

BOARD OF COUNTY COMMISSIONERS' MEETING

September 3-4, 1975

Wednesday, September 3, 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 9:10 a.m. by Commissioner President McKay.

READING AND APPROVAL OF MINUTES

The minutes of August 27-28, 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.

LEONARD HALL BUILDINGS

Present: John Norris, County Engineer

Mr. Norris stated he had talked to various architects and other individuals concerning costs for renovation as opposed to new construction and submitted costs for various types of construction of new buildings.

Commissioner Jarboe stated that from the figures presented, renovation would be the most economical way to proceed.

The Commissioners authorized Mr. Norris to draw up specifications to solicit proposals from architectural firms on the construction drawings for Leonard Hall buildings. In addition, the Commissioners requested Mr. Norris to review the concept plans for space allocation with the various department heads.

YOUTH COMMISSION APPOINTMENTS

Commissioner Jarboe made a motion to approve the following to the Youth Commission for the terms indicated effective July 1, 1975:

Mrs. Harry Norris	-	three	year	term
Mr. Leroy Thompson	-	"	"	"
Kenneth C. Rossignol	-	"	"	"

Dr. Frank VanAalst	-	two year term
Donnie Bryan	-	" " "
John Slade	-	one year term

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

BILLS FOR ELECTRICAL AND PLUMBING WORK AT LEONARD HALL

Mr. Cox, Chief Clerk, presented a bill due Eugene Copsey in the amount of \$340.03 and a bill due Leonard Harding in the amount of \$249.48 for a total of \$589.51 for plumbing and electrical work which had been done last year at Leonard Hall. Commissioner Parlett explained that it was his understanding that there had been a verbal agreement between the past Board of Commissioners and Leonard Hall School that if the school would move from Building No. 4 to the gymnasium, the County would pay for necessary electrical and plumbing work in the gymnasium to make it suitable for the school's use.

Commissioner Jarboe made a motion to approve payment of the above-mentioned bills, using source of funds available, seconded by Commissioner Dean. The Commissioners voted four in favor of this motion with Commissioner Parlett abstaining.

RECLASSIFICATION OF SECRETARY IN OFFICE OF CIVIL DEFENSE

Mr. Cox presented correspondence from Otis Wood, Acting Director, Civil Defense, recommending the reclassification of the Stenographer Clerk II position in his office to Stenographer Clerk III, which had been budgeted and was approved by the Maryland State Civil Defense Office. Mr. Cox stated he recommended approval of this reclassification. Commissioner Jarboe made a motion to approve this reclassification, effective July 1, 1975, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

OFFICE OF CIVIL DEFENSE - JANITORIAL SERVICES

Mr. Otis Wood, Acting Director, Civil Defense, requested the Commissioners to approve an increase of \$5.00 per week for janitorial services in the Office of Civil Defense, which had been budgeted. Commissioner Dean made a motion to approve the \$5.00 per week increase, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

ROAD RESOLUTION NO. R-75-20
MYRTLE POINT ROAD

The County Engineer's Office submitted Road Resolution No. R-75-20 designating Myrtle Point Road as a "Stop Street" at its intersection with Mill Cove Road. Commissioner Dean made a motion to approve this Resolution, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

ROAD RESOLUTION NO R-75-21
BATES ROAD

The County Engineer's Office submitted Road Resolution No. R-75-21 designating Bates Road as a "Stop Street" at its intersection with Flat Iron Road. Commissioner Jarboe made a motion to approve this Resolution, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

CODE SUPPLEMENT

Mr. Cox stated that after contacting the Legislative Reference Office in Annapolis, he recommended that the County obtain the edited copy of the 1976 Code Supplement at a cost of approximately \$100 and we would make appropriate number of copies for those that needed them. The Commissioners gave their concurrence to this recommendation.

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise
Richard Polk
Dick Myers, WKIK
Randy Buehler, Beacon
Patty Muchow, Guardian

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

APPROVAL OF BILLS (ENCUMBRANCE VOUCHERS)

Present: Harris Sterling, Finance Director

Mr. Sterling presented encumbrance vouchers for the past week for the Commissioners review and approval. Commissioner Dean made a motion to approve payment of the submitted encumbrance vouchers, with the exception of Voucher No. 4241 payable to The St. Mary's Beacon and Voucher No. 3766 payable to Frank Combs for further clarification, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

ELMS PROPERTY

Commissioner Dean stated that he had talked to Bradley Dorff of the Wildlife Administration concerning the Elms Property Study Committee's recommendation to determine Wildlife Administration's position on the use of the property. The position of the WLA had not changed in that they would prefer to manage the entire parcel as it was public land and should be for the benefit of the general public.

Commissioner Dean made a motion that he would draft a letter for the Commissioners' signature to Power Plant Siting Committee, with notification to the Elms Committee, stating that the Board of Commissioners is of the opinion that since this is public land that the entire parcel should be open to general public. The small amount of money received from leasing a portion of the land would not justify the expense necessary for advertisement, etc., and further moved that the Wildlife Administration be requested to manage the entire Elms property for wildlife development and public use, seconded by Commissioner Jarboe. All Commissioner voted in favor.

TITLE I OF THE HUD ACT

Present: J. Terry Radigan, Community Development Assistance Group
Donald Curtis, Housing Coordinator

Mr. Radigan appeared before the Commissioners and described in a general nature the benefits and conditions of Title I of the Housing Act and the services rendered by his firm. In his presentation he cited several examples of the benefits to a community under Title I and the effectiveness and ease of administration rendered by his firm. The Commissioners thanked him for his presentation and stated they would take this matter under advisement.

STREET LIGHT REPORT

Present: Barbara Dominic, Tri-County Council

As had been previously requested by the Commissioners, Miss Dominic presented and reviewed a report on the street lighting programs of most of the other counties in the State of Maryland. Also included in the report are standards and guidelines for subdivision street lighting systems being implemented in Anne Arundel, Baltimore and Montgomery Counties.

Miss Dominic pointed out that Worchester County expressed an interest in developing a county street lighting program and have been investigating the possibility of establishing "lighting

districts". The Commissioners thanked Miss Dominic for her presentation and requested that when she receives more information on Worchester County's policy to forward this information to them.

EMERGENCY MEDICAL SERVICE COUNCIL

Commissioner Jarboe brought to the Commissioners' attention that in establishing of the Emergency Medical Service Council that the County Commissioners are to appoint four members to this Council who would be representative of consumers of medical services in St. Mary's County.

WILLOWS ROAD PROPERTY

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented the topography plans and aerial photograph of the area of the Willows Road property.

Commissioner Jarboe made a motion to authorize Mr. Baggett to negotiate the purchase of this property with Open Space monies with the following contingencies:

1. That we obtain a fee simple deed to the 50-foot right-of-way access to Willows Roads as part of the 20 acres.
2. That the property would receive a favorable percolation test;
3. That a favorable soil report is received from Soil Conservation Service;
4. And if the above-mentioned contingencies are favorable, to proceed with the survey of the property to determine that there is in fact 20 acres.

Commissioner Parlett seconded the motion. The Commissioners voted three to two in favor of the motion, with Commissioners McKay and Millison voting against.

For the record the Commissioners gave their reasons for their vote:

Commissioner Jarboe stated that (1) the property has been inspected by the Department of Natural Resources and they approved the purchase, (2) the purchase of this property is within the intent of Comprehensive Recreation and Parks Plan; (3) this property could be connected to Parkhall recreation area by use of the stream valley of Penbrooke Run;

(4) if development did occur in this area, the County may be able to require the developer to develop the park; and (5) he approved the concept of land banking for future use.

Commissioner Millison stated that parks are immediately needed in the area of Patuxent Park, Spring Valley and Suburban Mobile Homes. The Willows Road property is approximately a mile from the nearest concentration of people. We should not be in a position of land banking. In addition this property is adjacent to land that is zoned "Industrial" and a neighborhood park should not be located in such an area where there may be heavy truck traffic. The purchase of this land is not in the best interest of the people of this County.

Commissioner Dean stated that there is already a park in existence to serve Patuxent Park and Spring Valley - Nicolet Park. and that bringing up the need for parks in this area has no bearing whatsoever on the Willows Road Property. The time to purchase park land is not after development has occurred but before development. The County has spent a great deal of money to have the Comprehensive Recreation and Parks Plan prepared and it should be put to use. The County cannot afford to put a park in every subdivision but should put them in general areas as outlined in the Plan. In addition we have a citizens advisory Recreation and Parks Board and this Board along with Mr. Baggett and the State Open Space Department have recommended the purchase of this price of property, and we should listen to the advice of these people.

Commissioner Parlett stated that he was in agreement with Commissioner Jarboe and Dean and added that he was not interested in benefiting any developers but was interested in benefiting those people in the area in some foreseeable future.

Commissioner McKay stated that there was only a limited amount of Open Space monies available for the purchase of park land and the purchase of the Willows Road property would be a total waste of public monies that are provided this county. It would be a shame to waste these monies on a park that would not be developed for years ahead. Mr. McKay added that most of the land in his opinion was suitable for development.

RESOLUTION NO. 75-59

CIVIL DEFENSE AND DISASTER PREPAREDNESS AGENCY - ST. MARY'S COUNTY

In accordance with the recommendations in the On-Site Assistance Survey with regard to the Action Plan for the Office of Civil Defense, Commissioner Jarboe made a motion to adopt Resolution No. 75-59 entitled "Civil Defense and Disaster Preparedness Agency- St. Mary's County", seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

RESOLUTION NO. 75-60
BUILDING PERMIT FEE SCHEDULE

The Commissioners signed the Resolution No. 75-60 establishing the Building Permit Fee Schedule, effective August 1, 1975.

RESOLUTION NO. 75-61
RAILROAD RIGHT-OF-WAY REPLACEMENT

Commissioner Dean made a motion to adopt Resolution No. 75-61 selecting Alignment No. 2 as the most appropriate corridor for the replacement of the County-owned Railroad right-of-way, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

RESPONSE FROM COUNTY ATTORNEY - KITT
FLOOD PLAN REGULATIONS

Commissioner Dean stated that he received a response dated September 3, 1975 from the County Attorney to his request for an interpretation of Article 4.15B of the Zoning Ordinance. Mr. Bell replied that the County Commissioners are authorized by law to deviate from any of the flood plain requirements so long as the alternate approved by the Commissioners are recommended by the County Engineer and are in harmony with purposes sought to be achieved by the Ordinance. The Commissioners decided to request Mr. Bell to attend the meeting tomorrow morning for further clarification.

J. IRVING KNOTT - TAKE IT EASY RANCH

Commissioner Dean stated he forwarded a letter to the County Attorney concerning the rezoning application of J. Irving Knott for the Take It Easy Ranch setting forth an appropriate course of action for the Knotts to proceed and requested Mr. Bell's interpretation of certain sections of the Zoning Ordinance which would pertain to this case. Mr. Bell forwarded a response dated September 3 outlining his interpretation and his concurrence with Mr. Dean's recommendations for a proper course of action. The Commissioners agreed to discuss this further with Mr. Bell at tomorrow's meeting.

The meeting recessed at 4:55 p.m.

Thursday, September 4, 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 9:15 a.m.

KITTS POINT - FLOOD PLAIN REGULATIONS

Present: Joseph Ernest Bell, County Attorney

After discussing Mr. Bell's response of September 3 to Commissioner Dean, the Commissioners decided to forward a letter to Mr. Reynolds enclosing a copy of Commissioner Dean's letter to the County Attorney and Mr. Bell's response.

J. IRVING KNOTT - TAKE IT EASY RANCH

Present: Joseph Ernest Bell, County Attorney

After discussing Commissioner Dean's letter of September 2 to the County Attorney and Mr. Bell's response of September 3, the Commissioners agreed that after a decision is made by the Commissioners on the rezoning application by Mr. Knott, the Commissioners will forward copies of Commissioner Dean's and the County Attorney's letter along with the letter of their decision.

CASH MANAGEMENT AND INVESTMENT PROGRAM

Present: Joseph P. O'Dell, Budget Officer
Harris Sterling, Finance Director

At this time the Commissioners held a work session with Mr. O'Dell on the Cash Management and Investment Program.

EXECUTIVE SESSION

Present: Edward V. Cox
Marvin Kaminetz
Gene Weimer

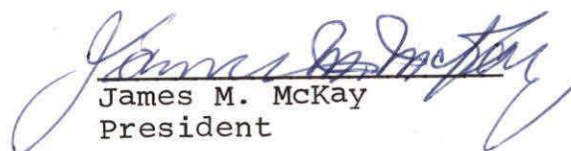
The Commissioners unanimously agreed to meet in Executive Session in order to discuss the rank assignments in the Sheriff's Department because individuals will be discussed.

SHERIFF'S DEPARTMENT - RANK ASSIGNMENTS

After meeting in Executive Session, the Board of Commissioners received the recommendations from the Study Committee for the Rank Assignments of the Sheriff' Department and requested that the Study Committee turn over its recommendations to the Sheriff for review and requested his appearnace before the Board next week to discuss said recommendations.

The meeting recessed at 12:10 p. m.

Approved by,


James M. McKay
President