

BOARD OF COUNTY COMMISSIONERS' MEETING

December 3, 1975

Present: Commissioner James M. McKay, President
Commissioner Ford L. Dean
Commissioner Larry Millison
Commissioner John K. Parlett
Edward V. Cox, Chief Clerk
Judith A. Mullins, Recording Secretary

(Commissioner Jarboe was not present due to the fact that he was attending a Steering Committee Meeting of HSA.)

The meeting came to order at 9:10 a.m.

READING AND APPROVAL OF MINUTES

The minutes of November 25-26, 1975, were read and corrected. Commissioner Parlett made a motion to approve the minutes as corrected, seconded by Commissioner Dean. All Commissioners present voted in favor of this motion.

REPAIR OF SPRING VALLEY ROAD

Present: John Norris, County Engineer
Joseph O'Dell, Budget Officer

Mr. Norris appeared before the Commissioners to request a transfer of \$3,000 from the Capital Road Improvement Funds for the emergency repairs of the roads within Spring Valley Subdivision (Square Project No. SM-6-55-X-000-517), which has been approved by the Budget Officer. Commissioner Parlett made a motion to approve said transfer, seconded by Commissioner Millison. All Commissioners present voted in favor of this motion.

Mr. Norris also raised the question of the County's snow removal in Spring Valley to which the Commissioners stated that it would depend on the magnitude and the circumstances.

EXTENSION OF DALE CROPPER'S EMPLOYMENT

Present: John Norris, County Engineer

Mr. Norris stated that Mr. Cropper has been in the process of obtaining the signatures for rights-of-way acquisition for the Golden Beach Road and Chaptico-Mechanicsville, Road. According to the employment stipulations by the Commissioners, Mr. Cropper's employment terminated at the end of November; therefore Mr. Norris recommended an additional extension of 60 days of Mr. Cropper's employment in order to obtain the remaining rights-of-way.

Commissioner Parlett made a motion to accept Mr. Norris' recommendation and extended Mr. Cropper's employment through January 31, 1975, seconded by Commissioner Dean. All Commissioners present voted in favor of this motion.

RECONSTRUCTION OF LINCOLN AVENUE AND STORM DRAINAGE STUDY, LEXINGTON PARK, MD.

Present: John Norris, County Engineer

Mr. Norris presented the following proposals for the reconstruction of Lincoln Avenue and the Storm Drainage Study, Lexington Park:

<u>FIRM NAME</u>	<u>RECONSTRUCTION OF LINCOLN AVENUE</u>	<u>STORM DRAINAGE STUDY</u>	<u>PROPOSED TOTAL</u>
The Wilson T. Ballard Co.	\$7,055	\$5,144	\$12,199
Greenhorn & O'Mara	\$9,500	\$8,600	\$18,100
John E. Harms & Assoc.	\$10,500	\$7,700	\$18,200
Dewberry, Nealon & Davis	\$10,267	\$12,775	\$23,042
Intercontinental Consultants	\$16,000	\$17,000	\$33,000

Mr. Norris recommended awarding the projects to the Wilson T. Ballard Co. for the total of \$12,199. Commissioner Dean made a motion to award the contracts to the Wilson T. Ballard Co. as recommended by the County Engineer, seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

In addition, Mr. Norris requested at the recommendation of the Budget Officer that the \$5,000 previously allocated for the Lexington Park Master Plan update be transferred to do the Storm Drainage Study, as it is not anticipated that the Master Plan update will be done in the near future. Commissioner Dean made a motion to accept this recommendation, seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

PROPOSED CONTRACT FOR NURSING HOME

Present: John Norris, County Engineer
Joseph O' Dell, Budget Officer

In order to free funds for the total Nursing Home Project, Mr. O' Dell stated that the County needs a release from the executors of the Thomas Chapel Fund (Mrs. Virginia Thomas and Mrs. Kitty Barnes); said fund being in the amount of \$41,000. Mr. Norris requested that he be given permission to proceed with the concrete curb and gutter project at the Nursing Home, pending receipt of the above-mentioned release.

Commissioner Dean made a motion to authorize the County Engineer to proceed with concrete curb and gutter project and award the project to Ted Stroud Concrete, Inc. in the amount of \$1,357.50 with the funding details to be worked out later, seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

WORK ON KITCHEN AT NURSING HOME

Present: John Norris, County Engineer

Mr. Norris indicated to the Commissioners that there was necessary work yet to be completed in the kitchen of the Nursing Home; however, the kitchen is in use during the day to prepare the three meals and the work would have to be done outside the normal working hours, which would increase the costs.

The Commissioners recommended that Mr. Norris contact Mrs. Thomas of the Nursing Home to determine the possibility of the hospital providing these meals while the repairs are being completed at the kitchen of the Nursing Home. Mr. Norris concurred.

ROAD STANDARD PLATES

Present: John Norris, County Engineer

Mr. Norris stated that on December 1 his office presented to the Planning Commission the drafts of the Road Ordinance and specifications for street and highway construction and will be presenting same to the Commissioners for their review.

Advertisement for public hearing should be some time in mid-January. Mr. Norris stated that he would like to have the plates for the above drafted for inclusion into the documents, and therefore requested a transfer of \$2,000 from the Contingency Fund to create a retainer fund in which to employ The Wilson T. Ballard Company to do the draft work on the road standard plates and to supplement the cost of reviewing certain subdivision plans.

Commissioner Dean made a motion to grant this request, seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

ROAD RESOLUTION NO. 75-25

Present: John Norris, County Engineer

Mr. Norris presented Road Resolution No. 75-25, which rescinds Road Resolution No. 74-7, dated January 8, 1975, and that a Yield Sign be replaced on Bull Road at its intersection on Society Hill Road and that Society Hill Road be declared a through Road.

Commissioner Dean made a motion to approve this Resolution, seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

ROAD RESOLUTION NO. 75-26

Present: John Norris, County Engineer

Mr. Norris presented Road-Resolution No. 75-26 posting Sandgates Road at 40 miles per hour. Commissioner Parlett made a motion to approve this Resolution, seconded by Commissioner Dean. All Commissioners present voted in favor of this motion.

CLEARINGHOUSE PROJECT

VA HOUSING FEASIBILITY - GOLDEN BEACH, SECTION IV

For the Commissioners' information, Mr. Cox presented the above-reference Clearinghouse Project and that it will be forwarded to the State Clearinghouse stating that it is inconsistent with our agencies' plans, programs and objectives, because the stipulated lots are substandard and should meet the provisions of Article 4.9c of the Zoning Ordinance. The Commissioners gave their concurrence.

COUNCIL FOR MARYLAND ARCHAEOLOGY MEETING

Mr. Cox requested a recommendation from the Commissioners to the Board of Education that Michael Humphries, County Archaeologist, be granted administrative leave in order to attend the Council for Maryland Archaeology Meeting on December 12, 1975 at 10:00 a.m. at the American University in Washington, D. C.

The Commissioners authorized Mr. Cox to draft a letter to the Board of Education that it is the Commissioners' recommendation that Michael Humphries be granted administrative leave to attend the above-mentioned meeting.

MCEA'S REQUEST FOR TIME OFF FOR ELECTION OF OFFICERS

Mr. Cox presented a request from the President of the local MCEA requesting the Commissioners' consideration to allow the employee's on-half hour of working time in order to conduct election of officers for the Maryland Classified Employees Association.

Commissioner Parlett made a motion to grant this request, seconded by Commissioner Dean. All Commissioners present voted in favor of this motion.

IMPACTED AREA SCHOOLS BULLETIN

Mr. Cox presented the Impacted Schools Bulletin which included a "Late News Flash" which stated that the cuts in the Impacted Aid Program are going to be greater than anticipated and the Congressional Offices should be contacted to seek support to negate this rescission.

Commissioner Millison made a motion to forward a telegram and a letter to the Congressional Delegation requesting their support to negate any attempt to reduce Impacted Aid for St. Mary's County, and that this cut would seriously harm the education in the County, seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

CALEDON DEVELOPMENT CORPORATION (NEWTOWN NECK PROJECT)

As had been requested by the Commissioners at the Rezoning Hearing conducted November 12, 1975, the attorney for Caledon Development Corporation submitted legal documentation with reference to the Newtown Neck project, which is on file in the Commissioners' Office. The Commissioners scheduled December 17, during their regular meeting to discuss what concerns the County has with regard to this project and what information needs to be obtained.

SOUND SYSTEM FOR CIRCUIT COURTROOM

Mr. Cox presented correspondence from Judge Mattingly enclosing a proposal for a sound system for the Circuit Courtroom. Mr. Cox recommended that the project go out on bids in that the cost would exceed \$2500 and therefore a decision should be deferred until proposals are received.

The Commissioners concurred with Mr. Cox's recommendation and were of the opinion that the sound system should be a part of the entire renovation project of the Courtroom. Mr. Cox is to forward a letter to Judge Mattingly to this effect.

CIRCUIT COURT PERSONNEL

Mr. Cox presented correspondence from the Court Administrator regarding the upgrading of positions in the Court System. Mr. Cox recommended to the Commissioners that he review this request and present recommendations to the Commissioners prior to their making a decision.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the Encumbrance Vouchers for the Commissioners' review and approval. Commissioner Parlett made a motion to approve payment of the bills, seconded by Commissioner Millison. All Commissioners present 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>
\$425,000	124 days	6.05%	5.575%	5.75%

Mr. Sterling recommended awarding the bid to Maryland National Bank, the highest bidder.

Commissioner Parlett made a motion to accept Mr. Sterling's recommendation, seconded by Commissioner Millison. All Commissioners present voted in favor of this motion.

(Commissioner Jarboe entered the meeting at this time)

PRESS CONFERENCE

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

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

PROPOSED FIVE ACRE ZONING

Present: Joseph Booth

Mr. Booth inquired of the Commissioners as to the proposed five-acre minimum requirement in the Zoning Ordinance update, in that he had a two acre lot. The Commissioners advised Mr. Booth that there were exceptions to this requirement and that it appeared that if he had the Deed to this property, he would not be affected; however, there will be public hearings scheduled on the update of the Zoning Ordinance at which the general public will have an opportunity to make comments.

MINICOMPUTER PRESENTATION

Present: John Murphy, Branch Manager)
Wally Finch, Zone Manager)Burroughs Corp.
Robert Brouchey, representative)
Joseph P. O' Dell, Budget Officer

The above persons appeared before the Commissioners to give a presentation on the Burroughs L-9500 Minicomputer, and explained its features, operation and time-saving elements. Mr. Murphy presented each of the Commissioners with a book summarizing the system, including costs.

After an explanation of the lease or purchase agreement, and discussion of comparative costs using their computer system as opposed to our present system, the Commissioners thanked them for their presentation and advised they would be making a decision at a later date.

STEAURT PETROLEUM COMPANY SITE PLAN (TANK EXPANSION)

Present: Jim Waring, Attorney for Steuart
Michael Humphries, Attorney for Steuart
Frank Steuart, Administrative Director, Steuart
Walter Osborne, Civil Engineer, Steuart
Jack Witten, Potomac River Citizens Assoc.)
James Vance, Attorney for Potomac River Assoc.)
Jack Koegel, Potomac River Assoc.)
Eric Jansson)
Carl Rosenbush, Tall Timbers) opponents
Mr. Mason, Tall Timbers)
Truman Haskell)
Robert Boswell, President, Tall Timbers Citizens Assoc.)
Diane Tavera
Richard Platt, Director, Land Use and Development

(This portion of the Commissioners' meeting was conducted in the Circuit Court Room.)

Representatives from Steuart Petroleum Company appeared before the Commissioners to request industrial site plan approval for six additional tanks for Steuart Petroleum Company, located at Piney Point. According to Mr. Waring, due to the fact that the Office of Land Use and Development had advised Steuart that the building permit obtained in 1971 had expired, Steuart's would have to go through the administrative process of submitting this site plan. One of the processes was obtaining the approval of the Planning Commission, which was accomplished in October 1975. At this point Mr. Steuart explained the site plan and proposed use of the additional tanks.

Various individuals and representatives from certain groups spoke in opposition to the project, requested the Commissioners to deny approval, and submitted documents and letters to that effect, which are on file in the Commissioners' Office.

Mr. Diane Tavera expressed an opinion in favor of the project pointing out that a business should be able to expand which would give the employees an opportunity to advance.

Mr. Platt, Director of Land Use and Development, reported on the status of the responses from various agencies as to their position on this project.

After a question and answer period and further discussion, the Commissioners thanked those present for their presentations and comments.

(A tape of this discussion is on file in the Commissioners' Office.)

(The Commissioners returned to the Conference Room to conduct the remainder of the meeting.)
Upon return to the Conference Room, Commissioner Millison recommended that the Commissioners request Mr. Platt to ask Dr. Solomon, Secretary, Department of Health and Mental Hygiene and Dr. Cronin, Chesapeake Biological Laboratory to submit their evaluation of the Steuart Petroleum Company's request for additional tanks.

The County Attorney is to be requested to advise the Commissioners if the above meeting was an administrative procedure only and is the Commissioners' decision strictly an administrative decision and also if the County has the right to require a complete environmental impact statement based on the Zoning Ordinance requirements.

MARYLAND ASSOCIATION OF RESIDENTIAL FACILITIES FOR YOUTH, INC.

Commissioner Millison referred to correspondence from Mr. Goodland from Maryland Association of Residential Facilities for Youth, Inc., which expressed concern over the State's insufficient funding of group homes for troubled children and requested that the Governor be contacted expressing this concern.

It was agreed that a letter should be written to the Governor stating that this matter has been brought to the Commissioners' attention and if the information set forth in the letter from Mr. Goodland is factual, the Commissioners are expressing their concern.

CHRISTMAS HOLIDAYS

Present: Gordon Otis, MCEA Field Representative

Mr. Cox presented correspondence from Mr. Otis requesting the Commissioner to follow the Governor's direction in granting December 26, the day after Christmas, as an additional holiday and the day after New Year's for employee's required to work on December 26. After some discussion the Commissioners agreed to adopt the State's policy and, therefore, Commissioner Dean made a motion to rescind the former motion of November 19 relative to granting one-half day on Christmas Eve and instead, grant a whole day's leave on December 26, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion. As to those employees who must work on December 26, they will be allowed to take off another day.

HIGHWAY ADEQUACY RATING STUDY COMMITTEE

With regard to the County Engineer's recommendation for selection of members for the Highway Adequacy Rating Study Committee as set forth in the minutes of November 19, Commissioner Dean stated that he would contact these people, after which time the Commissioners will make appointments.

EXECUTIVE SESSION

Commissioner Parlett made a motion that the Commissioners meet in Executive Session on December 9 at 7:00 p.m. to make appointments to various Boards, Committees and Commissions, seconded by Commissioner Dean. There were no dissenting votes.

FIREBOARD'S REQUEST - GUARANTEEING OF LOANS


In discussing the Fire Board's request that the County guarantee loans to the volunteer fire departments and rescue squads, Commissioner Dean suggested that proposed legislation be drafted with regard to this, and once drafted it should be submitted to bond counsel for their review and advise us as to what affect it would have on the County's bonding rating. Bond counselling should also be requested to recommend a top dollar amount that the County could guarantee without endangering our bond rating. Commissioner Dean will prepare the letter to bond counselling and to the Fire Board advising that the County is working on this matter.

TOURISM GRANTS

With regard to the Tourism grants referred to in the Commissioners' minutes of November 14, 1975 (\$9500 to Tri-County Council and \$7,000 to St. Mary's, Calvert and Charles County each, Commissioner Parlett suggested recommending that \$6500 be made available to Tri-County Council and \$8,000 to each of the tri-counties. The Commissioners concurred with this suggestion.

The meeting adjourned at 5:20 p.m.

Approved by,


James M. McKay,
President