

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, January 14, 1976

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

(Commissioner Jarboe and Millison were not present.
Commissioner Jarboe was attending the Steering Committee meeting
of the HSA.)

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

READING AND APPROVAL OF MINUTES

The minutes of January 7-8, 1976 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.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

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

ENCUMBRANCE VOUCHERS - NUTRITION PROGRAM

Mr. Cox presented Encumbrance Voucher No. 060701 for
transportation for the nutrition program for the elderly which
was withheld last week for further clarification and recommended
its approval. Commissioner Parlett made a motion to approve said
Encumbrance Voucher, seconded by Commissioner Dean. All Commissioners
present voted in favor of this motion.

BICENTENNIAL COMMISSION

Relative to the appointment of additional members to the
Bicentennial Commission, Mr. Cox stated that the Bicentennial
Commission has submitted a list of nine names for recommendation
to the Commissioners for appointment to the Commission. Due to the
fact that two members have been unable to participate in the
Bicentennial Commission's meetings, the Bicentennial Commission
has requested that these two individuals be removed from the
Commission.

In addition, Mr. Cox brought to the Commissioners' attention a request from the Bicentennial Commission for a full-time Clerk-Typist and that the salary for this position could be funded through the CETA program or by the unexpended funds originally budgeted for the Administrative Aide position, which is now a CETA-funded position. Mr. Cox recommended that the Commissioners defer making a decision on this request until notification is received from the State as to how many CETA positions will be funded. The Commissioners concurred with this recommendation and requested Mr. Cox to obtain from the Bicentennial Commission further justification for the need for this position.

ST. MARY'S COUNTY EMERGENCY OPERATIONS PLAN

Mr. Cox brought to the Commissioners' attention that the State Office of Civil Defense and Disaster Preparedness Agency has requested the selection of a date by the County Commissioners on which to hold a trail run of the St. Mary's County Emergency Operations Plan. Suggested dates are February 13, 17 or 20.

The Commissioners tentatively decided that it should be held on February 17 and requested additional information as to the details and arrangements and also suggested that if possible the maneuver be held on Saturday so that citizens would not be required to miss work.

COOPERATIVE AGREEMENT - SHERIFF'S DEPARTMENT

Mr. Cox brought to the Commissioners' attention a request from Sheriff Sanger to initiate a cooperative agreement with Charles and Calvert Counties to establish a mutual aid arrangement among the three county police departments. The Commissioners expressed agreement with the general intent of this request, will respond to the Sheriff accordingly, and directed the staff to research the matter more thoroughly.

RESIGNATION FROM COUNTY BOARDS AND COMMISSIONS

TRI-COUNTY GROUP HOME - Mr. Cox brought to the Commissioners' attention the resignation of one of the members of the Board of Directors of the Tri-County Group Home and recommended action in the near future to fill the vacancy.

YOUTH COMMISSION - In addition Mr. Cox advised the Commissioners of a resignation on the Youth Commission and recommended that the Commissioners consider filling this vacancy also.

RELEASE OF COLLATERAL - MARYLAND BANK AND TRUST

Mr. Cox presented a request from Harris Sterling, Director of Finance, for the release of collateral from Maryland Bank & Trust in the amount of \$265,432.15. Collateral held to secure deposits of St. Mary's County total \$2,772,000. Mr. Sterling recommended execution of the Release Agreement by the Commissioners in that collateral held far exceeds total county funds.

Commissioner Parlett made a motion to authorize Commissioner President McKay to sign said Release Agreement, seconded by Commissioner Dean. All Commissioners present voted in favor of this motion.

Commissioner McKay requested that Mr. Sterling obtain the following information:

1. What collateral requirements we have had in the past for those banks bidding on Certificate of Deposits;
2. The actual collateral posted of those banks who currently bid on our Certificate of Deposits.

ROAD RESOLUTIONS

R-75-27 - Thomas Road - The County Engineer's Office submitted Road Resolution No. R-75-27 designating Thomas Road as a Stop Street at its intersection with State Route 249.

R-75-28 - Clark's Mill Road - The County Engineer's Office submitted Road Resolution No. R-75-28 designating Clarks Mill Road as a Stop Street at its intersection with Old Route 235 and that old Route 235 be designated as a Thru Road.

Commissioner Dean made a motion to authorize the President of the Board to approve and sign the above-mentioned Road Resolutions, seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

POSITION OF ASSISTANT CUSTODIAN

Mr. Cox stated that it was the recommendation of the Selection Committee to employ James Miller, who was on the eligible list, in the position of Assistant Custodian, Grade 5, Base, to assist in the Courthouse complex, according to the terms and conditions of the Merit System, effective Friday, January 16, 1976.

Commissioner Parlett made a motion to accept this recommendation, seconded by Commissioner Dean. 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>
\$1,000,000	90 days	5.035%	4.875%	4.86%
\$ 265,000	90 days	5.035%	5.03%	4.96%
\$ 600,000	11 days	5.00%	4.25%	No bid

Mr. Sterling recommended awarding the bid to the highest bidder as follows:

- \$1,000,000 to Md. National Bank at 5.035%;
- \$ 265,000 to Md. National Bank at 5.035%;
- \$ 600,000 to Md. National Bank at 5.00%;

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

JOHN FORTUNATO - METROPOLITAN COMMISSION

Present: John Fortunato, Metropolitan Commission

Mr. Fortunato appeared before the Commissioners to wish the Commissioners farewell and to thank them for the opportunity to work in county government as he was leaving the Metropolitan Commission to work for private industry.

FUNDS FOR FORESTRY PROGRAMS

As had been requested by the Commissioners (See minutes of December 17, 1975), Mr. Cox reported to the Commissioners that funds were appropriated for the Forest Incentive Program; however, they have not been released from the Federal Office of Management and Budget. The St. Mary's County Forestry Conservancy District Board has requested the Commissioners' assistance in expediting the release of these funds by contacting our Congressman. Commissioner McKay will work with Mr. Cox to contact the appropriate parties for the release of funds.

GUARANTEEING OF LOANS TO FIRE DEPARTMENT

Present: Joseph O'Dell, Budget Officer

The Commissioners requested Mr. O'Dell to contact Mr. Groome of the FHA with regard to loans for fire departments in that it was learned that FHA has a program for lending money

to various fire departments for either new construction or purchase of equipment. This item was tabled until next week's meeting.

POSITION OF MAINTENANCE MECHANIC

Mr. Cox advised the Commissioners that Mr. Charles Riley had turned down the offer for the position of Maintenance Mechanic and recommended that the job description for this position be reviewed.

BURGLAR ALARM SYSTEM FOR COUNTY BUILDINGS

Present: Paul Raley, Director, Purchasing and Logistics

Mr. Raley advised the Commissioners that he anticipates receiving proposals from four firms for the installation of a burglar alarm system in county buildings. The Commissioners requested Mr. Raley to draw up an analysis chart of the proposals indicating each building and the cost for the Commissioners' review.

BESCHE OIL REZONING CASE

Commissioner Dean stated that the Office of Land Use and Development has forwarded an inventory of all bulk petroleum storage facilities in the County and their present zoning classification. Commissioner Dean further stated that the Planning Commission's approval of the rezoning application for Besche Oil on Route 245 was based on information that all bulk oil storage facilities are zoned industrial and that this inventory indicates that not all facilities were so zoned.

Commissioner Dean presented a letter for the Commissioners' signatures to the Planning Commission apprising them of this new information and that he would also check with the County Attorney on this matter. The Commissioners agreed to sign and forward said memorandum.

LETTER TO MR. EVANS - STATE HIGHWAY ADMINISTRATION

Commissioner Dean presented a letter for the Commissioners' signatures addressed to Mr. Bernard Evans of the State Highway Administration concerning the delay of progress of the dualization of Route 235 because of the location of the Laurel Grove Park, and forwarding documents which would indicate that St. Mary's County was not remiss in apprising the state of the location of this park and should not be blamed for the holdup of the dualization of Rte. 235. The Commissioners agreed to forward said letter.

GOLDEN BEACH ROADS

Present: John Norris, County Engineer
Ernie Bell, County Attorney

Mr. Bell advised the Commissioners that legal title for the roads in Golden Beach is in the name of Golden Beach, Inc. a dissolved corporation. When a corporation is dissolved, title remains in the name of the dissolved corporation and the last known director has the authority to act on its behalf. The last known director of Golden Beach, Inc. is Arthur Wolfe. The Commissioners directed Mr. Bell to draft a letter to Mr. Wolfe stating that the County has not accepted certain roads and requesting permission to go on the roads in order to make emergency repairs.

(Commissioner Jarboe entered the meeting at this time.)

REZONING HEARING

WILLIAM R. MATTINGLY - CASE NO. 75-13

Present: William R. Mattingly, applicant
Benjamin Ascher, adjacent property owner

Application was made by William R. Mattingly to have property consisting of 2.5 acres located on the northeast side of Md. Rte. 5, approximately 3,400 feet southeast of Md. Rte 6, rezoned from neighborhood commercial (C-1) to highway commercial (C-2).

The secretary read the Notice of Public Hearing.

Mr. Mattingly presented the Return Receipts of letters notifying property owners within 200 feet of subject property; property owners being Allen P. Poole, Jimmy N. Ayscue, Ben F. Asher, Tri-County Sales and Dennison Painting.

Mr. Ascher, adjacent property owner, spoke in favor of this rezoning request.

Commissioner McKay inquired if anyone else present wished to speak for or against the rezoning application; hearing none the hearing was closed.

A tape of the hearing is on file in the Commissioners' Office.

REGIONALISM

Present: Col. Boyer)
Faye Rathbone) Committee to Restore Constitution
Karen Smith)
Mr. Smith)

The above persons appeared before the Commissioners to discuss Regionalism which is a compacting of the United States into ten regions for implementing federal programs. They were of the opinion that Regionalism was contrary to the concept of the Constitution. The Committee to Restore the Constitution made two requests of the Commissioners: (1) Requested their consideration in rejection of regionalism and (2) that the Commissioners request our legislators to investigate regionalism. A draft resolution was presented to the Commissioners for their consideration for presentation to the legislators. In addition the Committee presented a variety of material on Regionalism to the Commissioners.

The Commissioners thanked the Committee for their presentation and advised that they would take their request under consideration.

TRI-COUNTY YOUTH SERVICES BUREAU

Present: Robin Guyther, President, Board of Directors
Joseph Cotton, new Director
Dr. VanAalst, Youth Commission Chairman
Robert Wentworth, Youth Commission, Director

Mr. Guyther introduced Joseph Cotton to the Commissioners who is newly hired Director for the Tri-County Youth Services Bureau. Mr. Guyther brought to the Commissioners' attention the fact that Tri-County Youth Services Bureau has learned that they will be receiving funds from the State.

Mr. Cotton stated that TCYSB has a facility called Listening Post located in Lexington Park and requested consideration for a CETA position, because of shortage of funds, this position would be a crisis intervention/receptionist position, which would allow the Listening Post to remain open eight hours, five days a week.

The Commissioners stated they would give consideration to this request.

STEUART PETROLEUM COMPANY - PERMIT PROCESS

Present: Ken Perkins, Director, Coastal Zone Management Program
Charles Bookman, Coastal Zone Management Administration
Richard Platt, Director, Land Use and Development
Joe Garner, Zoning Technician, Office of Land Use
Joseph Ernest Bell, II, County Attorney
Michael Davis, Attorney representing Steuart

Commissioner Jarboe opened the meeting by explaining the County's pending decision as to Steuart's request for site plan approval and what steps the County is taking before making a decision. In order to coordinate the County's process with the State, representatives from Coastal Zone Management Administration were invited to come before the Commissioners to explain their procedures on this particular project.

Mr. Bookman provided the Commissioners with legislation concerning Coastal Facilities Review Act under the Department of Natural Resources Article of the Annotated Code of Maryland and proposed rules and regulations implementing same.

In explaining their Administration's permit process with relation to Steuart Petroleum Company, Mr. Bookman stated that the applicant would have to apply for a coastal facilities building permit from the Department of Natural Resources. The State cannot issue a permit until the County issues their building permit; however, during this permit process the County can require that the Environmental Impact Statement be completed by the DNR before the County issues their permit. The State prepares the Statement at the expense of the applicant. The permit process of the State can be terminated at anytime should the County deny approval of granting a permit.

Local government has three options with regard to Steuart's application under this Act: (1) Reject the application (2) Grant staying time for the gathering of additional information or (3) grant approval.

The Commissioners discussed the possibility of notifying the Steuart Petroleum Company to make application to the Department of Natural Resources and that the Commissioners should make a decision as to which of the three options to take.

PRE-APPLICATION FOR FEDERAL ASSISTANCE - TITLE I HUD FUNDS

Present: J. Terry Radigan, Community Development Assistance Group

Mr. Radigan presented the Pre-Application for HUD Title I non-metropolitan discretionary balance block grant funds for the Commissioners' review and approval to be forwarded to the State Clearinghouse. Mr. Radigan informed the Commissioners that the Golden Beach Drainage problem has been included in the above-mentioned pre-application in that no prior federal funding has ever been spent in that area, it did not technically qualify for Emergency Needs Program.

Commissioner McKay signed said application and letter forwarding the application to the State Clearinghouse.

PREVENTION OF VANDALISM - ST. CLEMENT SHORES SHELTER BUILDING

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett advised the Commissioners that although vandalism had decreased in other park facilities in the County, there is a constant vandalism problem at the St. Clement's Shore Shelter building. Mr. Baggett stated that he had been made aware of an abandoned trailer which he would like to have to place on the property and have a caretaker live in the trailer and that this individual could take care of the shelter building. The Commissioners stated that several questions would need resolving before proceeding with this and that Mr. Baggett should check with the County Attorney to determine if the trailer can be confiscated and to check with the Health Department and Recreation and Parks Board.

STORAGE MAINTENANCE NEEDS

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett advised the Commissioners of the storage maintenance space needs of Recreation and Parks and requested authority to plan the renovation of the present storage maintenance facility at Leonard Hall. The Commissioners agreed that total county need for maintenance storage and workshop should be identified and advised Mr. Baggett that his request should be directed to the Building Committee.

HEALTH SERVICE AGENCY

Commissioner Jarboe reported on the meeting of January 13 of the three bodies of County Commissioners and the follow-up meeting with representatives from Prince George's County on January 14 pertaining to the composition of the governing body of the Health Service Agency. Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign the application designating the governing body as follows: 18-8-2-2; Prince George's, Charles, Clavert and St. Mary's respectively, seconded by Commissioner Dean. All Commissioners present voted in favor of this motion. Commissioner Jarboe stated there would be an appeal to change the ratio to 18-5-4-3.

SUPPLEMENTAL APPROPRIATION TO SHERIFF'S DEPARTMENT

A memorandum was recieved from Joe O'Dell, Budget Officer, recommending approval of the Sheriff's request for transfer of \$1,300 from the Contingency Fund as follows: \$300 to the Jail Medical Account (#51-51251) and \$1,000 to Sheriff's Equipment Account (#5151441) for necessary uniforms and equipment for Jail Security Guards.

Commissioner Jarboe made a motion to approve the above transfers, seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

INSPECTOR FOR THOMAS ROAD BULKHEAD PROJECT

Present: John Norris, County Engineer

Mr. Norris requested authorization from the Commissioners to employ Mr. Robert Trautman of Larry Day & Associates to perform the inspection of Thomas Road Bulkhead project at \$12.50 per hour plus .12¢ per mile. Commissioner Dean made a motion to approve this request, seconded by Commissioner Jarboe. All Commissioners present voted in favor of this motion.

BICENTENNIAL COMMISSION

Commissioner Jarboe made a motion to appoint the following persons to the Bicentennial Commission:

Mr. Dave Roberts, Hollywood
Mr. Rod Gibbs, California
Ms. Betty Quade, Mechanicsville
Ms. Elaine Smith, St. Mary's City

Ms. Eleanor Moore, Lexington Park
Mr. Harold D. Goldsmith, Great Mills
Mr. Brent Thompson, Loveville
Mr. Ron Clark, Lexington Park
Mr. William D. Easley, Dameron

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

BESCHE OIL COMPANY SITE PLAN

Present: John Norris, County Engineer

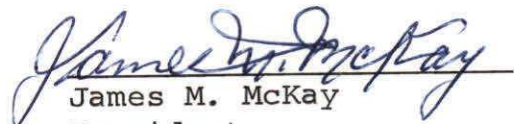
Correspondence was received from Ernie Bell, County Attorney, stating he had been requested to evaluate the storm drainage system for Besche Oil Company Site Plan with respect to its compliance with existing storm drainage law, and in view of the fact that Mr. Bell has represented a tenant of Besche Oil, he requested that the County Engineer be provided with the services of another attorney in order to avoid any possible conflict.

EXECUTIVE SESSION

The Commissioners unanimously agreed to meet in Executive Session with John Norris, County Engineer in order to discuss personnel and, if necessary, there may be a need for an Executive Session during Thursday's work session.

The meeting adjourned at 4:15 p. m.

Approved by,


James M. McKay
President

Faint, illegible text at the top of the page, possibly a header or introductory paragraph.

Second block of faint, illegible text in the upper middle section.

Third block of faint, illegible text in the middle section.

Fourth block of faint, illegible text in the lower middle section.

Fifth block of faint, illegible text in the lower section.

A small, faint handwritten note or signature at the bottom left of the page.