

Z E I N

BOARD OF COUNTY COMMISSIONERS' MEETING

December 17-18, 1975

Wednesday, December 17, 1975

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

(Commissioner Jarboe was not present as he was attending a meeting of the Steering Committee for HSA.)

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

READING AND APPROVAL OF MINUTES

The minutes of December 10-11, 1975 were read and corrected. Commissioner Dean made a motion to approve the minutes as corrected, seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

TAX RECORDATION CASE

Present: Joseph Ernest Bell, II, County Attorney

Mr. Bell stated that on Thursday, December 18, is the scheduled hearing in Anne Arrundel County Circuit Court on Tax Recordation Case, which involves eight counties including St. Mary's. Mr. Bell requested, in view of his conflicting schedule, that Attorney John Rue be permitted to act in his absence at this hearing in Annapolis.

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

ATTORNEY FOR PLANNING COMMISSION

Present: Joseph Ernest Bell, II, County Attorney

Mr. Bell stated that when he began serving as County Attorney he was also attorney to the Planning Commission and the Board of Appeals and because of increased demand of his time as attorney to these various Boards, he requested

that the Commissioners give consideration to replacing him as attorney to the Planning Commission and Board of Appeals. The Commissioners advised Mr. Bell that this request will be given every consideration.

GOLDEN BEACH ROADS

Present: Ernie Bell, County Attorney

Mr. Bell advised the Commissioners that he is in the process of determining ownership of certain roads in Golden Beach in order that emergency repairs could be made as has been requested by Golden Beach Citizens Association at last week's meeting.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the encumbrance vouchers for the Commissioners' review and approval. Commissioner Dean made a motion to approve payment of these bills, seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

BIDS ON INVESTMENTS

Present: Harris Sterling, Director of Finance

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>
\$280,000	90 days	5.901%	6.135%	5.45%

Mr. Sterling recommended that the bid be awarded to First National Bank, the highest bidder.

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

BOARDS, COMMITTEE AND COMMISSIONS MEMBERS

Mr. Cox distributed an up-to-date list of all boards, committees and commissions to the Commissioners. Mr. Cox was requested to provide an up-dated list of all persons willing to serve on these committees and boards.

APPLICATION FOR GRANT - ECONOMIC AND COMMUNITY DEVELOPMENT

Mr. Cox presented the grant application for construction of 35 units in the Southern Maryland area (St. Mary's and Calvert Counties) as provided for in Section 8 of HUD's Housing and Community Development Act of 1974. Application is being made by the State Department of Economic and Community Development and has been reviewed and approved by Donald Curtis, Housing Coordinator, and Mr. Cox recommended that the Commissioners approve this application.

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

FRANCHISE FOR CABLE TELEVISION

The County Attorney had been requested to review recommendations of the CATV Study Committee and that of the Maryland Technical Advisory Service concerning franchise authorization by the County for cable television companies. Mr. Bell responded by letter that the County does not have franchising law and that legislation should be drafted if the County was interested in having this authority.

Commissioner McKay requested Mr. Cox to obtain a copy of a bill from other counties, particularly Baltimore County, granting this franchise right and then proceed to have legislation drafted.

LETTER FROM GERALD MCKINNEY - EXCESS FEDERAL PROPERTY

Correspondence was received from Mr. McKinney of Tri-County Council pertaining to pending legislation in the House of Representatives affecting the distribution of excess federal property. It was Mr. McKinney's recommendation and that of Mr. Snodgrass, Chariman of Excess Property Committee, National Association of Development Oragnizations, that the Commissioners write our Congressional Delegation expressing our concern that the local controls were being taken away and that the State is assuming too great a role in disposition of federal property.

Mr. Cox will prepare this letter for the Commissioners' signature.

FUNDS FOR FORESTRY PROGRAMS

Correspondence was received from Holger Jansson, St. Mary's County Forestry Conservancy District Board stating that a number of woodland owners in the County are awaiting release of funds from the Federal Office of Management and Budget for the Forest Incentives Program and requested the Commissioners' support in expediting release of these funds.

The Commissioners requested Mr. Cox to work with Soil Conservation Service and the Budget Office to obtain additional details concerning this funding and why funds have not been released.

CIRCUIT COURT PERSONNEL

Mr. Cox stated he has been reviewing the Circuit Court's proposal for upgrading positions in the Circuit Court system and that he has been contacting Circuit Court Administrator and Charles and Calvert Counties pertaining to this. Mr. Cox recommended that he and Commissioner McKay meet with Judge Mattingly to discuss this request.

WETLAND LICENSE APPLICATION - LEONARDTOWN BOAT RAMP

The County Engineer's Office submitted the Wetlands License Application for the Leonardtown Boat Ramp for the Commissioners' approval and signature. Commissioner Parlett made a motion to approve and authorize Commissioner McKay to sign said application, seconded by Commissioner Dean. All Commissioners present voted in favor of this motion.

EMERGENCY MEDICAL SERVICE - "911" SYSTEM

Emergency Medical Service of the Metropolitan Washington Area and State of Maryland submitted a copy of a proposed contract with St. Mary's County; said contract requiring the establishment of a "911" System. A representative from EMS stated that it should be installed and functioning by the end of June 1976. Mr. Cox stated he met with Mr. Otis Wood, Director, Civil Defense, and Mr. O'Dell, Budget Officer, and it is their recommendation that Mr. Wood be appointed as Project Coordinator for St. Mary's County for the Emergency Medical Service grant and that he work with the Coordinator from the Washington Regional Program to clarify details of the Agreement.

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

COMPREHENSIVE EMPLOYMENT TRAINING ACT

Mr. Cox advised the Commissioners that the State has accepted the County's request for additional CETA funds to carry us through Fiscal '76. Also, there will be increased CETA funds for funding of additional positions. Mr. Cox stated he met with the State representatives and was advised that there may be funding through the first quarter of the next fiscal year.

The Commissioners advised Mr. Cox to prepare an arbitrary list of possible positions in order of priority to be submitted to the State by December 19.

COOPERATIVE EXTENSION SERVICE - USE OF FARM LAND

Correspondence was received from the Cooperative Extension Service requesting the Commissioners' consideration of setting aside two acres at Leonard Hall School site for demonstration plot work by the Extension Service. Mr. Norris viewed the site and sees no objections.

The Commissioners requested Mr. Cox to determine that this two-acre site is out of realm of the land leased to Mr. Russell for farming.

(Commissioner Jarboe entered the meeting at this time.)

TRI-COUNTY YOUTH SERVICES BUREAU

The Commissioners unanimously agreed to sign letter of reappointment to Dr. Frank VanAalst and Dr. James McCleaf to the Tri-County Youth Services Bureau, for terms to expire November 1, 1977.

COLLATERAL FROM MARYLAND BANK AND TRUST COMPANY

Mr. Cox presented a memorandum from Harris Sterling, Director of Finance, enclosing Maryland Bank and Trust Company's request for release of collateral in the amount of \$41,000. Collateral held to secure deposits of St. Mary's County total \$2,983,000, and Mr. Sterling recommended that since collateral held far exceeds total County funds (cash on deposits and certificates of deposit total \$265,551.40) that the Release Agreement be signed.

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

PRESS CONFERENCE

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

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

NEWTOWN NECK REZONING DISCUSSION

Present: Richard Platt, Land Use and Development
Joseph Ernest Bell, II, County Attorney
John Norris, County Engineer

Commissioner Dean distributed the following Procedure for Evaluation of the Newtown Neck Development proposal.

1. Assemble all pertinent information about the Newtown Neck area:

(a) Evaluation of soil types and suitability of uses thereof.

(b) Levels of crop production.

(c) Wetlands designations.

(d) Flood plains boundaries.

(e) Environmental characteristics.

(f) Archaeological and historical significance.

(g) Capacity, condition, traffic volume, and accident rates for roads leading thereto.

(h) Others (affect on wells)

2. Review the general and specific references in the Comprehensive Land Use Plan as they relate to:

- (a) The Waterfront Protection District.
 - (b) Projections of population growth.
 - (c) Newtown Neck.
 - (d) Agriculture and seafood production.
 - (e) Others.
3. Review the Zoning Ordinance requirements for:
- (a) The Comprehensive Plan Areas and Requirements.
 - (b) Development of PUD's
 - (c) Development in the Waterfront Protection District.
 - (d) The basis upon which zoning amendments are permitted.
4. Review all elements of the application and supporting material supplied by the Caledon Corporation.
5. Review the recommendation and supporting material supplied by the Planning Commission and the Office of Land Use and Development.
6. Evaluate the application against all of the above to make decisions.

The Commissioners agreed to follow this Procedure and that contact would be made with the following agencies to obtain information as set forth in Item 1: Soil Conservation Service, Environmental Committee, County Engineer, County Archaeologist, Historical Society.

Mr. O'Dell, Budget Officer, was requested to do a general review of Caledon Development Corporation's market analysis to determine if their figures are realistic.

ST. MARY'S COUNTY EMERGENCY MEDICAL SERVICE COUNCIL

Commissioner Jarboe stated that the Commissioners need to appoint four consumer members to the St. Mary's County Emergency Medical Service Council and that he would prepare a letter to the various service organizations in the County requesting nominations for the Commissioners' consideration.

TITLE I HUD FUNDS - COMMUNITY DEVELOPMENT ASSISTANCE GROUP

Present: J. Terry Radigan, CDAG

Mr. Radigan and Mr. Cox, County Administrator, presented the following projects to submit for application for Title I HUD funding according to priority using Non-Discretionary Funds:

1. Overall drainage problem in Lexington Park, with particular attention to Spring Valley Subdivision;
2. SATAV Project - to develop remaining 65 acres of the SATAV Corporation;
3. Rehabilitation of existing housing stock for low-income families or the elderly.

It was noted that the acquisition of land for the Watershed Project was eliminated as there is the possibility that funds may be available through Open Space monies.

Mr. Radigan proposed that the Commissioners submit a separate application for the Golden Beach drainage problems under the Emergency Needs Fund Application, because of substantial cost of the project and the obvious emergency of the project. Representatives from HUD are scheduled to come to the County on January 7 to view Golden Beach and to appear before the Commissioners on that date to discuss same.

Commissioner Jarboe made a motion to submit application for Title I HUD Funds the Golden Beach Project under the Emergency Needs Funds and to submit the priority list of three projects under the Non-Discretionary funds, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

JUDGE LOKER PROPERTY ADJACENT TO NURSING HOME

Commissioner Dean stated that the County had been approached by Mr. Fortin of Fortin Realty and indicated that the property adjacent to the Nursing Home known as the Judge Loker property is available for sale. Mr. Fortin has inquired if the County is interested in purchasing this property. Commissioner Dean stated he contacted the Nursing Home Board and the Director of the Nursing Home to inquire as to their interest and determine they were interested in purchasing that property for two reasons;

1. It would provide the County the option for future expansion at the Nursing Home;
2. It would provide an entrance on the Hollywood Leonardtown Road.

Commissioner Dean proposed to the Commissioners that the County purchase the three and one half acres of the Judge Loker property; and that the contract be contingent upon the following:

1. Verification from the Commissioners of Leonardtown that the property can be used for hospital, nursing and convalescent home type activities;
2. That a survey be conducted at the seller's expense certifying that there are at least three and one-half acres of land;
3. That a minimum of 40 foot width shall extend to Route 245 along the southern boundary of the property and at least 900 feet along the southern boundary; and
4. Verification that the southern boundary borders with the property on which the Nursing Home is located.

Commissioner Dean made a motion to purchase the Loker property at \$54,500 with the contingencies as set forth above, and the method of payment to be worked out with Mr. O'Dell, Budget Officer, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

PURCHASE OF AMBULANCE - MECHANICSVILLE RESCUE SQUAD

Present: Joseph O'Dell, Budget Officer

Commissioner Jarboe referred to correspondence dated December 3, 1975 from the Mechanicsville Rescue Squad in which they request the Commissioners' approval of the grant application for the purchase of an ambulance. Secondly, they request that the County extend \$9800 to the Mechanicsville Rescue Squad to purchase this vehicle and the County would be reimburse by the grant. Title to the vehicle will be held by the County, who will then lease the ambulance to MVRs for \$1.00 per year; however, the County would have no control over the use of this ambulance.

Commissioner Parlett made a motion that the County apply for the grant for the purchase of the ambulance for the Mechanicsville Rescue Squad, subject to the terms and conditions of the Mechanicsville Rescue Squad's letter of December 3, 1975, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

POSITION OF COUNTY ADMINISTRATOR

In that the position of County Administrator was established, advertised among County employees, and applications received, Commissioner Jarboe made a motion to select the application of Edward V. Cox for the position of County Administrator, Grade 18, Step 2, effective December 17, 1975, seconded by Commissioner Parlett. Four Commissioners voted in favor with Commissioner Millison abstaining. It was agreed by the Commissioners that this would be a two-year contract.

PATUXENT BEACH COMMUNITY ASSOCIATION - 230 KV TRANSMISSION LINE

Commissioner Dean referred to the letter from Mr. Watson, President of the Patuxent Beach Community Association regarding the public hearing in Prince Frederick relative to the 230 KV transmission line. It was agreed by the Commissioners that Commissioner Dean would respond to Mr. Watson stating that the Commissioners intend to take no action at the December 22, 1975 public hearing.

LEONARDTOWN HIGH SCHOOL SEWER LINE

Commissioner McKay advised the Commissioners that Dr. King had advised that the correspondence which is carried to the Interagency Committee for School Construction pertaining to the sewer line for the Leonardtown High School did not express as full and complete commitment by the County as required by the Interagency. Whereas in said correspondence the County pledge county or state funds for the construction of the sewer line for the Leonardtown High School, the Interagency requires a full commitment of county funds to the project.

Prior to forwarding the requested commitment to the Interagency, it was decided by the Commissioners that Commissioner McKay would contact Mr. Clisse to obtain if possible a commitment from him for grant funding which would be reimbursable to the County after we had put up the front money for the project either in FY '77 or FY '78.

METHOD OF PAYMENT BOARD OF APPEALS

Present: Joseph O'Dell, Budget Officer

Mr. O'Dell stated there were two options for the method of payment to the Board of Appeals; consultant contract or payroll, and it was his recommendation that the Commissioners payroll the Board of Appeals and make the necessary deductions and that this should be done throughout County Government.

The Commissioners requested Mr. Cox and Mr. O'Dell to make a determination as to whether there is a requirement by the Internal Revenue Service or Social Security as to the method of payment.

INDUSTRIAL SITE PLAN - SAILING SPECIALTIES, INC.

Present: Edgar Parks, Sailing Specialties, Inc.
Richard Platt, Land Use and Development
Jim Kenney, Attorney for Mr. Parks

Mr. Kenney presented the Industrial Site Plan for Sailing Specialties, Inc., a plant for the manufacturing of marine hardware, boats and associated products, located on Rte 235 in the Eight Election District.

The Site Plan has been reviewed by all county agencies and has received their approval. Planning Commission approval was received on September 2, 1975.

In view of the fact that all agencies have reviewed and approved the Site Plan, Commissioner Dean made a motion that the Commissioners approve the Site Plan for Sailing Specialties, Inc., seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

ACTIONS BY PLANNING COMMISSION ON ZONING ORDINANCE

Present: Richard Platt, Land Use and Development

Commissioner Dean requested Mr. Platt to forward to the Commissioners the results of the meeting of the Planning Commission pertaining to the Zoning Ordinance. The Commissioners set Tuesday, December 30 at 7:00 for a work session to review these actions.

EXECUTIVE SESSION

Commissioner Jarboe made a motion that the Commissioners meet in Executive Session on Tuesday, December 23, 1975 in order to discuss personnel matters.

JUDGE LOKER PROPERTY ADJACENT TO NURSING HOME

Commissioner Dean stated that he discussed the method of payment for the purchase of the Judge Loker property adjacent to the Nursing Home with Mr. O'Dell, Budget Officer, and it was Mr. O'Dell's recommendation that the County pay a cash settlement of \$54,500 rather than paying interest over a two-year period; therefore, Commissioner Dean made a motion to accept Mr. O'Dell's recommendation and that funds will be taken from the Contingency Fund, seconded by Commissioner Jarboe. All Commissioners voted in favor.

HEALTH SERVICE AGENCY PUBLIC HEARING

Commissioner Jarboe advised that the Steering Committee of Health Service Agency has advertised for a public hearing on their proposed application for designation as a Health Service Agency; said hearing to be at Charlotte Hall on January 15 and at Largo on January 6.

The meeting recessed at 4:35 p.m.

Thursday, December 18, 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, County Administrator
Judith A. Mullins, Recording Secretary

The meeting reconvened at 9:05 a.m.

WINDOWS AT THE JAIL

Present: Paul Raley, Director, Logistics and Purchasing

The Commissioners requested Mr. Raley to work with Gene Pellillo, Chief Deputy, in correcting the security and safety problem of the windows at the jail.

FAIRBOARD

Present: Judith Bowles, Fair Board Member

Mrs. Bowles appeared before the Commissioners and discussed the financial situation of the Fair Board and stated that the Board is in the process of obtaining a loan from First National in order to pay the premiums awarded at the Fair in September.

In response to an inquiry from the Commissioners, Mrs. Bowles stated that there have been no additional funds over the last few years for capital improvements to the fairgrounds.

In view of the fact that the Rotary Club is the prime user of the grounds for the Oyster Festival, the Commissioners requested Mrs. Bowles to invite the Executive Board of the Fair Board and members of the Rotary Club to discuss possible future improvements to the grounds with the Commissioners.

UPDATING OF RADIO EQUIPMENT - CIVIL DEFENSE

Mr. Cox advised the Commissioners that Mr. Wood, Director, Civil Defense, is requesting to use funds budgeted for radio equipment to update the present equipment in the amount of \$1200. Commissioner Jarboe made a motion to approve this request, seconded by Commissioner Parlett. All Commissioners voted in favor.

COUNSELOR FOR WALDEN

Commissioner Jarboe brought to the Commissioners' attention a request from the Walden Counseling Center for funds to finance a Project SERVE participant to meet additional staff needs at Walden. After some discussion, it was decided to allocate Walden on a priority basis one of the appropriated new CETA positions. Mr. Cox will implement details of this decision.

BURGLAR ALARM - HELATH DEPARTMENT

Mr. Cox recommended to the Commissioners that due to the time element in obtaining proposals for burglar alarms for County buildings, that the Lexington Park Health Department building burglar alarm project be advertised for bids at this time.

Commissioner Jarboe made a motion to proceed with the Health Department as an individual project, seconded by Commissioner Parlett. All Commissioners voted in favor.

AIRPORT LEASE

Present:	George Sullivan, Chairman, Airport Committee		
	Austin White,	"	"
	Thomas McGuyre	"	"
	Joe Dunn	"	"
	John Imbres (proposed lessor)		
	Tom Hayden	"	"
	John Norris, County Engineer		

Mr. Sullivan, Chairman of the Airport Committee stated that the purpose of this meeting was to request approval by the Commissioners to transfer the lease of the Airport from Professional Flight Service to Mr. Hayden and Mr. Imbres. Mr. Sullivan added that this was a unanimous decision by the Airport Committee and was agreeable to Professional Flight Service. The County Attorney had advised the Airport Committee that this could be done under the terms of the amended lease, with the approval of the County Commissioners. Mr. Norris indicated there were some minor problems that needed to be worked out in this transfer.

Commissioner Jarboe made a motion to approve the transfer contingent upon approval of the negotiations with the Chairman of the Airport Committee, County Attorney and the County

Engineer, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

After the new contract is drawn up, it is to be presented to the Commissioners.

FORMAT FOR PRE-BUDGET HEARINGS

Present: Joseph O'Dell, Budget Officer

At this time Mr. O'Dell reviewed the format for the Pre-Budget Hearings scheduled for January 8 and 15, 1976. It was agreed that all department heads should be present, not as participants but in the audience.

SPRING VALLEY SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris requested permission from the Commissioners to obtain proposals for the design for the most practical and feasible solution with the estimated construction costs to correct the inadequate construction problems of the roads in the Spring Valley Subdivision. Cost for this project would be approximately \$10,000. The Commissioners gave their concurrence and requested Mr. Norris to return to them with the proposals.

NURSING HOME CONTRACT

Present: John Norris, County Engineer

Mr. Norris brought to the Commissioners' attention the fact that the number of construction days for the Nursing Home Project exceeded the number of construction days in the contract. There is a \$100 per day penalty clause. The Commissioners stated that the contractor, the County Attorney, and a member of the Nursing Home Board should work out liquidated damages to resolve this problem and return to the Commissioners with a firm recommendation.

RAILROAD RIGHT-OF-WAY AT MECHANICSVILLE AND
MECHANICSVILLE POND

Present: John Norris County Engineer

Mr. Norris stated that he received proposals to clean out the County owned Mechanicsville Pond and that B.F. Aschers was the

lowest bidder; however, since his Office has now been made aware of the collapsed fill at the railroad right-of-way in Mechanicsville, that these two projects be combined on a force account using Mr. Ascher for both projects at a cost of approximately \$7,500 to \$8,000. Mr. Ascher has expressed his willingness to do both projects.

Commissioner Dean made a motion to accept Mr. Norris' recommendation and that funds from the sale of the railroad tracks and ties be used, seconded by Commissioner Parlett. All Commissioners voted in favor.

GOLDEN BEACH SUBDIVISION ROADS

Present: John Norris, County Engineer

Mr. Norris proposed to the Commissioners that a minimum essential repairs for the major hazards of the streets and roads in Golden Beach Subdivision that are not presently in the County Highway Maintenance System to be done. Cost would be approximately \$1500.

Commissioner Parlett made a motion to authorize the expenditure of approximately \$1500 for emergency repairs to the Golden Beach Subdivision roads, pending decision from Budget Officer as to source of funding, and pending a decision from County Attorney as to ownership of these streets and roads, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

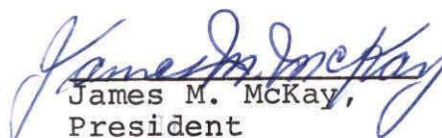
GOVERNING BOARD AND BODY OF HEALTH SERVICE AGENCY

Commissioner Jarboe advised the Commissioners that it was the general feeling of the Steering Committee for the Health Service Agency that the governing body of the Health Service Agency should consist of six members - three from Prince George's County and three from tri-county area. In addition, the governing body will consist of 30 members. Commissioner Jarboe stated he was in favor of a 60-40 ratio (60% from Prince George's County and 40% from Tri-Counties). He was also going to suggest at the next Steering Committee meeting that no action of the Health Service Agency can be approved without at least one vote from one of the tri-counties.

As to the location of the central office of the Health Service Agency, Commissioner Jarboe stated he was in favor of a geographical central location, rather than by population.

The meeting adjourned at 11:50 a.m.

Approved by,


James M. McKay,
President