

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, March 31, 1976

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 9:10 a.m.

READING AND APPROVAL OF MINUTES

The minutes of March 24, 1976 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the Encumbrance Vouchers for the Commissioners' review and approval. Commissioner Jarboe made a motion to approve the bills, with the exception of Voucher No. 07013, which is being held for correction, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

LETTER TO GREAT MILLS HIGH SCHOOL

The Commissioners agreed to sign and forward a letter to Great Mills High School congratulating them on their excellent representation of the School and St. Mary's County at the band festival held March 20.

FENCE FOR AREA AROUND JAIL

The Sheriff submitted a request for authorization for the installation of a chain link fence around the perimeter of the jail for overall safety reasons, which would entail the removal of some trees and the installation of a mercury security light. The cost of this project would not exceed \$1600 and is within budget limits of Purchasing and Logistics.

Commissioner Jarboe made a motion to approve the concept of this project, with details to be worked out with the Sheriff, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

CIVIL DEFENSE FUNDING

Correspondence was received from Governor Mandel stating that federal funds have been drastically reduced for the Civil Defense Preparedness Agency and that restrictions have been placed on the use of their funds. The County Administrator presented correspondence to our Congressman for the Commissioners' signatures requesting that they do whatever possible to both restore the Civil Defense funds and to remove suggested restrictions on the use of the funds. The Commissioners agreed to sign and forward letters.

TRI-COUNTY GROUP HOME BOARD

The Commissioners unanimously agreed to appoint Robert Hill to the Tri-County Group Home Board.

NATO DEFENSE COLLEGE

Correspondence was received from NATO Defense College stating that the College has included St. Mary's County in their North American Tour scheduled in November.

The Commissioners agreed to request Admiral Miller, who had proposed that NATO College visit St. Mary's, to act as liaison with the County in this matter in coordination with the County Administrator.

POSITION PAPER - COMMISSION ON AGING AND SERVICES FOR THE ELDERLY IN ST. MARY'S COUNTY

After appropriate review by the Commissioners, Commissioner Jarboe made a motion to adopt the above-referenced position paper as the Commissioner's official position, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

The Commissioners requested that the Position Paper be distributed to the State Office on Aging, the Executive Secretary of the Commission On Aging and members of the Commission On Aging, and each agency referred to in the Paper.

RECLASSIFICATION REQUEST- COMMISSION ON AGING

With regard to the previous request by Mrs. McGahran, Executive Secretary, Commission On Aging, to have that position considered for reclassification, Commissioner Jarboe made a motion to deny the reclassification request, seconded by Commissioner Parlett. All Commissioners voted in favor.

DEPARTMENTAL BUDGET TRANSFERS (SHERIFF'S DEPARTMENT AND COUNTY ENGINEER)

The Budget Officer forwarded a memorandum recommending approval of the following departmental budget transfers:

Sheriff's Department - Transfer of \$400 from the Contingency Fund to Account No. 51-51251 (Jail Medical Services);

County Engineer - Transfer of \$3,500 from the Contingency Fund to Account No. 57-58371 (Landfill Supplies and Expenses).

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

AIRPORT MASTER PLAN

The County Administrator presented correspondence from the firm of Bourne, Gibson and Shamma enclosing three copies of the contract with that firm and St. Mary's County for the St. Mary's County Airport Master Plan Study.

Commissioner Jarboe made a motion to approve the contract, pending review by the County Attorney for legal sufficiency, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

HELIPAD FOR ST. MARY'S HOSPITAL

The County Administrator advised that he had met with Mr. Otis Wood, Director, Civil Defense, and a representative of a contractual firm from Montgomery County, who will be submitting a proposal that would entail design and planning of the helipad and developing the specifications for bids for the construction of the helipad. This project would be done within the financial limits of the EMS grant in the amount of \$15,000.

According to recent minutes of the Nursing Home Board, there is expressed by that group some concern for the location of the helipad. Commissioner Dean agreed to address this problem, as well as the possibility of having someone from the Navy, who would be willing to conduct some fly-in studies.

Commissioner Dean will work with the County Administrator in implementing the EMS grant.

DERELICT BOAT PROGRAM

The County Administrator gave a progress report on the Derelict Boat Program, stating that boats had been located on Potomac River side and will be located on the Patuxent River side soon.

ST. MARY'S GARDEN APARTMENTS (CENTER GARDENS)

The County Administrator advised the Commissioners that correspondence from Congressman Bauman with attached copies of correspondence from the Department of Navy and the Comptroller General of the U. S. indicated that no audit will be performed on the management of St. Mary's Garden Apartments. Congressman Bauman requested further direction from the Board. The Commissioners agreed that no further directions would be given at this time.

The County Administrator advised the Commissioners that there was pending the adoption of a resolution for tax abatement regarding St. Mary's Garden Apartments. The Commissioners agreed that the resolution should be prepared for adoption at the Commissioners' meeting of April 7, 1976.

1976 LEGISLATIVE PACKAGE

The County Administrator advised the Commissioners that he had received telephone calls from Senator Simpson and Delegate Briscoe pertaining to two items of the Commissioners' 1976 Legislative Package; namely, H. B. 1980 - Metropolitan Commission and H. B. 952 - Sheriff's Bill. The Commissioners will review the suggestions made by the legislative delegation and discuss them at tomorrow's meeting.

BIDS ON INVESTMENTS

Present: Harris Sterling, Director of Finance

Bids were opened 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>
\$550,000	70 days	5%	4.875%	4.71%
\$285,000	82 days	5%	5.225%	4.73%

Mr. Sterling recommended awarding the bids as follows:

\$550,000 to Maryland National Bank at 5%

\$285,000 to First National at 5.225%.

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

ST. MARY'S COUNTY INFORMATION CENTER

Present: Marvin Joy
F. Elliott Burch, Sr., Chairman
Nick Smith
Ruby Beaman

Mr. Joy presented a memorandum to the Commissioners pertaining to the proposed St. Mary's County Information Center and reaffirming the Committee's position for the need for such a facility. Included in the memorandum were suggestions relative to the Center, one of which was the possibility of a temporary location for the Center for this summer. Mr. Burch discussed the possibility of leasing the white house at Charlotte Hall for this purpose.

The Commissioners authorized the Committee to pursue the idea of leasing the white house for this year and in the meantime pursue the possibility of developing the Information Center as a dual use facility - Information Center and library.

RAILROAD RIGHT-OF-WAY USE

Present: Buddy Norris
John Baggett, Director, Recreation and Parks

At the suggestion of Mr. Baggett, Director, Recreation and Parks, Mr. Norris appeared before the Commissioners to request the use of the railroad right-of-way in Hughesville as a parking area for a private business.

The Commissioners advised Mr. Norris that this request would have to be reviewed by the County Engineer after which time the County Attorney would draw up an Agreement between the County and Mr. Norris.

INTERVIEW WITH APPLICANT FOR ECONOMIC DEVELOPMENT COORDINATOR

At this time the Commissioners conducted an interview with an applicant for the position of Economic Development Coordinator.

REZONING DECISION
CASE NO. 75-16
JULIUS J. FINNACOM

The Commissioners conducted a public hearing on March 3, 1976 on the rezoning application of Julius J. Finnacom to have property containing approximately 1.7 acres located on the northeast corner of Md. Rte. 235 and Rue Purchase Road in the Eight Election District rezoned from Residential, R-1 to Highway Commercial C-2.

Commissioner Jarboe made a motion to deny the rezoning request for the following reasons:

1. There has been no significant population change in the area since the adoption of the Comprehensive Plan and Zoning Ordinance;
2. It is incompatible with the immediate surrounding area, which is residential;
3. There has been no demonstration of a mistake in the original zoning;
4. Planning Commission recommended denial of this application.

Commissioner Parlett seconded the motion, stating that there is some question in his mind, according to the plats shown, as to whether the lot would be large enough for the intended uses after the road was dualized.

Four Commissioners voted in favor of this motion, with Commissioner Millison voting against stating that the configuration of the lot is of no consequence in that the building would not have to be constructed in the shape of the lot. He stated that a building could be attractively placed on that lot. Commissioner Millison further stated that property within 200 feet of subject property is zoned Commercial, the property would yield more taxes if commercial, and that it was unsuitable for residential as it is located on a main road.

REZONING DECISION
CASE NO. 75-18
HERMAN W. DIXON

The Board of County Commissioners conducted a public hearing on March 10, 1976 on the rezoning application of Herman W. Dixon to have a parcel of land containing approximately 2.6 acres located on Golden Thompson Road and fronting on St. Patricks Creek in Seventh Election District rezoned from Residential R-1 to Industrial Marine.

Commissioner Dean made a motion to approve this rezoning request on the basis that a mistake was made at the time the original zoning was adopted, the reasons for feeling a mistake was made are as follows: former Commissioner Guy stated in a letter dated March 15, 1976 that it was the former Board intent to zone the property Industrial Marine and the Planning Commission members stated at their meeting of February 2, 1976 that at the time of zoning the County it was their understanding that the property would be zoned Industrial Marine. And, thirdly, the work maps which are in the Office of Land Use and Development, which were used by the former Planner and Planning Commission, have been properly

stamped "IM" and it seems that somewhere from the time it was originally decided to zone it Industrial Marine and the comprehensive maps were drawn, it was changed.

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

MOSQUITO CONTROL

Commissioner Millison brought to the Board's attention correspondence addressed to Dr. Shelesnyak, a property owner in Drayden, from the Department of Agriculture pertaining to the Mosquito Control Program and explaining how costs are determined.

The Commissioners requested the County Administrator to establish a meeting with appropriate officials, interested citizens and the County Commissioners to discuss what is the current process whereby a community is sprayed and how can the County increase this capability. Commissioner Millison requested the County Administrator to respond to Dr. Shelesnyak that the County is looking into this matter and will keep him advised.

FORMAT FOR RESOLUTION FOR VEHICLES CAUSING DETERIORATION OF COUNTY ROADS

With regard to the proposed resolution format submitted by the County Engineer on March 3 which would impose weight restrictions on vehicles creating a hazardous condition on County roads by causing deterioration upon the road, the Commissioners agreed to accept this resolution to be used as format on a case by case basis.

CHAPTICO- MECHANICSVILLE ROAD RECONSTRUCTION

Commissioner Parlett made a motion to refer the matter of the Countiss' property on Chaptico-Mechanicsville Road back to the County Engineer and County Attorney for a recommended solution to the problem, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

ST. GEORGE'S ISLAND ASSOCIATION
(BICENTENNIAL COMMUNITY)

A request with appropriate application was received by the St. Mary's City Commission to recognize St. George's Island Association as a Bicentennial Community. This application is presently being reviewed by the St. Mary's County Bicentennial Commission for a recommendation to the Commissioners.

In view of the time element, Commissioner Parlett made a motion to submit the application recognizing St. George's Island as a Bicentennial Community, pending acceptance by the Bicentennial Commission, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

CEMETERY ROAD

Commissioner McKay reported that he had received a request from a property owner on Cemetery Road to have the road chained off beyond the residences on that road because of disturbances created by certain persons going in there late at night and the theft of private property.

Commissioner McKay, with the concurrence of the Board, will proceed to have a contract drawn up to have that portion of the road closed.

EMS REPRESENTATIVE

Commissioner Jarboe requested the County Administrator to contact Dr. Marek of the Health Department to determine if he is still serving as the County's representative to the EMS Policy Committee, and if so, this should be confirmed in writing to the Metropolitan Washington Council of Governments. If not, the EMS Council of St. Mary's should make recommendation.

FAIRGROUNDS PROPERTY

Present: Ernie Bell, County Attorney

The County Attorney advised the Commissioners that site improvements could be made to the Fairgrounds land; however, as a landlord, the County should notify the tenants, the Fair Board, that they intend to do this. With regard to any improvements to the buildings on the Fairground, the County Attorney stated that the County should clarify in an Agreement that the buildings with improvements would become county property at the termination of the Agreement.

FINALIZED PLAN - CEDAR COVE

Present: Richard Platt, Director, Land Use and Development
Jim Kenney, Attorney to developer
Byron Koste, Manager of Land and Conventional Projects, USDC
Chip Faucette, USDC, Project Manager

Representatives of USDC, developers of the Cedar Cove project, appeared before the Commissioners to present the Finalized Development Plan for Cedar Cove. Cedar Cove contains 329 acres of land located in the Eight Election District. The Zoning Ordinance and Zoning Maps indicate that the Cedar Cove property is zoned PDR 3.5.

USDC came before the Commissioners to identify, supplement, and confirm agreements made previously by the County and to obtain the acceptance of the Board of Commissioners so that it may be in compliance with the Zoning Ordinance. Mr. Kenney requested a letter from the Commissiones indicating this acceptance.

The Commissioners agreed to consider this request and make a decision at next week's meeting.

CORNFIELD HARBOR ROAD

Present: F. Xavier McGeady, Vice-President
M. Eamon McGeady, President
John Norris, County Engineer

Messers McGeady appeared before the Commissioners to explain their position with regard to the deterioration of Cornfield Harbor Road because of the hauling by their firm in connection with the D. C. project at Camp Brown, and to request a return of the assessment of \$5,000 by the County to repair the road, because the assesment was "after the fact" action taken by the County.

The Commissioners responded that if the County had been notified before the start of the project there would have been proper steps taken.

The McGeady brothers admitted that notification to the County came after the beginning of the project and also admitted that they were aware that there might be problems with Cornfield Harbor Road bearing the heavy-weighted traffic.

In conclusion the McGeady brothers agreed to withdraw their request for the return of the \$5,000 assessment, but said they would like to keep this matter open for possible future action and also requested that a weight limit not be imposed.

TILE FLOOR FOR NURSING HOME

Present: John Norris, County Engineer

The County Engineer stated that three proposals were received for the installation of the tile floor for the kitchen at the Nursing Home. Proposals were as follows:

C & D Floor Covering	\$3726.25
H & L Tile Company	\$3,900.00
Pierotti Tile Company	\$5,940.00

The County Engineer explained the problems with the bids in that the lowest bidder, C & D Floor Covering, had not attended the pre-bid conference or a meeting with the County Engineer to

discuss the project and H & L Tile Company wanted to revise their bid upward. Therefore, the Commissioners requested Mr. Norris to contact the lowest bidder to determine their intentions and return to the Commissioners with recommendations.

DECKING AT TALL TIMBERS

Present: John Norris, County Engineer

The County Engineer submitted a proposal from Colliflower and Peterson in the amount of \$2,196.40 for repair of the decking at Tall Timbers and stated that funds are in his Marine Maintenance Account.

Commissioner Jarboe made a motion to award the bid to Colliflower and Peterson, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

PERPETUAL EASEMENT DEED - MD. 236 and MD. 5

Present: John Norris, County Engineer

Mr. Norris presented a Perpetual Easement Deed from the State Highway Administration for the reconstruction of an intersection from Md. Rt. 236 and Md. Rt. 5.

Commissioner Parlett made a motion to sign said Deed, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

The meeting recessed at 4:50 p.m.

THURSDAY , April 1, 1976

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 8:15 a.m.

H. B. 952 - SHERIFF'S BILL

Commissioner Dean submitted proposed changes to the Sheriff's Bill in response to the concerns expressed by Senator Simpson by telephone yesterday. Commissioner Dean will telephone Senator Simpson later today regarding these changes.

The Board of County Commissioners recessed as the Board of County Commissioners reconvened as the Board of Estimates at 8:30 a.m.

DEPARTMENTAL BUDGET HEARINGS

At this time the Board of Estimates conducted budget reviews with the following departments; Board of Education, Land Use and Development, Health, Memorial Library, County Administrator, Treasurer's Office, Director of Finance and Budget and Management.

The Board of Estimates adjourned and the Board of County Commissioners reconvened at 4:20 p.m.

1976 LEGISLATIVE PACKAGE - SHERIFF'S BILL

Commissioner Dean stated that it was the legislators feeling that they would prefer that the Public Board of Safety be appointed by the County Commissioners, Circuit Court Judge and State's Attorney. However, Commissioner Dean stated he contacted Senator Simpson's office and advised that it was the collective feeling of the Board of County Commissioners that the Board would prefer the appointment of the Board of Public Safety by the County Commissioners since the County Commissioners represent a cross-section of the people of the County but that the Commissioners were not diametrically opposed to the appointment procedure as suggested by the legislators.

The Commissioners concurred and directed that a letter be forwarded to the legislators expressing the above-mentioned opinion.

METROPOLITAN COMMISSION BILL

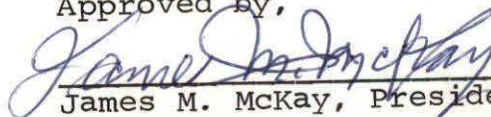
Commissioner Parlett stated he contacted Senator Simpson regarding the above-referenced bill and Senator Simpson stated he had spoken with Ed Clark, bonding attorney for the Metropolitan Commission, and his concerns regarding this bill answered and therefore this bill will be submitted as proposed.

BUDGET MEETING

The Commissioners agreed to conduct a meeting as the Board of Estimates, Monday, April 5, at 7:30 p.m. in the Courthouse Conference Room.

The meeting adjourned at 4:25 p.m.

Approved by,


James M. McKay, President