

BOARD OF COUNTY COMMISSIONERS' MEETING

April 28-29, 1976

Wednesday, April 28, 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 convened at 9:10 a.m.

READING AND APPROVAL OF MINUTES

The minutes of April 21-22, 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.

TOWER HILL

Present: Joseph Ernest Bell, II, County Attorney

With regard to the discussion at last week's meeting (See minutes of April 21), the County Attorney advised the Commissioners that Colonel DuCote is in the process of gathering information to substantiate his pending court case, and as of yet no date has been set. As recommended by the County Attorney, the Commissioners agreed to forward a memorandum to the Director of Land Use and Development rescinding the Commissioners' previous instructions that no permits are to be issued until the Tower Hill matter has been resolved, and instructing Mr. Platt that his office may receive applications for building permits at Tower Hill; however, they are to be handled on a case by case basis and submitted to the County Attorney, who will in turn submit them to the Commissioners with a recommendation.

HERMANVILLE ROAD

Present: Joseph Ernest Bell, II, County Attorney

The Commissioners discussed with the County Attorney, Contract No. SM-352-1, County Rte. 3352, Hermanville Road. After discussion regarding the unpaid subcontractor, the Commissioners authorized Mr. Bell to file an interpleader or other appropriate action in Court in order to effect an equitable distribution of funds in escrow.

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 the bills as submitted, with the exception of Voucher No. 07512, No. 07120 and No. 07380, which are being held for further clarification, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

THOMAS ROAD BULKHEAD PROJECT

Present: John Norris, County Engineer

As per the action by the Board of County Commissioners at their meeting of April 7, the County Engineer presented Agreement dated April 23, 1976 by and between Josh W. Ethridge and Phyllis A. Ethridge, whereby the Ethridges agree to the proposed construction at the Thomas Road Bulkhead located on St. George's Island, and said agreement holding the County harmless. Commissioner Jarboe made a motion to authorize Commissioner McKay to sign said Agreement, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

THOMAS ROAD BULKHEAD ASPHALT PROJECT

Present: John Norris, County Engineer

As had been requested by the Commissioners at their meeting of April 7, 1976, the County Engineer obtained an additional proposal for the asphalt overlay project on Thomas Road. Proposals are as follows:

B. F. Asher	\$22.60 per ton
Dean Construction	\$18.46 per ton

The County Engineer recommended awarding the contract to Dean Construction in the amount of \$18.46 per ton. Commissioner Jarboe made a motion to accept this recommendation, seconded by Commissioner Parlett. Four Commissioners voted in favor of this motion, with Commissioner Dean abstaining.

GOLDEN BEACH ROAD RIGHT-OF-WAY
WINSTON CORPORATION

Present: John Norris, County Engineer

The County Engineer presented the above-referenced Deed for the Commissioners' approval. Commissioner Parlett made a motion to accept Deed dated April 21, 1976 by and between the Winston Corporation and the County Commissioners of St. Mary's County for land situated in the Fifth Election District, being a strip of land 60 feet in width that will serve as the road width for a portion of Golden Beach Road right-of-way, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

CLOVERHILL - MACINTOSH ROAD

Present: John Norris, County Engineer

The County Engineer presented Deed dated March 28, 1976 by and between James F. Ferguson, William Wilson Higgs, and Agnes M. Higgs and Maryland National Bank and the County Commissioners of St. Mary's County for property necessary to make certain improvements to Cloverhill-MacIntosh Road which would alleviate an unsafe traffic condition caused by the excessive curvature in the existing road. Commissioner Dean made a motion to accept this Deed and if taxes have not been paid, that we allow the Deed to be recorded. This was seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

CONSTRUCTION EASEMENT AGREEMENT
CHAPTICO MECHANICSVILLE ROAD

Present: John Norris, County Engineer

The County Engineer presented the above-referenced Agreement dated April 28, 1976 by and between Marvin C. Wood and Hilda C. Wood and the County Commissioners of St. Mary's County granting the County the right to enter upon their property for the reconstruction of Mechanicsville Chaptico Road. Commissioner Parlett made a motion to approve and sign said Agreement, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

FEE SIMPLE DEED - HELEN ESTATES (FOREST HALL DRIVE)

Present: John Norris, County Engineer

The County Engineer presented the above-referenced Deed dated March 22, 1976 by and between Richard J. McCoy, James R. Latham, Joseph A. Duly, Jr. and Howard S. Carpenter and the County Commissioners of St. Mary's County and recommended that the Commissioners accept Forest Hall Drive in Helen Estates, Section One, into the County Highway Maintenance System. Commissioner Dean made a motion to accept the County Engineer's recommendation, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

CHAPTICO MECHANICSVILLE ROAD

Present: John Norris, County Engineer

The County Engineer advised the Commissioners that the Countiss's property is the last piece of property to be acquired for reconstruction of Chaptico Mechanicsville Road. He further stated that after repeated attempts, a satisfactory conclusion could not be reached with the owners. The County Engineer requested authorization to proceed with the advertisement for the reconstruction of Chaptico Mechanicsville Road and to request the County to turn the matter of the acquisition of the Countiss property over to the County Attorney for legal action. Commissioner Parlett made a motion to accept the County Engineer's recommendation, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

WICOMICO SHORES - STABILIZATION OF GROUND

Present: John Norris, County Engineer

The County Engineer reported to the Commissioners that John Hall of Soil Conservation Service has indicated that there has been no evidence of any work being done to control the sedimentation at Wicomico Shores by the owners, and Mr. Norris, therefore, recommended that the matter be turned over to the County Attorney for whatever legal action necessary to require the necessary stabilization.

At this time the Commissioners unanimously agreed to meet with the County Attorney in Executive Session to discuss this and other legal matters.

MAINTENANCE REPAIRS TO CHAPTICO WHARF

Present: John Norris, County Engineer

The County Engineer submitted a proposal from Colliflower and Peterson in the amount of \$551.20 for maintenance repairs at Chaptico Wharf. Commissioner Millison made a motion to accept this proposal, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

MT. PLEASANT SUBDIVISION

Present: John Norris, County Engineer

The County Engineer indicated that numerous amount of correspondence has been forwarded to the developer of Mt. Pleasant Subdivision requiring that the streets and roads be paved and the drainage ditches stabilized, and nothing has been done to date; therefore, Mr. Norris requested permission to forward a letter of acceptance of responsibility of work to be completed to be signed and returned to the Engineer's Office within a certain time or it would be turned over to the County Attorney.

The Commissioners concurred with the sending of this letter.

BRETON BAY SUBDIVISION

Present: John Norris, County Engineer

The County Engineer stated he received correspondence from Waring Associates, the developer of Breton Bay Subdivision, requesting a variation of the plans originally submitted to change the road shoulder width from six feet to four feet in Sections 11A, 11B and 7. Mr. Norris will prepare a letter for the Commissioners' review granting this exception and setting forth certain stipulations.

RIDGE DUMP

Present: John Norris, County Engineer

The County Engineer stated that the Ridge Dump will have to be closed and the area will be acceptable for a transfer station. He further stated that the owner of this property is not willing to sell the property, but will agree to a long-term lease. The Commissioners requested the County Engineer to obtain a 20 year lease for the proposed transfer station.

BID OPENING

BURGLAR ALARM AND FIRE ALARM SYSTEM - LEXINGTON PARK HEALTH DEP'T.

Present: Paul Raley, Director, Purchasing and Logistics

The Director of Purchasing and Logistics stated that specifications had been drawn for burglar alarm and fire alarm systems for the Lexington Park Health Department facilities. Four firms bid on the project as follows:

Alarmsmith, Inc.	\$ 3,145.00
Cox Alarm Systems	1,886.00
Phelps Protection	2,617.55
Southern Md. Alarm	2,952.00

Mr. Raley recommended awarding the bid to Cox Alarm Systems, the lowest bidder, in the amount of \$1,886.

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

BID OPENING

CARPET FOR LEXINGTON PARK HEALTH DEPARTMENT (MENTAL HEALTH)

Present: Paul Raley, Director, Purchasing and Logistics

The Director of Purchasing and Logistics presented bids received for the carpeting for the Lexington Park Health Department (Mental Health area). Bids were as follows:

Design World	\$ 1,688.13
Griffin Carpets	1,425.18
Raley's Sales Center	2,086.20

Mr. Raley recommended awarding the bid to Griffin Carpets, the lowest bidder, in the amount of \$1,425.18.

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

MORGANZA LAUREL GROVE ROAD RECONSTRUCTION PROJECT

Soil investigative services are required in the area where the above-referenced road reconstruction closes a branch of Clements Creek to determine the depth and suitability of soils for roadway foundation purposes. It is recommended by the Office of County Engineer that Law Engineering Testing Company, acting as subcontractor to Intercontinental Consultants, Inc. be awarded the soils investigation service contract in the amount of \$700. Said amount is contained within the budget for this reconstruction project.

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

ABATEMENT OF BUILDING PERMIT FEE
HOLLYWOOD CHURCH OF THE NAZERENE

The County Administrator presented correspondence from the Church of the Nazarene, Hollywood, Md., requesting a refund of their building permit fee in the amount of \$94.40; said permit being for construction of a parsonage adjacent to the church. The County Administrator recommended that the Commissioners favorably consider this request in light of the County's Resolution No. 75-53 "Abatement of Building Permit Fees".

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

SENATE BILL 18 (MENTAL HEALTH - COST OF COURT ORDERED EXAMINATIONS)

The County Administrator advised the Commissioners that the General Assembly has passed the above-referenced bill and the Maryland Association of Counties is requesting that we request the Governor to sign the bill into law.

Mr. Cox presented a letter for the Commissioners' signature to Governor Mandel requesting that he sign said bill as it would relieve St. Mary's County of the cost of court ordered examinations. The Commissioners signed same.

PERMANENT STATUS - RITA BUTLER

Mrs. McGaharn, Executive Secretary, Commission On Aging, and Mr. Wentworth, Executive Secretary, Youth Commission, submitted a recommendation that Mrs. Rita Butler in the Office of Citizen Services be placed on permanent status as of May 3, 1976 as she has satisfactorily completed her six-month probationary period.

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

LORES POINT SUBDIVISION - ALLEGED VIOLATION OF BUILDING LINE SETBACK

Correspondence was received from Mr. L. U. Rudasill alleging certain violation of building line set back provisions. The Office of Land Use and Development researched the alleged violation as it pertains to Building Permit No. 73-6323 issued on December 26, 1973 and reports that there is no violation of the building permit issuance. Conditions prescribed in the existing County Zoning Ordinance do not apply because the building permit was issued prior to the adoption of the Zoning Ordinance.

The Commissioners concurred that a letter of explanation should be forwarded to Mr. Rudasill by the Office of Land Use and Development.

COMPREHENSIVE EMPLOYMENT TRAINING ACT

The County Administrator informed the Commissioners that a change in funding of the federal level for the CETA funds may involve a transfer of Title VI participants to Title II. The County will begin proceedings to insure that if at all possible, the County will not lose CETA funding allocation after June 30, 1976.

(Commissioner McKay left the meeting at this time)

BOARD OF EDUCATION BUDGET

Present: Claude Jarboe

On behalf of the Taxpayers' Association, Mr. Jarboe presented recommendations to the Commissioners concerning the Board of Education's proposed budget.

"WHITE HOUSE" AT CHARLOTTE HALL SCHOOL

Present: Rubye Beaman, President, Chamber of Commerce

The Commissioners agreed to sign and forward a letter to Mr. Bruder, Headmaster of Charlotte Hall Military School, inquiring if the school would be interested in leasing the "white house" located at the school, to St. Mary's County for the proposed Information Center for 1976.

In discussing the staffing of the Center, it was suggested that CETA employees be used until summer, at which time high school students from the Summer Youth Employment Program could be used, under the direction of the Chamber of Commerce. The Commissioners will send a letter to the Chamber of Commerce requesting their commitment to this project.

LETTER TO BOARD OF APPEALS

The Commissioners agreed to sign and forward the letter to Mr. Edwin Peregoy, Chairman, Board of Appeals, regarding the Conditional Use application submitted by the Walden Counseling Center.

PLANNING CONFERENCE

Mr. Kipp, County Planner, resubmitted his request to attend the Growth Management Seminar at the University of Wisconsin May 12-14, 1976 at a cost of \$350.

Commissioner Jarboe made a motion to grant this request, seconded by Commissioner Millison. Three Commissioners voted in favor of this motion with Commissioner Parlett voting against.

(Commissioner McKay returned to the meeting)

ST. CLEMENT'S ISLAND POTOMAC RIVER MUSEUM

Present: John Baggett, Director, Recreation and Parks

In order to make up the deficit of the museum budget and to continue its operation until the end of the fiscal year, Mr. Baggett requested from the Commissioners an appropriation of \$3,082. Mr. Baggett stated he had received verbal notification that the grant from Maryland Service Corps had been approved, but thought that funds would not be forthcoming as the funds may have been frozen.

After discussion, Commissioner Jarboe made a motion to approve the appropriation of \$3,082 and that the Budget Officer should be requested to determine the source of funding, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

The Commissioners requested Mr. Baggett to track down the details of the grant.

ENGINEERING DRAWINGS

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett brought to the Commissioners' attention the fact that he has been having difficulty obtaining accurate engineering drawings and also getting them reviewed in a timely manner. He stated that the Engineer's Office is unable to review the drawings without holding up one of his projects because of his workload.

The Commissioners directed Mr. Baggett to set up a meeting with the Commissioners, the engineering firms and the County Engineer to discuss this matter.

INDUSTRIAL FINANCING IN MARYLAND

Present: John McComas, Dept. of Economic & Community Development
Arthur "Buck" Briscoe, Director, EDC
Nick Smith, Director, Chamber of Commerce

Mr. McComas appeared before the Commissioners to explain the various programs of the Maryland Industrial Financing Programs; the Industrial Revenue Bonds Program and the Maryland Industrial Development Financing Authority Program. Both Programs are similar in that they would be used for new industry coming into the County or existing industry that wishes to expand. The Revenue Bonds Program is designed primarily for major companies, for whom the bonds can be purchased without difficulty. MIDFA is for smaller companies and provides mortgage insurance. The County's endorsement is needed for a MIDFA loan. Neither Program has an adverse effect on the County's bond rating or ability to borrow money.

The Commissioners agreed to submit the Program to the Budget Officer for his review and perhaps make a decision at next week's meeting as to approval of the concept of the Program.

MOSQUITO CONTROL PROGRAM

Present:	John Cecil,	Department of Agriculture
	Ron Johnson,	" " "
	Dr. Bob Altman,	" " "
	C. Marvin Keenan,	" " "
	Joe Harding,	" " "
	Residents of Drayden - Cherryfield Area	

Representatives from the Department of Agriculture appeared before the Commissioners to discuss the Mosquito Control Program in St. Mary's County. With the use of the new ultra low volume spray, twice as much area can be sprayed than with the roto-mist sprayer used in the past. Almost all areas that had been on the waiting list have been brought into the program. A map was displayed showing areas being sprayed on a cost-sharing basis and those who have requested to be included in the program. Funding for mosquito control is by 100% funding, cost-sharing or 100% community funded.

As to those residents in the Drayden, Cherryfield area, who have requested to be included in the program, Mr. Keenan stated that based on the availability of funds, it is anticipated that they will be included in the cost-sharing program.

There was a discussion as to the spraying's effect on honeybees and Dr. Altman suggested that beekeepers contact the Mosquito Control Office to determine when their area will be sprayed so that certain precautionary measures can be taken.

The Commissioners thanked the representatives for their informative presentation.

BIG BROTHER - BIG SISTER PROGRAM

Present: Robert Wentworth, Executive Secretary, Youth Commission
 Marvin Kaminetz, Juvenile Master
 Stan Donahue, St. Mary's Mental Health
 George Sparling, State's Attorney

The above-mentioned individuals presented to the Commissioners an overview of the Big Brother-Big Sister Program and its hoped for benefits to St. Mary's County. It was pointed out that to properly initiate the program and manage its activities, some staff assistance was necessary. The purpose of the Program would hopefully be an alternative to juvenile court.

The Commissioners concurred with the concept of the proposed program and pledged their cooperation and assistance to the volunteers by seeking support for the needed staff assistance from State, Tri-County and County resources.

ABATEMENT OF BUILDING PERMIT FEE - CITIZENS FOR PROGRESS

The County Administrator presented a request from Citizens for Progress for the abatement of building permit fee for their proposed citizens' center. Mr. Cox recommended approval of this abatement as it is in compliance with Resolution No. 75-53 "Abatement of Building Permit Fees".

Commissioner Dean made a motion to grant this abatement, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

The meeting recessed at 5:40 p.m.

Thursday, April 29, 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 9:10 a.m.

FY '77 RECOMMENDED BUDGET

Present: Joseph P. O'Dell, Budget Officer

The Board of County Commissioners recessed and convened as the Board of Estimates at 9:12 a.m.

The Budget Officer presented the FY '77 recommended budget for the Commissioners' approval. Commissioner Jarboe made a motion to accept the budget document as the recommended budget for FY '77, seconded by Commissioner Dean. All Commissioners voted in favor.

The Board of Estimates adjourned and the Board of County Commissioners reconvened at 9:24 a.m.

COMMISSION ON AGING

Present: Mrs. Agnes McGaharn, Executive Secretary
Commission on Aging
Wendy Morgan, State Office on Aging

The above persons appeared before the Commissioners to explain the proposed Senior Companion Program for the Commission on Aging. Mrs. McGaharn explained that the Program would take into consideration senior citizens on a fixed income and give them added income by doing small jobs for the frail or handicapped such as shopping, taking to doctors for appointments, writing letters, etc.

After discussion, Commissioner Jarboe made a motion to submit the Preliminary Inquiry, which would in no way commit the County to the Program, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

The Commissioners directed the County Administrator to contact Charles County to request that St. Mary's be included in their Preliminary Inquiry.

FOOD SERVICE CONTRACT - TITLE VII NUTRITION PROGRAM

Present: Mrs. Agnes McGaharn, Executive Secretary
Commission on Aging

Mrs. McGaharn presented the Food Service Contract by and between Steven A. and Patricia Szekely, providers, and Board of County Commissioners for the period from March 3, 1976 to March 3, 1977. The Contract contains conditions and requirements for providing meals to the elderly under the Commission on Aging Title VII Nutrition Program. Commissioner Parlett made a motion to approve and authorize Commissioner President McKay to sign said Contract, pending a satisfactory report from the Health Department as to compliance of the providers with the health regulations, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

EXECUTIVE SESSION

Present: Richard Platt, Director, Land Use and Development

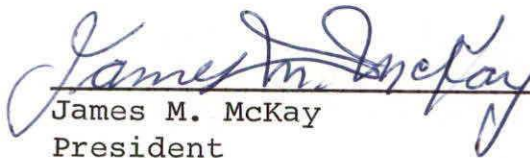
At this time the Commissioners unanimously agreed to meet in Executive Session in order to discuss a personnel item.

MAINTENANCE MECHANIC - OFFICE OF PURCHASING AND LOGISTICS

The County Administrator stated it was the recommendation of Paul Raley, Director, Purchasing and Logistics; Nace Fresco, Personnel Officer; and himself that Mr. John Hewitt be transferred from a CETA position to the present vacant position of Maintenance Mechanic in the Office of Purchasing and Logistics and that Mr. Paul A. Lawrence be hired to fill the CETA position vacancy created by the transfer of Mr. Hewitt. Commissioner Dean made a motion to accept this recommendation, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

The meeting adjourned at 12:02 p.m.

Approved by,


James M. McKay
President