

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, December 23, 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 came to order at 9:15 a.m.

READING AND APPROVAL OF MINUTES

The minutes of December 17-18, 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.

TAX RECORDATION CASE

Present: Joseph Ernest Bell, II, County Attorney
John Rue, Attorney

Mr. Rue reported on the events of the Tax Recordation Case heard in Anne Arundel County on December 18, in which he represented St. Mary's County. Mr. Rue stated that no decision has been made on the case to date.

GOLDEN BEACH SUBDIVISION ROADS

Present: Joseph Ernest Bell, II, County Attorney

Mr. Bell stated that he is in the process of trying to determine ownership of the roads in Golden Beach so that emergency repairs can be made. The Commissioners requested Mr. Bell to determine whether Golden Beach, Inc. is still a viable corporation.

REZONING CASES

Present: Joseph Ernest Bell, County Attorney

Commissioner Jarboe inquired of the County Attorney as to what the County's duties are with regard to rezoning cases that are remanded back to the County after they are heard in Court. Mr. Bell advised the Commissioners that it is up to the applicant to take any further action and it is the applicant's responsibility to build his own case and record. Also, Mr. Bell stated that the Planning Commission, in their recommendations to the Commissioners for approval or disapproval of a rezoning case, should cite their reasons for their recommendation. In addition, Mr. Bell suggested that the Commissioners put their opinion of the case in writing.

UPDATE OF COMPREHENSIVE LAND USE PLAN

Present: Joseph Ernest Bell, County Attorney

With regard to the update of the Comprehensive Land Use Plan, Commissioner Jarboe inquired of the County Attorney if the County Commissioners are limited to the recommendations of the Planning Commission. Mr. Bell stated that the Commissioners are not bound by the recommendations of the Planning Commission and could come up with their own innovative ideas; however, the Planning Commission should have the opportunity to comment on any substantial change.

In light of the update of the Comprehensive Plan, Commissioner Jarboe suggested that the Commissioners should try to determine from the Land Use Office and the County Attorney the number of subdivisions being submitted at this time and, after this information is obtained, the Commissioners should consider the possibility of declaring a moratorium on the acceptance of plans for new residential subdivisions.

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 Jarboe. All Commissioners voted in favor of this motion.

Mr. Sterling presented Encumbrance Voucher No. 5623, payable to the Nursing Home, for half of their FY 76 allocation, which had been approved for payment at last week's meeting. In that funds are not needed at this particular time, Mr. Sterling recommended that this voucher be voided.

Commissioner Dean made a motion to void payment of Encumbrance Voucher No. 5623 and Check No. 15242, payable to the Nursing Home, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

LEONARDTOWN HIGH SCHOOL SEWAGE LINE

Mr. Cox stated that he worked with Commissioner McKay in trying to contact Mr. James D. Clisse, Director, Bureau of Sanitary Engineering, Environmental Administration, to obtain, if possible, a commitment for State funding of the Leonardtown High School sewer line. Mr. Gertman, Mr. Clisse's associate, stated that, depending on the completeness of the grant application prepared by the Metropolitan Commission, his department should complete its review and have the application before the Board of Public Works within 30 days of receipt of the grant application from the Metropolitan Commission. If the grant is awarded by the Board of Public Works, funds will be available immediately and not necessarily subject to next fiscal year's funding. (The Board of Public Works meets every two weeks.) Mr. Gertman also advised that a letter of intent should be forwarded requesting approval to proceed and to expend County funds with the anticipation of being reimbursed if and when the grant is awarded. Expenditures are not reimbursable unless prior approval in writing has been obtained from the State. The Metropolitan Commission is preparing

both the grant application and the letter of intent and expect to forward same within seven to ten days from today. If all goes well, we should be able to have an answer from the Board of Public Works within 60 days.

MACO MEETING WITH GOVERNOR MANDEL

Mr. Cox and Commissioner McKay explained the beneficial results of the Maryland Association of Counties meeting with the Governor held in Annapolis on December 19th, during which time the following items were discussed: education for handicapped children; pupil transportation; health services; one-year moratorium on public school construction; reimbursement for circuit breaker tax credits; aid for community colleges; and other fiscal matters.

CODE ENFORCEMENT SEMINAR

Mr. Cox presented a request from Mr. Platt, Director, Office of Land Use & Development, for the attendance of two of his employees at a week-long Code Enforcement Seminar conducted by the University of Maryland. The Commissioners felt that, since we do not have a building code, this attendance request should be denied.

MEETING WITH NAVY OFFICIALS

Mr. Cox advised the Commissioners that the meeting with the Navy officials has been confirmed for January 29th at 11:00 a.m. The Commissioners will firm up agenda items at next week's meeting.

LEGISLATIVE PACKAGE PUBLIC HEARING

Mr. Cox informed the Commissioners that the Metropolitan Commission would not be able to have their legislative items prepared by the scheduled January 3rd public hearing. Mr. Cox also stated that, due to a computer breakdown, the process of pre-filing bills has been slowed down. The Commissioners requested Mr. Cox to check with the legislators and try to have the public hearing on the Legislative Package changed to January 10th.

PRE-TRIAL DETENTION FACILITY

With regard to the Pre-Trial Detention Facility, Commissioner Dean submitted a list of information to be obtained prior to the meeting of Jan. 28th with the Commissioners of Charles and Calvert Counties. Mr. Cox was requested to coordinate the preparation of this brief and the aid of Clark Gravelle of Tri-County Council and Sheriff Sanger should be sought in this effort.

SEVENTH DISTRICT PARK

Present: John Baggett, Director, Recreation & Parks

As had been requested by the Commissioners at their meeting of December 10, 1975, Mr. Baggett submitted additional information pertaining to a breakdown of additional costs from the three lowest bidders for proposals for engineering consultant work on the Site Plan of the Seventh District Park.

After review of this information, Mr. Baggett stated that it is the recommendation of the Recreation and Parks Board to select Daft-McCune and Walker for consultant services on the site plan on the basis that this firm has specialists in the field of park design and park construction and, based on the small differences of the proposals, services of a firm with their experience can be obtained.

Inasmuch as this was not a regular bid process, but an evaluation of proposals by Recreation and Parks, and inasmuch as additional information has been made available to the Commissioners, and based on the experience of this firm, Commissioner Jarboe made a motion to accept the recommendation of the Recreation and Parks Board and to accept the proposal from the firm of Daft-McCune-Walker, Inc., basic proposal in the amount of \$3,000. The motion was seconded by Commissioner Parlett. Four Commissioners voted in favor of this motion with Commissioner Millison voting against, stating that they were not the lowest bidder and he was not experienced with this firm.

In closing, Commissioner Jarboe suggested that Mr. Cox check with other government agencies as to their procedures for handling proposals; e.g., the proper handling of firms that have not done satisfactory work in the past.

METROPOLITAN COMMISSION - CAPITAL IMPROVEMENT PROGRAM

Present: Mike Marlay, Director, Metropolitan Commission
John Fortunato, Administrative Assistant, MetComm
Cato Merchant, Chairman, Metropolitan Commission
Harry Kirsch, Fiscal Officer, Metropolitan Commission
Walter Raum, Health Department
Richard Platt, Director, Land Use & Development
John Norris, County Engineer
Joseph O'Dell, Budget Officer

Commissioner Dean opened the meeting by stating that, prior to the Commissioners taking action on the Metropolitan Commission's Capital Improvement Program as presented to the Commissioners at their meeting of Dec. 10th, that all of the agencies that are affected by water and sewer projects should have an opportunity to discuss the Metropolitan Commission's proposals and make any input they feel necessary.

After discussion with the various agencies and, in view of the fact that these agencies were in agreement with the projects of the Metropolitan Commission, Commissioner Parlett made a motion to approve the 1.7 Million Dollar bond issue for the County's share of the two-year financing program of the Metropolitan Commission and, further, to approve the Metropolitan Commission Capital Improvement Program projects dated November 11, 1975. The motion was seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

After the representatives from the Metropolitan Commission left, Commissioner Jarboe reintroduced the Capital Improvement Program and the bond issuance. After discussion, Commissioner Jarboe moved that the Commissioners inform the Metropolitan Commission that, inasmuch as in the previous motion authorizing the 1.7 Million Dollar bond sale, the timing and method of selling of bonds was not addressed, and that the Metropolitan Commission coordinate

the timing and method with our Budget Officer and that they consult with the Commissioners prior to actual sale, seconded by Commissioner Millison. All Commissioners voted in favor.

ACCOUNTING AND MANAGEMENT INFORMATION SYSTEMS

Present: Joseph O'Dell, Budget Officer

The Commissioners discussed Mr. O'Dell's memoranda of Nov. 25, 1975 - "Minicomputer Seminar" - and December 11, 1975 - "Decisions Concerning Financial Systems - Partial". After discussion, Commissioner Dean made a motion to accept Mr. O'Dell's recommendation and appoint a Data System Selection Committee, consisting of Mr. O'Dell, a representative of the auditing firm of Wooden & Benson, and Mr. James Raley, Director of Computer Sciences at NAS Patuxent River, and that said Committee should be requested to undertake the following tasks and make recommendations to the Commissioners:

- (1) To evaluate proposals from NCR and Burroughs Corporation to meet our immediate accounting needs; and
- (2) To solicit proposals from firms that can evaluate our total data systems needs in the County.

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

CHART OF ACCOUNTS

Present: Joseph O'Dell

With reference to the item in Mr. O'Dell's memorandum of Dec. 11, 1975 pertaining to the Chart of Accounts as prescribed by the Department of Fiscal Services, Commissioner Dean made a motion to accept Mr. O'Dell's recommendation as set forth in his memorandum of December 11th and revise the Chart of Accounts so that our financial system will conform with the State fiscal reporting requirements of the Department of Fiscal Services. The motion was seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

DATA PROCESSING COURSE

Commissioner Jarboe made a motion to authorize Mr. O'Dell to attend the Data Processing Course by the Charles County Community College at the Patuxent Naval Air Station, beginning January 20, 1976, at a cost of \$185, as had been requested by Mr. O'Dell in his memorandum of December 15, 1975. The motion was seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

GRANT AGREEMENT - PARKING APRON AT COUNTY AIRPORT

Mr. Cox presented the Grant Agreement between Maryland Department of Transportation and St. Mary's County for the Department of Transportation's share of the cost of constructing an additional aircraft parking apron at St. Mary's County Airport in an amount not to exceed \$4,550, which represents 50% of the construction costs.

Commissioner Jarboe made a motion to approve and authorize Commissioner McKay to sign said Grant Agreement, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

The meeting adjourned at 3:30 p.m.



JAMES M. MCKAY, President