

BOARD OF COUNTY COMMISSIONERS' MEETING

October 1-2, 1975

Wednesday, October 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
Judith A. Mullins, Recording Secretary

The meeting was called to order at 9:10 a.m.

READING AND APPROVAL OF MINUTES

The minutes of September 24-25, 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.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented Encumbrance Vouchers for the Commissioners' review and approval. Commissioner Jarboe made a motion to approve the submitted Encumbrance Vouchers with the exception of Voucher No. 4733 and Voucher No. 4734, payable to Carl R. Everstine and Mary L. Hammer, respectively, for editorial work for the 1975 Supplement to St. Mary's County Code. These vouchers are to be held for further clarification. Commissioner Dean seconded the motion. All Commissioners voted in favor.

JEFFERSON ISLAND CLUB

Present: Joseph Ernest Bell, II, County Attorney

With reference to the Jefferson Island Club's request to the Commissioners at their meeting of September 17 for a Shore Erosion Control Program through the St. Catherine's Public Watershed Association, Mr. Bell presented a copy of the Attorney General's Opinion dated September 25, 1975. According to Mr. Bell the effect of the County's approval of the project would be that the County has guaranteed to the State that the loan will be repaid. The benefit charge will have the same priority and bear the same interest and penalties as County real estate and will take priority over a previously perfected security interest.

In addition, Mr. Bell presented to the Commissioners for their review the Jefferson Island Club's Balance Sheet dated September 1, 1975, Projected Income and Expenses, and a 1971 Property Appraisal.

Based on the fact that the assets appear to support justification, Commissioner Jarboe made a motion to approve the Agreement between the Department

Board of Appeals

John Benson	Three year term 10/1/75 to 10/1/78
Ed Fitzgerald	Three year term 10/1/75 to 10/1/78
James C. Raley, Jr. (alternate)	Three year term 10/1/75 to 10/1/78

Building Committee

Commissioner John K. Parlett
 Judge Joseph Mattingly
 Dr. William Boyd, Sr.
 Parran Jarboe
 Ed Long

Commissioner Dean further moved that Hope Swann be appointed temporary Chairman of the Land Use Committee.

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

CHELTHENHAM

Present: Dr. Robert King, Superintendent of Schools
 Mrs. Catherine Barnes, President of Board of Education
 Josh Potter, Special Education
 Joseph Cipolloni, Board of Education
 Norma Dawson, Board of Education member
 Dr. Richard Tiller, Tri-County Council

Dr. King stated that the matter of Cheltenham has been discussed with the Board of Education and the Board's relation to it. Dr. King said that several concerns were raised and it was too late to have them incorporated into the Contract this year, but they were hopeful that, in future contracts, these items would be included.

Mrs. Barnes stated that the Board of Education was in favor of participating in the Cheltenham Program; however, there were two concerns:

- (1) The adequacy of funds for Special Education for children participating at Cheltenham;
- (2) That someone from St. Mary's County be on the screening committee.

The Commissioners requested Mr. O'Dell, Budget Officer, to look into the Board of Education's Special Education funds.

Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign the Cheltenham Agreement on behalf of the St. Mary's County Commissioners, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

PROCLAMATION No. 75-64 - OYSTER FESTIVAL

Present: Al Kessler, Optomist Club of St. Marie's
Don Megby " " " "
Steve Mattingly " " " "
Bill Weiland, Rotary Club
Marvin Kaminetz " "

The Commissioners presented Proclamation No. 75-64 to the above persons proclaiming October 11 and 12, 1975 as the Ninth Annual Oyster Festival Days.

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise
Randy Buehler, Beacon
Dick Myers, WKIK
Brian Murphy, Guardian

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

APPROVAL OF ENCUMBRANCE VOUCHERS

Commissioner Parlett made a motion to approve Encumbrance Vouchers Nos. 5039 through 5044, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

TITLE I PROJECT - EDUCATIONAL ASSISTANCE TO LOCAL PLANNING BOARDS

Present: Patricia Maher, University of Maryland
Richard Platt, Director, Land Use & Development

Miss Maher came before the Commissioners to explain the Title I Project Grant funded by HEW and the University of Maryland. The purpose of this grant would be to provide educational assistance to local planning boards and decision making bodies of government. Information on a particular subject would be gathered and assembled and then provided to the County with the information as to how it was obtained.

The Commissioners listed several projects for which they could use this assistance: Update of Comprehensive Water and Sewer Plan; Coastal Zone Management Plan; and Study of road maintenance system.

The Commissioners thanked Miss Maher for her presentation and advised that they would be in contact with her concerning these projects.

CITIZENS FOR PROGRESS - AUDIT

Commissioner McKay advised that the Citizens for Progress' books are in order and are ready for an audit. Mr. Cox stated he has been in contact with Citizens for Progress and they are in the process of obtaining costs for an audit and, if they could not afford it, the County would entertain a request

from them. Mr. Cox stated he would be glad to work with Mr. O'Dell to determine what needs to be done.

1975 AUDIT

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

Mr. O'Dell reviewed the 1975 Audit Report prepared by Wooden & Benson, Certified Public Accountants, and discussed the general financial condition of the County.

Mr. O'Dell explained that if internal fiscal management and control procedures continue to progress (including an improved cash management system) that there could be a likelihood of a minimal tax decrease if FY 77. With regard to this Mr. O'Dell stated that some time in the Third Quarter he would be able to recommend to the Commissioners whether this could be done.

Mr. O'Dell stated that the management letter dated October 1, 1975 from Wooden & Benson should be responded to by the organizations that are affected and that those departments present their responses to the Commissioners. This letter directed the Finance and Treasurer's Office to develop a plan and present it to the Commissioners stating when and how the deficiencies in their departments would be corrected. After the Commissioners review this information, then a timetable should be instituted by the Board setting a time for the auditors to come back to see that the deficiencies have been corrected and that we are operating a good financial plan for the County.

WATERVIEW DRIVE - GOLDEN BEACH

Present: John Norris, County Engineer

Mr. Norris presented a plat for a portion of Golden Beach and pointed out that the area having a drainage problem caused by the recent rains, specifically Waterview Drive, a County road. Mr. Norris displayed pictures of the area confirming the problem and recommended that a concrete channel be constructed, which would be a marginal solution, and, in addition, he recommended a cross pipe be installed on Waterview Drive. This work would cost approximately \$3,200.

Commissioner McKay requested Mr. Norris to obtain actual cost estimates and return to the Commissioners with this information, after which time they will make a decision.

LEWIS CREEK DREDGING PROJECT

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that he needs authority for the Contractor for the Lewis Creek dredging project to enter onto the Dillow property in order to do the work. Mr. Norris presented an agreement from Mrs. Betty Dillow allowing the Contractor to enter onto the property and setting forth certain conditions.

Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign the Agreement with Mrs. Betty Dillow on behalf of the County Commissioners, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

PLANS FOR LEWIS CREEK PROJECT

Present: John Norris, County Engineer

Mr. Norris presented the plans for the Lewis Creek dredging project and requested Commissioner McKay's signature on same. Commissioner Dean made a motion to approve and authorize Commissioner McKay to sign the above plans, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

TRAFFIC LIGHT AT INTERSECTION OF SHANGRI-LA DRIVE AND ROUTE 235

Present: John Norris, County Engineer

Mr. Norris stated he received correspondence from State Highway Administration requesting that the cost for installation of the traffic light at Shangri-la Drive and Route 235 be shared on a 50-25-25 basis (SHA, Naval Air Station, and County). The SHA will bear the maintenance cost and the County will bear the energy cost. Mr. Norris stated that \$6,250 is the cost estimate for the County's share of installation. A letter of willingness to SHA to participate in the cost sharing of the installation of this light is needed. Commissioner Jarboe made a motion to forward the letter of willingness to participate in the installation of this light and to bear the energy cost, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

KAREN KNOLLS SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris presented an Agreement among St. Mary's County, SMECO, and the developer for Karen Knolls Subdivision allowing use by the developer of the railroad right-of-way for the proposed entrance to Karen Knolls Subdivision. Commissioner Jarboe made a motion to approve this Right-of-Way Agreement, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

TANNER CREEK JETTY PROJECT

Present: John Norris, County Engineer

Mr. Norris stated that bids were opened August 25th for the construction of the jetty at Tanner Creek. Bids were as follows:

MARTIN G. IMBACH	\$246,000
H. D. HALL	200,335
WILLIAM ENTERPRISES	171,395.

Mr. Norris stated that Department of Natural Resources provides 100% funding for this project and requested that their entire budget allocation of \$200,000 be utilized by:

- (1) Increasing the width of the jetty;
- (2) Changing the side slopes of the jetty.

John Norris recommended awarding the bid to WILLIAM ENTERPRISES and increasing the project to \$200,000 as per the recommendation of the Department of Natural Resources.

Commissioner Dean made a motion to accept this recommendation, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

COMMISSIONERS' CONFERENCE ROOM

The Commissioners instructed Mr. Cox to obtain proposals for the improvement and redecorating of the Commissioners' Conference Room and return to the Commissioners with this information.

ST. CLEMENTS ISLAND AND POTOMAC RIVER MUSEUM

Present: J. S. Guy, Jr.
John Baggett, Director, Recreation & Parks
Michael Humphries

The above persons submitted a report to the County Commissioners setting forth attendance from July 5 to September 30, 1975, future plans, and accomplishments.

There was discussion as to the possibility of obtaining an Economic and Community Development matching Grant to assist the Museum. The Commissioners explained that the Bicentennial Commission/Outdoor Drama Association ("Wings of the Morning") is planning to apply for this grant. Mr. Guy suggested that the Commissioners could possibly endorse both projects and state in a letter to Economic and Community Development that the Commissioners' first preference would be "Wings of the Morning" and in case that project is not funded, that consideration be given for the grant application for the Museum.

The Commissioners agreed to this suggestion and requested Mr. Cox to draw up the letter to Economic and Community Development.

Mr. Guy stated that funding has been provided for salaries for the Museum to be opened on weekends; however, after a discussion with the Board of Education, it was suggested that the Museum be opened during the week three days in order to accommodate field trips. However, the Museum does not have funds to keep the Museum open during the week. The Board of Education indicated they did not have funding within their budget for this either. After meeting with the Recreation and Parks Board, they unanimously agreed that Mr. Guy should approach the County Commissioners to determine the possibility of funding someone to operate the Museum during the week for three days for 35 weeks at a cost of \$735. A five-day week would cost \$1,225. A student from Chopticon would be able to work there and obtain credit in school for having a job.

The Commissioners advised that they would make a decision on this next week.

LEGISLATIVE PACKAGE REVIEW

Present: Will Foreman, College Intern

At this time the Commissioners reviewed the Legislative Package prior to meeting with the Legislators on October 3.

The meeting recessed at 5:30 p.m.

Thursday, October 2, 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 9:10 a.m.

PROPOSED LEGISLATION - JOURNALISTS' ASSOCIATION

Present: Jack Kershaw, Enterprise
Janet Shaffron, Enterprise
Brian Murphy, Guardian
Randy Buehler, Beacon
Otis Wood, Acting Director, Civil Defense
Joseph O'Dell, Budget Officer
Harris Sterling, Director of Finance

At this time the above persons reviewed the proposed legislation entitled "St. Mary's County Open Meetings Act", presented by the Journalists' Association to the Commissioners at their meeting of September 24, 1975. The Commissioners advised the Journalists' Association that this proposed legislation will be discussed with the Legislators on Friday evening, October 3rd. After the meeting with the Legislators the Commissioners will make certain amendments to this proposal and present same back to the Journalists' Association.

PROPERTY OWNED BY EDWARD ROBERT DUBINOK

With reference to a letter dated October 2, 1975 from the County Attorney, Joseph Ernest Bell, II, concerning property owned by Mr. Edward Robert Dubinok in the Eighth Election District, Commissioner Jarboe made a motion that the Commissioners accept the recommendation of the County Attorney and forward this letter to the Treasurer's Office with the recommendation that the property tax not be abated and that the Treasurer forward the bill to Mr. Stafford, former owner, and that the present owner will not be held liable,

and that no liens will be held against his property, seconded by Commissioner Parlett. All Commissioners voted in favor.

J. IRVING KNOTT REZONING

Based on the fact that Commissioner Jarboe was of the opinion that Mr. Irving Knott was misdirected in his search for relief for the goals for his property, and that if Mr. Knott had been completely aware of his alternatives, and if he had been aware of accessory use, he may have chosen another course of action, Commissioner Jarboe moved that the Commissioners authorize the refund of \$300 to Mr. J. Irving Knott for his rezoning application fee, seconded by Commissioner Dean. The Commissioners voted four to one in favor, with Commissioner McKay voting against.

ADMINISTRATIVE LEAVE - MCEA OFFICERS

Commissioner Millison made a motion to authorize one day's administrative leave, on October 2, 1975, for Joyce Nelson and Sharon Gatton, officers of the MCEA, in order to attend the MCEA Convention in Ocean City, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

APPROVAL OF BILLS

Commissioner Dean made a motion to approve Voucher No. 2558 payable to Barton-Aschman, and Voucher No. 5046, payable to GSA, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

ROLLINS BENNETT - ROAD OFF OF ST. ANDREWS CHURCH ROAD

After discussion of the circumstances surrounding the road problem which Mr. Bennett had discussed with the Commissioners at their meeting of September 10th, and whether or not it was a County-owned road, Commissioner Dean made a motion that the Commissioners instruct the County Attorney to use whatever legal means necessary to divest the County of this property, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

BIDS ON INVESTMENTS

Present: Harris Sterling, Director of Finance

Mr. Sterling stated that bids were opened this date on investments as follows:

<u>AMOUNT</u>	<u>TERM</u>	<u>MD. NAT'L</u>	<u>FIRST NAT'L</u>	<u>MD. BANK & TRUST</u>
\$269,328.72	123 days	6.531%	6.525%	No bid
\$670,000.00	95 days	6.651%	6.525%	No bid

Mr. Sterling recommended awarding the bids to the highest bidder, namely, Maryland National Bank. Commissioner Jarboe made a motion to accept Mr. Sterling's recommendation, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

UPDATE OF COMPREHENSIVE WATER AND SEWER PLAN

Commissioner Parlett advised the Commissioners that he had talked to Mr. Beavan concerning his availability for working on the Comprehensive Water and Sewer Plan update and Mr. Beavan advised him that he would be willing to work with the Committee on this project at \$26.50 per hour. Mr. Beavan will forward a letter to this effect. Mr. Beavan stated he had some concerns as to whether we could go the route of hiring a technician at the proposed salary range and whether update could be completed within that salary range.

ST. MARY'S RIVER WATERSHED PROJECT

Commissioner Parlett stated that, prior to the Commissioners making a decision on Sites 3, 4 and 5 of the St. Mary's River Watershed, the Commissioners should visit the three sites of the Gilbert Run Watershed Project in Charles County.

MARYLAND-VIRGINIA FERRY

Commissioner Dean made a motion that the Commissioners request the Economic Development Committee to undertake the assignment of working with the committees in Somerset County, Maryland, and Northumberland County in Virginia to explore the feasibility of a Mid-Bay Ferry as presented by Mr. James Brincefield at the Commissioners' meeting of September 17, 1975, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

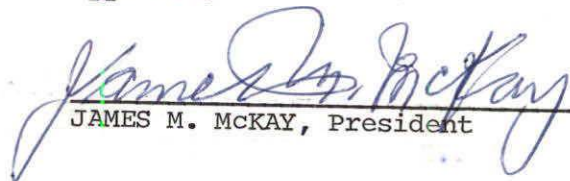
LEONARD HALL PROPOSAL

Present: John Norris, County Engineer
Joseph O'Dell, Budget Officer
Edward Cox, Chief Clerk

The Commissioners reviewed the proposal from the above persons, complimented them on their work, and requested that the proposal be turned over to the recently appointed Building Committee by Mr. Norris, liaison officer for the Leonard Hall Project.

The meeting adjourned at 11:25 a.m.

Approved:



JAMES M. MCKAY, President