opinion page.

Mr. Cox stated that he had tried to contact Neal Myerberg and has not received a response from Mr. Myerberg as to the letter from County Attorney, Joseph Ernest Bell II. If a response is not received from Mr. Myerberg, Mr. Cox will contact Dr. Robert King in order to alleviate this situation.

Also, it was stated that Mr. Alford R. Carey, Jr., Executive Director of the Public School Construction Program, would be able to attend a meeting before the Board in order to explain his position in reference this matter.

Mr. Cox was requested by the Board to follow up on the response of Mr. Myerberg, and make known to the Commissioners his findings.

#### PROPOSED PERSONNEL STUDY

Mr. Cox informed the Commissioners that he has received fifty copies of the Proposed Personnel Study as requested. It was stated that these should be reviewed by the County

Employees and the Department heads as groups, and they are to give recommendations and comments. Also, it should be understood that the employees can give their opinion of the said study on an individual basis. Mr. Cox was instructed to send out a memorandum to all Department Heads and employees to be in attendance at a meeting on Wednesday, May 7, 1975 at 12:45 p.m. in the Circuit Court Room to discuss the review process. All Department Heads are expected to be in attendance.

The subject of the new position of Personnel Officer was discussed as to the duties involved. Some of the items that will be handled through this person will be the implementing of the classification system; designing of job descriptions, advertisement and selection process; affirmative action program; and maintenance of records. This person would also have the duty of explaining to the employees the various facets of County employment. As to the monetary consideration for this position, it is hopeful that grant funds will be available.

#### EMPLOYMENT

##### JULIANA MARIE VALLANDINGHAM

Mr. Cox stated that the secretarial position that is open at the Office of Citizen Services, which is one-half to the Commission on Aging and one-half to the Youth Commission, has been filled by a temporary employee to date. It was recommended by Mrs. Agnes McGahran and Mr. Robert Wentworth that this position be filled by Mrs. Juliana Marie Vallandingham, as Steno-Clerk at Grade 6, annual salary of \$6,723.00, effective 4/30/75.

Mr. Cox also stated that the test has been given and there were three passing candidates. Of these three, one declined the position, and the two remaining were interviewed by Mr. Cox, Mr. Wentworth and Mrs. McGahran who were of the opinion that Mrs. Vallandingham has the best qualifications for the position.

Commissioner Dean made a motion, seconded by Commissioner Millison, that Mrs. Juliana Marie Vallandingham be hired for the position with a six-month probation period. All Commissioners voted in favor.

#### WATERSHED WORK PLAN

Mr. Cox delivered copies to all Commissioners of the Watershed Work Plan, as provided by Mr. John Hall of Soil Conservation.

#### MARYLAND ARCHAEOLOGICAL SOCIETY

Mr. Cox presented a letter from Michael Humphries, County Archaeologist, stating that he would like to have

the Commissioners attend a meeting on the evening of May 24, 1975, at 7:30 p.m., in the Circuit Court Room to greet the members of the Maryland Archaeological Society.

SOCIAL SERVICES BOARD

Mr. Cox stated that the terms of Evelyn Holland and Reverend Benjamin Bonnici, Jr., are due to expire and that the other Board members recommend their reappointment.

Commissioner Jarboe made a motion, seconded by Commissioner Dean that Evelyn Holland and Reverend Benjamin Bonnici, Jr. be recommended for reappointment to the State Department of Social Services.

CHURCH OF GOD  
REQUEST FOR EXEMPTION OF BUILDING PERMIT FEE

The matter of the exemption of the building permit fee for the Church of God was tabled until a future meeting of the Commissioners.

RESOLUTION 75-38  
TRAILER COACH PARK FEES

Commissioner Jarboe made a motion, seconded by Commissioner Millison to adopt Resolution No. 75-38 entitled, "Trailer Coach Park Fees", which raised the penalty charge for late payment from 1/2% to 1% per month, commencing on the 21st day of the next succeeding month of delinquent payment. All Commissioners voted in favor of said resolution.

BILLS APPROVED

The following bills were approved by the Board of County Commissioners:

B & J Nursery for fencing materials for Little League, \$1,253.32.

Regal Construction Company, Inc. for final contract costs, St. Andrew's Church Road, Contract No. SM599-1-518 - \$2,500.00.

Maryland State Highway Administration, \$70,000.00. Contract No. SM643-517 - Surface treatment of County roads.

University of Maryland for Extension appropriation due for period 1/1/75 to 6/30/75 - \$14,860.50.

Employment Retirement System, \$34,269.00. Municipality appropriation and Administrative Expense for FY75.

Commissioner Millison made a motion to pay the above stated bills, seconded by Commissioner Parlett. All Commissioners voted in favor of paying said bills.

CHILD WELFARE DAY

Mr. Cox stated that Marvin Kaminetz, Attorney, desires to have the Commissioners be present at Breton Bay on the 23rd of May at 9:00 a.m. to participate in Child Welfare Day. Commissioner John K. Parlett stated that he will attend.

COLONIAL LIFE AND ACCIDENT INSURANCE COMPANY

Present: Frank Doherty) Representatives of Colonial Life  
Dave Dalton )  
Harris Sterling, Finance Director  
Edward V. Cox, Chief Clerk

Mr. Doherty presented to the Commissioners a brief synopsis of what his company had to offer in terms of insurance. He stated that this company has been in the area for about eleven years, and that his company at the present time is representing many counties in the State. Mr. Doherty gave the cost figures for this plan and the terms that the County would have to abide by. At this point he presented each of the Commissioners with a brochure which explained in detail all the aspects of such a policy.

The Commissioners thanked him for making his presentation and said they would discuss this at a later date after all information had been examined.

TOURIST INFORMATION CENTER

Present: Marvin Joy  
F. Elliott Burch  
Captain Nick Smith  
Robert Willard

Mr. Marvin Joy stated that they were appearing before the Board to try and get this project started. He stated that the plans have been completed and estimated that the maximum cost for the construction would be \$60,000.00. There was discussion as to the increasing of the size of the reception room; asking for participation by the businesses in the County; and use of the second floor for office space to be used by the Economic Development Commission. Mr. Joy stated that they were of the opinion that the initial cost of \$60,000.00 would be a high figure, and that this project should be started as soon as possible due to the increased cost of material which is steadily on the rise.

Commissioner Jarboe made a motion, stating that the Board of County Commissioners authorizes the Bicentennial Commission to proceed with the development of the Information Center at Route 6 and Route 5 plans to the point of construction documentation. Commissioner Parlett seconded the motion. All Commissioners voted in favor of said motion.

PROCLAMATION 75-36  
FIGHT FOR SIGHT WEEK

Present: Ed Curley )  
Alfred Gatton ) Lions Club Representatives  
Edward Peregory )

The Commissioners presented Proclamation No. 75-36 "Fight For Sight Week" declaring May 11 through May 17, 1975 as Fight For Sight Week in St. Mary's County, and encouraging the citizens of the County to participate in this worthwhile project.

HERMANVILLE ROAD

Present: Oliver R. Guyther, Attorney  
Maurice Dixon  
Joseph Ernest Bell II, County Attorney  
John Norris, County Engineer

Mr. Oliver Guyther stated that he was representing Mr. Dixon on the matter of having the County construct three entrances on the Dixon property. Mr. Dixon stated that he had entered into a drainage and easement agreement with the previous County Commissioners as to the construction of same. The previous Commissioners then rescinded this agreement and later on reinstated the easement and drainage agreement which appears in the County Commissioners' minutes of October 16 and 23, 1974, and December 10, 1974. The Commissioners stated that there was no specific mention as to three entrances, only drainage and easement; and, also, that there is no mention as to the three entrances being constructed by the County. Mr. Dixon stated that the previous Board had said that they would install same, under verbal commitment.

At this point the Commissioners told Mr. Dixon that they were not at this time prepared to make a decision and that they would try and get an early answer for him.

The Commissioners also stated that they would like to have the County Attorney research the law in reference this situation.

TAXPAYERS ASSOCIATION  
BOARD OF EDUCATION BUDGET

Present: Claude Jarboe  
Mrs. Claude Jarboe

Mr. Claude Jarboe appeared before the Commissioners on behalf of the Taxpayers Association in regard to the Board of Education Budget. Mr. Jarboe stated that he and the association were of the opinion that the amount of increase in salary for the teachers should be lowered to a cost of living raise. Also, he did not see the necessity for the amount of vice principals, substitute teachers and the program for children of the ages of three and four. This in his opinion was unnecessary and was only another burden on the taxpayers. Mr. Jarboe brought out that the Taxpayers

Association would like for the Board of County Commissioners to look into the situation of donation of land for the purpose of school construction. In the past, land has been donated but has been rejected by the Board of Education, which then in turn purchased land instead of taking advantage of the donation. In the Board of Education Budget they have requested a sprinkling system for the football fields and the association does not think that this is a necessary item and should be stricken.

The Board of Education has appointed a man recently as a "Driver Instructor for School Bus Drivers". The association would like to have this matter investigated as to where the revenue will be coming from, and what is the necessity for this position.

Finally, he requested that the Board of County Commissioners hold the Board of Education Budget down as low as possible.

ST. MARY'S SOIL CONSERVATION  
REQUEST FOR AUDITOR

Present: James Beavan  
John Hall

Mr. James Beavan and Mr. John Hall came before the Commissioners to request that the auditor who will be auditing the County books also audit the Soil Conservation books.

Commissioner Dean stated that the County Commissioners will provide an auditor for the auditing of the books and there will be a formal motion made on this at a later date.

PROCLAMATION 75-35  
SOIL STEWARDSHIP WEEK

Present: James Beavan  
John Hall

The Commissioners presented Proclamation No. 75-35 "Soil Stewardship Week" May 4 through 11, 1975, as Soil Stewardship Week in St. Mary's County, and encourage the citizens of the County to participate in this worthwhile project.

AUDITOR

It was decided by the Board of County Commissioners to write a letter to the Maryland Association of Counties, requesting that they provide St. Mary's County with a list of auditors that are being used in the State and also if there is a Society of CPA in the State of Maryland.



NEWTOWN NECK -  
PLANNING COMMISSION RECOMMENDATION

Upon review of correspondence received from the Planning Commission, dated April 29, 1975, Commissioner Jarboe made a motion to accept the Planning Commission's recommendation to request the Staff of the Tri-County Council of Southern Maryland for assistance in the further evaluation and analysis of the Rezoning Case 75-2, Newtown Neck Planned Unit Development application. Seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

RECREATION AND PARKS  
PRESENTATION OF BIDS MAINTENANCE EQUIPMENT

Present: John Baggett, Director of Recreation and Parks

Mr. Baggett presented the following bids for the well to be drilled at Laurel Grove:

Patuxent Pump and Well - \$3,600

Bates and Associates, Inc. - \$4,900

Mr. Baggett recommended that the bid be awarded to the lowest bidder, Patuxent Pump and Well, in the amount of \$3,600.00. Commissioner Jarboe made a motion to accept Mr. Baggett's recommendation, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

Mr. Baggett stated that he had received bids for the following maintenance equipment:

One Ton Dumptruck

Guy Chevrolet Sales, Inc. - \$5,700.00  
McKay Impl. & Truck Co., Inc. - \$6,254.00  
Fenwick Ford - \$5,631.53  
Gup Impl. - \$5,719.00

Equipment Trailer

McKay Impl. & Truck Co., Inc. - \$2,957.00  
Fenwick Ford - \$2,518.00

Tractor

Coppage Impl. (Long tractor) - \$5,100.00  
Coppage Impl. (Alis Chalmers) - \$6,322.23  
McKay Impl. & Truck Co., Inc. - \$5,367.00 (International)  
  
Disk Harrow - (6' 6" space) - \$579.40  
McKay Impl. & Truck Co. - (6' 9" 7 1/2 space) - \$840.00



Insurance Compensation, there has been long delays in obtaining benefits, but at the present time this problem seems to be on the decline.

Mr. Batterton told the Commissioners that legal action has been brought against the Labor Department to see that certain procedures are followed in order to find accurate figures as to the amount of persons unemployed. He also stated his department was not entirely satisfied with the manner in which these figures were being obtained, but was in hopes that this problem would be alleviated in future months.

Commissioner Millison asked Mr. Batterton if it would be possible for him to advise the County on a monthly basis as to the rate of unemployment St. Mary's County was encountering. Mr. Batterton stated that they are in the process of forming a system in order for such figures to be realized.

Mr. Stiers told the Commissioners that some of the reasons for the delay in receiving Unemployment Compensation checks was due to the fact that the computer system was not functioning correctly, and that social security numbers were printed incorrectly; and, also, due to the large number of applicants. In previous months the amount of persons applying for compensation was in the neighborhood of 90,000. This amount has decreased to 80,000 and seems to be on the decline at the present time.

Mr. Batterton and Mr. Stiers thanked the Commissioners for the opportunity of appearing before them, and would be happy to help St. Mary's County in every way possible.

CONTRACT LEONARD HALL  
BUILDING NO. 4

Present: John Norris, County Engineer

Mr. John Norris, County Engineer, presented the Agreement between Melvin Construction Company and the St. Mary's County Commissioners for the interior improvements to the basement area of Leonard Hall, Building No. 4. Mr. Norris stated that this Agreement was approved by the Commissioners at the meeting of April 23, 1975, but was not signed. Mr. Norris at this time presented said Agreement to Commissioner President McKay, who affixed his signature thereto.

PUBLIC HEARING SOLID WASTE PLAN

Present: John Norris, County Engineer  
Patrick Hanagan  
John Combs

Mr. Norris stated that the only changes in the Solid Waste Plan would be in reference to Section IX, and the

remainder of the plan would stand as is. Mr. Norris presented the Commissioners with a copy of said Section.

Significant changes in Section IX of the existing plan is that the County is designating the transfer stations as the means of handling solid waste generated in the Valley Lee and Ridge area. The existing plan gives the County the option of utilizing a "green box system", a small landfill or transfer station.

Copy of tape of public hearing on record in County Commissioners' office.

A question was raised by Mr. Hanagan concerning the disposal of tires, and a request was made that the tires be shredded. Mr. Norris indicated that this has been discussed with the Maryland Environmental Service.

Question was also raised by Mr. John Combs concerning the disposal of the waste materials from automobile seats. He explained that he had difficulty obtaining a burning permit from the Health Department. Mr. Norris explained that the County proposed Solid Waste Plan indicated that the materials would be burned or either be taken to a landfill for disposal.

Mr. Hanagan asked how the solid waste operation was funded. Mr. Norris explained that at present the General Tax revenue of the citizens of the County funded the Solid Waste Operation.

Mr. Hanagan further explained that the commercial haulers should be properly licensed, supervised, and be requested to furnish satisfactory equipment designed to haul solid waste.

WILLOWS ROAD PROPERTY  
RECREATION AND PARKS

Present: John Baggett, Director of Recreation and Parks

Mr. Baggett presented an Option Contract by and between Katherine W. Daugherty and George Thomas Daugherty and St. Mary's County, Maryland, dated February 20, 1974, in reference the Willows Road Property. Also, was presented a letter from the Daugherty's dated January 10, 1974.

Commissioner Parlett stated that the letter does not in his opinion release the County from the second option, which is Willows Road.

Mr. Baggett stated that acquisition on the Lexington Park property has already taken place and not the Willows Road parcel.

At this point, Mr. Baggett is to get a legal opinion from the County Attorney, Joseph Ernest Bell II, as to the question: "Is St. Mary's County legally committed to buy

the Willows Road Property?" and the second question "If we are not legally obligated, does the County desire to purchase?"

Mr. Baggett is to obtain the answers to the referenced questions, and upon completion of same, return his findings to the Board.

At this point, Mr. Baggett stated that the Seventh District Property, presently owned by the Southern Maryland Associates, Inc., located adjacent to the "Bethune Elementary School", stated that the option has been signed and title cleared.

Commissioner McKay, upon agreement of all Commissioners, will attend settlement of same and the date and time will be at the seller's convenience.

#### ABELL'S WHARF GRAVEL OPERATION

Present: James Waring, Attorney  
Ted Greer, Friends of Breton Bay  
Jack Witten, Citizens Coalition  
Jack Kogel, PRA (Potomac River Association)

Mr. Waring stated that the reason for their presence was to discuss the issuance of an addendum of the grading permit No. 74-30 at Abell's Wharf, and asking the Commissioners to revoke same. Mr. Waring stated that May 28, 1974, the County adopted a Comprehensive Zoning Ordinance. Since this ordinance, there has been a series of public hearings concerning the expansion of the Abell's Wharf Mining Operation. On April 2, 1975, the County Engineer issued an addendum to the Building Permit and that the Friends of Breton Bay were of the opinion that in the best interest of the County and our local government, this should be revoked.

Mr. Jack Witten of the Citizens Coalition stated that this act was done not from an administrative action, but a policy decision, and that the people were completely ignored. He would like for the Board to overrule this decision, as the Board was an elected office, and in the overruling of same would be expressing the desires of the people who elected the Board.

Mr. Jack Kogel, representing the Potomac River Association, stated that his organization wanted to help the Friends of Breton Bay and would try to do so in anyway possible.

Mr. Ted Greer, representing the Friends of Breton Bay, stated that over the last six months their organization has expended great sums of money for representation in order to stop the gravel mining operation. This organization wants to protest the actions taken, what they feel are their rights, even though they were not informed of the actions being taken.

This organization is asking the Commissioners to protect their rights as citizens of St. Mary's County. That the original permit was for 40 acres at 400,000 cubic yards, and with the addendum, they received an additional 250,000 cubic yards, making a total of 650,000 cubic yards. This in the organization's opinion was issued in error and should therefore be revoked.

Mr. John Norris, County Engineer, stated that the chronology of events in reference the Grading Permit 74-30 were done in proper order.

Mr. Norris stated to the persons attending that he was of the opinion that his office had acted in accordance with all procedures and that there was not a conflict of interest on the part of any of the parties concerned.

Mr. Platt, Director of Land Use and Development, stated that prior use was in existence on that property prior to the adoption of the Zoning Ordinance. In accordance with the Zoning Ordinance this operation must be allowed to continue. That he and his office had followed all rules and regulations and did not feel that any injustice had occurred.

Joseph Ernest Bell II, County Attorney, stated that in his opinion the issuance of the addendum was issued properly and that those who felt aggrieved should appeal to the Board of Zoning Appeals.

At this time, the Board of County Commissioners recessed at 6:30 p.m.

Thursday - May 1, 1975

Present: Commissioner James M. McKay, President  
Commissioner Ford L. Dean  
Commissioner J. Patrick Jarboe  
Commissioner Larry Millison  
Commissioner John K. Parlett  
Edward V. Cox, Chief Clerk  
Alice V. Bailey, Recording Secretary

The Board of County Commissioners went into Executive Session at 9:00 a.m. in reference appointment to certain Boards, Commissions and Committees.

PROCLAMATION 75-37  
OLDER AMERICANS MONTH

Present: Agnes McGaharn, Executive Secretary, Commission  
on Aging  
Eloise Pickrell, Commission on Aging  
Clarence Dodge, Commission on Aging Chairman

Mrs. Barnes  
 Mrs. Laoufler  
 Mr. Thompson  
 Marie Conner )  
 Addie Fagan ) Representatives of Senior  
 Andrew Mack ) Citizens of Southern Maryland  
 Agnes Mugg )  
 Kennedy Turner)

The Commissioners presented Proclamation No. 75-37 "Older Americans Month" declaring May as Older Americans Month in St. Mary's County, and urging the citizens of St. Mary's County to support Federal, State and County programs to assist Older Americans.

OWENS TRAILER PARK

Commissioner McKay stated that he would draft a letter to Mr. and Mrs. Owens suggesting that they go through the zoning procedures if they want to develop this park. Also, that the Commissioners are sympathetic to the problems, but they will have to go by the law and regular procedures.

ABELL'S WHARF GRAVEL OPERATION

Commissioner Jarboe stated that in reference to the Abell's Wharf situation there are two problems to be analyzed:

1. Whether the department functioned properly within the law and administrative procedures;
2. And, as to the situation of public knowledge and Commissioners' awareness.

Commissioner Jarboe stated that he did not see where anything was done out of order, and was of the opinion that it was done in good form.

Commissioner Millison stated that he was disturbed that there have been over 100 letters received about this matter, and thought it was unfair for the County agency to show favoritism when there were two sides. Therefore, Mr. Millison stated that this is not an example of openness in government, and the manner in which this was handled, he thought that the permit should be revoked.

Commissioner Dean didn't think that there had been any favoritism, but would agree that the County Commissioners were not informed and that this was a matter of poor judgment, as to not informing the Board of this situation.

Commissioner Jarboe made a motion that the Board of County Commissioners send a memorandum to all department

heads, stating that the Board of Commissioners want to be informed of matters that have raised public concern prior to any actions being taken by an individual department. Seconded by Commissioner Millison. All Commissioners voted in favor of the motion.

The Commissioners decided that there would be a regular scheduled monthly meeting between department heads and the Board, for the purpose of clarification of what a particular department is in the process of doing. This is to be done in order for the County Commissioners to be informed properly.

County Attorney, Joseph Ernest Bell II, stated that his interpretation of the situation was that Mr. Platt's decision was in order and that the decision rests with the Board of Appeals (Zoning). The Board of Zoning Appeals is charged with the responsibility to look into this matter, and they are to act within the framework of the laws of the County.

The Commissioners requested the County Attorney to forward them a letter, stating his opinions in order that the County Commissioners would be acting within the governing laws.

Commissioner Jarboe made a motion directing that a letter be sent to Attorney Waring, representing Friends of Breton Bay, stating to the effect that the Commissioners do not at this time have any intention of rescinding the amendment because the Commissioners find no evidence of illegal issuance, and through the advice of the County Attorney that any appeal procedure should be forwarded to the Board of Zoning Appeals. Seconded by Commissioner Dean. Commissioner Millison voted against the motion, and the four remaining Commissioners voted in favor.

Commissioner President McKay stated that he would like to have Mr. Waring, Attorney for Friends of Breton Bay, on behalf of the County Commissioners, notified prior to the sending of the memorandum as to the decision on the Abell's Wharf situation. This will be done through the Chief Clerk's Office.

#### COUNTY COMMISSIONERS' SCHOLARSHIPS

The County Commissioners at the present time give scholarships to St. Mary's College, as well as scholarships for nursing, dental and medical.

Mr. Cox stated that at the present time we have scholarships to award this year. At the present time we have sixteen students at St. Mary's College and several are to graduate this Spring.

As the law states, the applicants must have application in by May 1. This requirement will be waived this year due to the late start of obtaining applicants. This was agreed by all Commissioners.



Commissioner Jarboe made a motion to ask the Citizens Scholarship Foundation if they would be interested in making the selection of the applicants, maintaining the records as to the participants. Also, that the name of the scholarships will remain as "County Commissioners Scholarship", seconded by Commissioner Dean. All Commissioners voted in favor of the motion.

COUNTY ATTORNEY

Commissioner Dean made a motion directing that a memorandum be sent to all department heads instructing them how to seek the legal opinion of the County Attorney. Seconded by Commissioner Jarboe. All Commissioners voted in favor of the motion.

This was to be done so that the department heads would employ the written request format and in turn the County Attorney would have copies for his files.

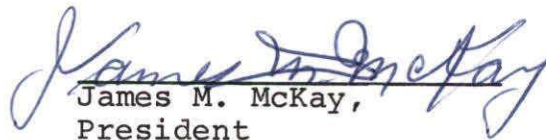
WELCOME SIGN

Commissioner Jarboe instructed that the Chief Clerk obtain a large sign that says "WELCOME" to be placed over the archway of the entrance to the Court House. Mr. Cox stated that he would see that was accomplished.

Commissioner Jarboe made a motion to adjourn the meeting, seconded by Commissioner Parlett. All Commissioners voted in favor.

The Meeting was adjourned at 12:10 p.m.

Approved,

  
James M. McKay,  
President