

BOARD OF COUNTY COMMISSIONERS' MEETING

July 9-10, 1975

Wednesday, July 9, 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
Judith A. Mullins, Recording Secretary

The meeting was called to order at 9:15 a.m. by Commissioner President McKay.

READING AND APPROVAL OF MINUTES

The minutes of July 2-3, 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.

POSTAGE STAMP MACHINE

Regarding the item in the minutes of June 25-26, 1975, Mr. O'Dell recommended adding "and centralized postage handling by the Office of Administrative and Logistic Services" after "purchase of a postage stamp machine for bulkmailing," Mr. O'Dell further recommended that a memorandum setting forth this procedure will be forwarded to the various departments of County Government.

APPROVAL OF BILLS

The Commissioners approved payment of the following bills:

Department of Natural Resources, for special tax for Shore Erosion Control Project at Tanner Creek - \$8,317.92;

St. Mary's County Dept. of Social Services as follows:

Admin. allotment for July	-	\$5,821;
Food Stamps - July	-	\$2,395;
Foster care for aging	-	\$41417.

B & J Nursery for seeding and top dressing at St. Andrews Church Road - \$1500;

Robert E. Trautman for inspection and engineering consultant work - \$1,317.29.

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

BUSES FOR SOUTHERN MARYLAND YOUTH SERVICES USA

Commissioner McKay reported that the Board of Education will be providing buses for the use of the Southern Maryland Youth Services USA Program.

ASSESSMENT DATA TAPES

Present: Mr. William Lawrence, Supervisor of Assessments
Mr. John Quinn, Data Processing Coordinator

Mr. Quinn presented correspondence from William H. Riley, Director, State Department of Assessments and Taxation, concerning a request that State Department of Assessment be provided the tape of the assessment master file according to certain specifications delineated in an attachment to the correspondence. Mr. Quinn reported that in the preliminary conversation with David M. Gruber and Company that the State Department of Assessment and Taxation has been told that the master file is the possession of David M. Gruber and Company and was not obtainable without major costs. However, a duplicate of the magnetic tape for the master assessment file should be purchaseable for approximately \$250.

The Commissioners responded to Mr. Quinn that they would get a legal determination from the County Attorney as to rights or ownership regarding the master assessment file and do everything possible to provide the State Department of Assessments and Taxation with the needed duplicate.

Mr. Quinn agreed to reimburse the County for any costs incurred in obtaining the duplicate.

LEGISLATIVE PACKAGE

Mr. Cox presented a memorandum to be forwarded to all County agencies initiating development of the 1976 Legislative Package. Said memorandum established dates for the scheduling of the preparation of the package including public hearings.

Commissioner McKay requested that the Legislative Aide review the Boards and Commissioners with regard to compensation for serving.

VISA - PREMILA K. SHAH

Correspondence dated June 30, 1975 was received from Drs. Shah raising the question of a visa for Premila K. Shah who takes care of their child, thus allowing them to continue their practice in St. Mary's County. Drs. Shah requested the Commissioners' assistance in finding a solution to the

visa question. Commissioner Jarboe prepared a letter to the Immigration and Naturalization Services requesting their consideration in granting a petition for adjustment of status. The Commissioners signed same.

BICENTENNIAL COMMISSION

Mr. Cox, Chief Clerk, notified the Commissioners that R. Oakley Winters has resigned from the Bicentennial Commission.

METROPOLITAN COMMISSION - REVISION OF STATUTES

Correspondence dated July 3, 1975 was received from the Metropolitan Commission stating that they propose to retain the firm of Piper & Marbury of Baltimore for the review and redraft of the statutes under which the Commission operates and requested the Commissioners' comments and suggestions.

The Commissioners directed that: (1) the County Attorney should be kept informed of the project as it progresses and be made aware of any legislative changes necessary, (2) the Metropolitan Commission seek the assistance of Legislative Reference in Annapolis wherever possible to cut down on cost of the project, and (3) the Metropolitan Commission respond to the Commissioners as to the approximate cost of the project and whether they had budgeted that amount.

PROCLAMATION NO. 75-55 - EDWIN BEITZELL

Commissioner Jarboe made a motion to sign the Proclamation recognizing Edwin Beitzell for his many years of generous and dedicated service, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

PROPOSED REVISED SCHEDULE OF FEES

Present: Richard Platt, Director, Land Use and Development

At this time the Commissioners reviewed the proposed Schedule of Fees with Mr. Platt along with Mr. Platt's suggested changes to the Schedule of Fees.

AIRPORT INDUSTRIAL PARK

Present: Joseph Mattingly, developer
Larry Day, Engineer
Richard Platt, Director, Land Use and Development
Val Brynteson, St. Mary's Salvage

Mr. Mattingly presented the Site Plan for Lot 2 of the Airport Industrial Park as had been requested by the Commissioners at their meeting of July 2, 1975. Mr. Day explained the layout of Lot 2 and described the building that would be constructed on that lot for St. Mary's Salvage.

Commissioner McKay stated that Mr. Mattingly is not only requesting temporary approval of the Site Plan for Lot 2, but also requesting permission to use the existing 10 foot gravel road on a temporary basis.

Commissioner Dean made a motion that the Board of County Commissioners tentatively approve this Site Plan for Lot 2 as presented, contingent upon the County Attorney indicating that the Commissioners have legal basis for doing so, secondly that it be submitted to the Planning Commission and receive favorable approval and that there are no serious objections from the County Engineer's Office or the Office of Land Use and Development, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

Commissioner Dean requested Mr. Platt to put this item on the agenda for the next Planning Commission meeting.

REZONING DECISION
CASE NO. 74-14 - MAYJACK, INC.

It was moved by Commissioner Jarboe and seconded by Commissioner Parlett to approve the rezoning request from C-1 to C-2 based on the following:

1. It is within the Urban Comprehensive Planning Area designated for high density growth;
2. Property is classified in the W-4 and S-4 categories on the Comprehensive Water and Sewer Map.
3. Rezoning from C-1 to C-2 only allows expanded commercial use rather than complete change of the land;
4. Approval was recommended by the Planning Commission;
5. No. obvious fiscal impact upon County Government.

During discussion of this motion, Commissioner Dean added that the commercial nature of the property was already established with the adoption of the Zoning Ordinance. The motion was carried by a unanimous vote.

MOVE OF OFFICES TO LEONARD HALL

Commissioner Jarboe made a motion to set July 28 as the date for the Office of Land Use and Development and the Office of County Engineer to be relocated and operative at Leonard Hall in order for the State's Attorney to be relocated in the Courthouse on August 1, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

STREET LIGHT STUDY

Commissioner Jarboe requested that procedures be undertaken for the development of a street light study, as had been suggested at the Commissioners' meeting of July 2. The areas would have to be designated and the cost for the lighting would have to be determined.

Commissioner Dean suggested contacting the Tri-County Council to determine if they could assist us in this study. Commissioner Jarboe will prepare a letter to the Tri-County Council setting forth the information needed in this study.

RESPONSE OF JACK WITTEN - CITIZENS COALITION

The Commissioners requested Mr. Cox, Chief Clerk, to respond to the inquiries from Jack Witten concerning the Steuart pier extension, Potomac River Bridge and the lower Patuxent River Bridge. A copy of the letter from Harry Hughes, Department of Transportation should be forwarded to Mr. Witten as well as apprising him of the Clearinghouse Review of the extension of the Steuart Company pier.

SUBDIVISION ROADS

Commissioner Dean requested that letters be forwarded to Golden Beach Citizens Association and Longview Beach Citizens Association concerning the acceptance of the roads in the County Maintenance System.

CONTINUATION OF REVIEW OF SCHEDULE OF FEES

Present: Richard Platt, Director, Land Use and Development
Dan Raley, Chief Permits Clerk

The Commissioners continued their review of proposed Schedule of Fees with Mr. Platt. After this review, Commissioner Dean suggested that the Commissioners study these proposals and meet with Mr. Platt next week, keeping these goals in mind; (1) to require only necessary permits and (2) the fee that is charged for each permit be reasonable fee.

ASSESSMENT ROLLS FOR LAND USE OFFICE

Present: Richard Platt, Director, Land Use and Development

Mr. Platt reminded the Commissioners of the need of the Office of Land Use and Development for a copy of the Assessment Rolls for St. Mary's County. The Commissioners informed Mr. Platt that they were working on a problem for the State Department of Assessment and Taxation and felt that they could solve his situation at the same time a solution was found for the State Department of Assessments and Taxation.

CLEARINGHOUSE PROJECT

STEUART PIER EXTENSION AT PINEY POINT

Present: H. D. McGlade, Comptroller

Mr. McGlade presented a memorandum which is being forwarded all persons and organizations who have received the Draft Environmental Statement on the Steuart Investment Company's proposed Pier Extension at Piney Point Oil Terminal eliciting their comments.

BRISCOE AND KENNEY OFFICE BUILDING

Present: Jim Kenney, Attorney
Marvin Kaminetz, Attorney

Mr. Kenney and Mr. Kaminetz presented the site plan for the Briscoe and Kenney office building located on Shangri-La Drive and discussed same with the Commissioners.

Mr. Kenney advised that the site plan has not been approved by the County Engineer's Office because of drainage problems associated with the property and the storm water that drains to the property from the county roads. Mr. Kenney questioned their firm's responsibility for providing the design and/or construction of facilities to handle the proper disposition of the storm water.

Mr. Kenney requested issuance of a building permit prior to site plan approval, that they be allowed to start construction as outlined in the proposed Agreement as presented by Mr. Kenney and Mr. Kaminetz, and that they would build accordance with the site plan, except that the drainage ditch will not be filled in until a final drainage plan is agreed to.

Mr. Norris explained that the site plan did not contain sufficient information to provide for the adequate disposition of storm water in accordance with the Zoning Ordinance. He further explained that the building would be subject to flooding if constructed as proposed on the site plan.

Commissioner Millison indicated that there should be hold harmless clause to the County in the proposed agreement. This matter will be referred to the County Attorney for a determination.

LEONARDTOWN BOAT RAMP

Present: John Norris, County Engineer

The Department of Natural Resources has approved the \$5,000 grant for repair of the Leonardtown Boat Ramp and Mr. Norris advised that he has advertised the project on two occasions. No bids were received on the first advertisement. Bid opening held Monday, July 7 resulted in receipt of two proposals as follows:

Mole Excavations - \$13,710
Chester Corporation - \$ 13,000

Mr. Norris stated that the engineering estimate for the project was \$5500. The County would have to finance all monies in

excess of \$5,000. Mr. Norris explained some of the costs in obtaining an adequate bid and requested authority to negotiate with a contractor for the performance of the work. The condition of the ramp remains dangerous and a "Use at Your Own Risk" sign has been placed there. The Commissioners authorized the County Engineer to negotiate for the performance of the work and return to the Commissioners.

TRACKED FRONT END LOADER FOR LANFILL

Present: John Norris, County Engineer

Mr. Norris presented a proposal for track work from Alban Tractor Company in the amount of \$3,067.67. He explained the heavy maintenance required on the equipment at the landfill. Mr. Norris indicated that proposals of this type would not normally be brought before the Board of County Commissioners unless they specifically requested him to do so.

PUBLIC HEARING

ANTI-PUBLIC DRINKING ORDINANCE

At this time the County Commissioners conducted a Public Hearing on a proposed ordinance prohibiting the drinking of alcoholic beverages on certain property in St. Mary's County. A copy of the minutes and the tape of the hearing is on file in the Commissioners' Office.

ASSESSMENT TAPES

Present: Joseph Ernest Bell, II, County Attorney

The Commissioners explained the situation as presented by Mr. Quinn of the State Department of Assessment and Taxation and Mr. Lawrence, Supervisor of Assessments, at the Commissioners' meeting this morning. The State would like the Assessment tapes furnished to them by way of the County because of the price that David M. Gruber and Comapny would charge the State is unsatisfactory.

The Commissioners requested Mr. Bell to determine who owns the tapes and the material thereon the County or David M. Gruber and Company?

AIRPORT INDUSTRIAL PARK

Present: Joseph Ernest Bell, II, County Attorney

Commissioner Dean explained to the County Attorney the situation concerning Joseph Mattingly's Site Plan for Lot 2 of the Airport Industrial Park and inquired whether the County Commissioners under the terms of the Zoning Ordinance could give temporary approval of that lot out of the entire Industrial Park and that it would allow the use of the existing auxiliary road, the design of which is unsuitable to the County Engineer. Mr. Bell will return to the Commissioners with determination on this matter.

BRISCOE AND KENNEY OFFICE BUILDING

Present: Joseph Ernest Bell, II, County Engineer

Commissioner Dean explained the situation as presented to the Commissioners by Marvin Kaminetz and Jim Kenney at today's meeting and requested Mr. Bell to (1) review the Agreement submitted by Mr. Kenney and Mr. Kaminetz to determine if it adequately protects the interest of the County, (2) determine who has responsibility for the drainage problem, the County or the property owners and (3) determine if the County would be able to issue them a building permit prior to the approval of the Site Plan.

The meeting recessed at 5:00 p.m.

Thursday, July 10, 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
Judith A. Mullins, Recording Secretary

The meeting reconvened at 8:55 a. m.

PERSONNEL MANUAL STUDY

At this time the Commissioners reviewed the proposed Personnel Manual along with the comments from county employees.

ON-SITE ASSISTANCE SURVEY REPORT

Present: Otis Wood, Acting Director, Civil Defense
Mr. Ellison, Area Coordinator, Md. Civil Defense

Mr. Wood reviewed what action should be taken by the County Commissioners with regard to the On-Site Assistance Survey Report: (1) Delineate authority and responsibility of the County Civil Defense and EPA, (2) Establish line of authority and command succession of the County Commissioners and (3) Appointment of full-time Director.

Mr. Wood stated that the Board of County Commissioners should adopt their own Ordinance with regard to the Action Plan. In discussing the "911" System for St. Mary's County, Mr. Wood presented a letter from the C & P Company indicating increased costs to the County. The C & P Company recommended three lines for each exchange and Mr. Wood indicated only two lines would be necessary.

Mr. Wood stated that Civil Defense has funds in their budget for installation of the System and that funds may be forthcoming from Emergency Medical Service for this project.

The Commissioners requested Mr. Wood to develop costs and forward this information to the Commissioners.

Commissioner Dean made a motion to authorize Mr. Wood to proceed with the "911" System project, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

ST. MARY'S COUNTY AIRPORT DEVELOPMENT SEMINAR

Present: Representatives from the following agencies and departments.

State Highway Administration
Southern Maryland Electric
Metropolitan Commission
Office of Land Use and Development
State Aviation Administration
Department of Economic and Community Development
Economic Development Commission
Office of County Engineer
C & P Telephone Company
Dept. of Navy, Naval Air Station

At this time the Commissioners attended the St. Mary's Airport Development Seminar conducted by Mr. Richard Platt,

Director, Land Use and Development. A tape of the Seminar is on file in the Commissioners' Office.

OFFICE SPACE FOR COUNTY AGENCIES

Commissioner Millison raised the point that agencies of county government, specifically, Metropolitan Commission, have been negotiating for office space on their own and the County Commissioners should establish a procedure so that there would be no criticism or partiality. The other Commissioners agreed and Commissioner Parlett stated he would mention this at the next Metropolitan Commission meeting.

Commissioner Millison was requested to put this in writing after which time the Commissioners may adopt a policy.

ELECTRICAL PROBLEMS AT "WINGS OF THE MORNING" PRODUCTION

Present: George Wiggins, MDIA

Mr. Wiggins explained the dangerous situation at the "Wings of the Morning" production at St. Mary's City in that the poles for lighting were not grounded. If this hazard is not corrected the production would have to be closed down. The Commissioners agreed that steps should be taken to correct the situation and stated that an electrician would be contacted to make necessary improvements.

Ed Atkins, Producer of the "Wings of the Morning" was contacted to apprise him of the situation. In addition, the Commissioners discussed adequate insurance coverage for the production and felt there should be more coverage.

In closing the Commissioners requested Mr. Wiggins to look at the site after the work is completed by the electrician and also to provide the Commissioners with a list of whatever else needs to be done to insure complete safety at the production.

LEASE FOR SHERIFF'S DEPARTMENT SUBSTATION

Commissioner Dean made a motion to approve and sign the lease between Westlex Holding Corporation and the County Commissioners in the amount of \$300 per month for the property located at Coral Place, Lexington Park, for the purpose of establishing a sub-station for the Sheriff's Department in Lexington Park, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

SELECTION COMMITTEE FOR SHERIFF'S DEPARTMENT CLASSIFICATION PLAN

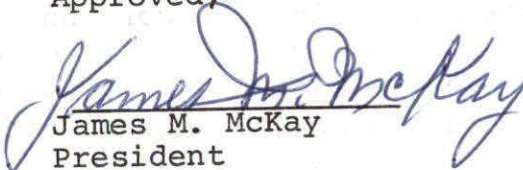
Commissioner Dean made a motion to appoint a three-member Sheriff's Department Selection Committee for the Classification Plan for the Sheriff's Department as follows: Ed Cox, Personnel Officer; Marvin Kaminetz, Juvenile Master; and Gene Weimer of Leonardtown, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

AIRPORT INDUSTRIAL PARK

The Commissioners directed that a memorandum be forwarded to Mr. Platt, Director, Land Use Office, requesting more information pertaining to the Airport Industrial Park as presented by Mr. Joseph Mattingly, and to elicit comments from the Airport Commission on this project.

The meeting adjourned at 12:10 p.m.

Approved,


James M. McKay
President