

BOARD OF COUNTY COMMISSIONERS' MEETING

July 7-8, 1976

Wednesday, July 7, 1976

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

The meeting came to order at 8:45 a.m.

READING AND APPROVAL OF MINUTES

The minutes of June 30-July 1, 1976 were read. Commissioner Jarboe made a motion to approve the minutes as read, seconded by Commissioner Dean. 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 payment of the bills as presented, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

RELEASE OF COLLATERAL - MARYLAND BANK AND TRUST

The Director of Finance submitted a request from the Maryland Bank and Trust for release of collateral in the amount of \$130,000. Since total County funds on deposit are \$277,408.86 and collateral held to secure deposits totals \$2,535,000, Mr. Sterling recommended approval of the release of collateral.

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

ABATEMENT OF BUILDING PERMIT FEE - TRINITY LUTHERAN CHURCH

Correspondence was received from Trinity Lutheran Church requesting abatement from the County Building Permit Fee for the construction of an addition to the present church building. In that the Church is in compliance with the County's Resolution No. 75-53 which allows for the abatement of building permit fees for non-profit tax exempt organizations, the County Administrator recommended approval of this request. Commissioner Millison made a motion to abate the building permit fee for Trinity Lutheran Church, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

LETTER FROM JAYCEE'S - MAINTENANCE OF BUSES FROM UMTA

The County Administrator brought to the Commissioners' attention correspondence from St. Mary's County JayCee's requesting a commitment by the County for funds for the maintenance of two buses to be obtained by a grant from the Urban Mass Transit Authority (UMTA) funds. The Commissioners directed that clarification be obtained regarding the actual grant and other sources of funding for maintenance costs prior to making such a commitment.

TOUR FOR RETIRED TEACHERS

A request was received from Travel Tours, which is arranging a tour for retired teachers to tour St. Mary's County July 14 and 15, for permission to park at the Tourist Information Center parking lot at Charlotte Hall. The Commissioners gave their concurrence.

LEAJ 1977 ANNUAL PROGRAM

Correspondence was received from Clark Gravelle, Criminal Justice Planner, stating that the Governor's Commission on Law Enforcement is beginning to get their 1977 Annual Program in order and is looking for community input on certain programs. The County Administrator requested the Commissioners' input as to any proposals they wished researched so that they could be submitted to the Region II Board for consideration. Mr. Cox also requested approval from the Commissioners to solicit comments from the State's Attorney, Sheriff's Department, Juvenile Services and Youth Commission. Suggested projects are to be submitted to Mr. Gravelle by July 21. The Commissioners will take this matter into consideration.

ST. MARY'S COUNTY COMMISSIONER SCHOLARSHIPS

The County Administrator submitted for the Commissioners' consideration a list of recommended awardees by the Citizens' Scholarship Foundation. During the discussion of this list, the Commissioners raised certain questions, such as:

1. Whether or not the level of funding should be raised for certain scholarships because of increased educational costs;
2. Further explanation concerning medical technician scholarships;
3. Reasons for the reduced number of applications for Commissioner scholarships to St. Mary's College.

The Commissioners suggested a future meeting with representatives of the Citizens' Scholarship Foundation to resolve these questions.

RESOLUTION NO. 76-36
REDISTRICTING OF ST. MARY'S COUNTY

The County Administrator presented the above-referenced Resolution whereby the County Commissioners formally accept the Redistricting Plan submitted by the St. Mary's County Redistricting Board. Commissioner Dean made a motion to adopt this Resolution, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

UPDATE OF COMPREHENSIVE WATER AND SEWER PLAN

The County Administrator presented the proposed Resolution for the update of the Comprehensive Water and Sewer Plan for St. Mary's County. Prior to taking action on this Resolution, the Commissioners requested the County Administrator have a representative from the Health Department and Metropolitan Commission appear before the Commissioners to explain the various changes in the Plan.

BIDS ON FUEL DISTRIBUTION SYSTEM AT ST. ANDREWS LANDFILL

Present: Paul Raley, Director, Purchasing and Logistics

Mr. Raley stated that proposals were solicited from five dealers for the above-referenced project for fuel for two 6,000 gallon tanks and one proposal was received; namely, Burch Oil Company, as follows:

Regular gasoline - .0080 below posted price
Diesel Fuel - .0200 below posted price

Commissioner Jarboe made a motion to accept the proposal from Burch Oil, seconded by Commissioner Dean. All Commissioners voted in favor.

BUS FOR COMMISSION ON AGING PROGRAM

Present: Paul Raley, Director, Purchasing and Logistics

Pursuant to the Board's decision at last week's meeting of June 30, whereby Commissioner McKay would work with the Executive Secretary of Commission on Aging and Mr. Paul Raley on the awarding of the bid for the purchase of the bus for the Commission on Aging, Commissioner McKay reported that Kessler Body and Equipment was the lowest bidder at \$11,420. Awarding of the bid will be contingent upon approval of funds by the State Office on Aging.

ESTIMATES ON FIRE AND BURGLAR ALARM EQUIPMENT FOR COUNTY BUILDINGS

Present: Paul Raley, Director, Purchasing and Logistics

Mr. Raley presented estimates for fire and burglar alarm systems for various county office buildings. After discussion, the Commissioners requested Mr. Raley to have Mr. Donaldson, Fire Inspector, appear before the Commissioners to explain the various types of fire alarm systems that are available.

SEVENTH DISTRICT PARK

Present: James Woodburn)
 Carol Dean)
 Adele Farrell) Seventh District
 Harry Edward Farrell) Residents
 Alice Farrell)
 Lawrence Hayden)
 Thomas Lacey)
 Bert Dean)
 John Baggett, Director, Recreation and Parks

The above residents of the Seventh District appeared before the Commissioner to express their opposition to the Rt. 238 entrance to the proposed Seventh District Park. Their primary concerns were vehicular safety and the loss of privacy to the residents.

Mr. Baggett explained the State's requirements prior to approving the grant for this project and the problems encountered in this area and which has been previously discussed by the Commissioners (See minutes of June 10, June 16 and July 1, 1976). The Route 242 entrance adjacent to the school was not feasible because of the close proximity to the school and concern for safety at that location.

Discussion ensued regarding the possibility of an entrance off of Rte. 242 below the school near Sugar Hole Road and it was suggested that the State be contacted to determine if this entrance would be suitable for funding. The Commissioners agreed to discuss this item at tomorrow's meeting during Commissioner time.

PROCLAMATION NO. 76-35
HERITAGE WEEKEND

Present: Edwin Beitzel
 Rubye Beaman

The Commissioners presented the above-referenced Proclamation designating the weekend of July 17 and 18, 1976 as Heritage Weekend in St. Mary's County and encouraging the citizens of the County to participate in the celebration.

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise
 Rick Boyd, "
 Sunny Schust, "
 Brian Murphy, Guardian
 Dick Myers, WKIK

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

REVERSE SIDE OF COUNTY SEAL

The County Administrator reported that the Historical Society has no objection to the County's adoption of proposed reverse side of the County Seal. Therefore, Commissioner Jarboe made a motion to adopt the proposed reverse side of the County Seal as presented to the Commissioners, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

The meeting recessed at 12:20 p.m.

Thursday, July 8, 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 8:50 a.m.

APPROVAL OF VOUCHERS

Commissioner Dean made a motion to approve Vouchers No. 08416, 08417, and 08418, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

(Commissioner Jarboe left the meeting - 8:55)

RC & D PROJECT AT COUNTY AIRPORT

Present: John Norris, County Engineer

John Norris stated that Soil Conservation Service is requesting that the County designate the County Engineer as Contract Officer for the RC & D Project at the County Airport. Commissioner Parlett made a motion granting this request, seconded by Commissioner Dean. All Commissioners present voted in favor of this motion.

GROSS DRIVE - KINGSTON MANOR

Present: John Norris, County Engineer

The County Engineer stated that the County had previously accepted the streets in Kingston Subdivision into the County Highway Maintenance System and therefore he was submitting a Deed for inclusion of a portion of Gross Drive which was not included in the previous acceptance. Commissioner Dean made a motion to accept a portion of Gross Drive in Kingston Manor Subdivision, Section II by Deed dated June 11, 1976, into the County Highway Maintenance System, seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

LACEY'S LANE - LACEY'S VENTURE SUBDIVISION

Present: John Norris, County Engineer

The County Engineer presented a Deed dated July 6, 1976 by and between Joseph E. Lacey, Jr., and Kathleen Fanny Lacey and the Board of County Commissioners of St. Mary's County and recommended that the County accept Lacey's Lane into the County Highway Maintenance System. Commissioner Dean made a motion to accept the County Engineer's recommendation, seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

LISTON ROAD AND COVE MANOR ROAD

Present: John Norris, County Engineer

The County Engineer advised that according to the Resident Maintenance Engineer, SHA, the County has been maintaining Liston Road and Cove Manor Road for a number of years and therefore recommended that they be placed in the County Highway Maintenance System. Commissioner Dean made a motion that based upon the Resident Maintenance Engineer's recommendation, that the County formally recognize Liston Road and Cove Manor Road as being in the County Highway Maintenance System, seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

SURFACE TREATMENT PROGRAM

Present: John Norris, County Engineer

The County Engineer recommended that Sypher Road and Woodburn Hill Road be entered into the County's Surface Treatment Program. Commissioner Parlett made a motion to accept this recommendation, seconded by Commissioner Dean. All Commissioners present voted in favor of this motion.

(Commissioner Jarboe returned to the meeting - 9:05 a.m.)

RIDGE TRANSFER STATION

Present: John Norris, County Engineer

The County Engineer presented the proposed lease dated July 3, 1976 by and between Laura M. Courtney and Carolyn C. Fenwick and Minnie C. Russell for approximately 4.5 acres of land located in the First Election District for use by the County as a Solid Waste Transfer station, said lease being a 25-year lease, at \$1,000 per year. Commissioner Dean made a motion that the County enter into this lease, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

PLATES FOR ROAD ORDINANCE

Present: John Norris, County Engineer

The County Engineer submitted the Road Plates (Nos. R-1 through R-19, D-1 through D-4, SC-1 and SC-2) for the Road Ordinance document for Commissioner McKay's signature. Commissioner Dean made a motion authorizing Commissioner McKay to sign said plates, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

PLANS FOR RECONSTRUCTION OF PINEY POINT BOAT RAMP

Present: John Norris, County Engineer's Office

The County Engineer submitted the plans for the reconstruction of the Piney Point Boat Ramp and requested Commissioner McKay's signature on same. Commissioner Jarboe made a motion to authorize Commissioner McKay to sign said plans, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

DRAINAGE PROBLEM - FAIRGROUNDS PROPERTY

Present: John Norris, County Engineer

The County Engineer discussed with the Commissioners the drainage work necessary at the County Fairgrounds and displayed plans showing survey work done, outlining problem areas and requested the Commissioners' input as to the correction. With regard to the parking area, Mr. Norris suggested using the parking facilities across the street for the Tech Center, Middle School and High School.

In conclusion it was agreed that the following areas need to be addressed:

1. Drainage work at the grounds
2. Upgrading road between buildings
3. Relocating of entrance into the building area
4. Discussion with the Board of Education about using school property for parking.

The Commissioners directed Mr. Norris to set up a meeting with representatives from State Highway Administration, Board of Education, County Fair Board, and the Rotary Club to appear before the Commissioners to discuss this matter.

TRANSFER OF FUNDS - AIRPORT ACCOUNT

Present: John Norris, County Engineer

Mr. Norris requested a transfer in the amount of \$800 from Account No. 95-99021 (Beacon Light Purchase) to an account for the purchase of materials for fencing at the Airport. Commissioner Dean made a motion to approve this transfer, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

PINEY POINT SEWAGE TREATMENT PLANT

Present: Jim Unkle)
 Rubye Goddard)
 Bonnie Emery) Piney Point
 Lynn Massie) Residents
 Frank Tew)
 Mike Marlay, Metropolitan Commission
 Harry Knight, " "

Residents of the Piney Point area appeared before the Commissioners to express their concern over the proposed location of the Piney Point Sewage Treatment Plant. The residents were opposed to the placing of the plant in the middle of the Piney Point residential area which would necessitate the taking of several homes. A petition was presented from the residents with 142 signatures setting forth their objection and requesting the Metropolitan Commission's reconsideration of the proposed project.

Mr. Marlay explained the events that had taken place leading up to the selection of this site, including the study that had been conducted for this sanitary district.

Commissioner Parlett explained the requirements of the Environmental Protection Agency to have the present plant upgraded to meet their standards by July 1977; however, there is a bill in Congress, that if passed, would extend the deadline to 1980, which would allow time to do another study of the area. Commissioner Parlett advised that the Metropolitan Commission will be looking into other alternatives for the Piney Point Treatment Plant, including the possibility of spray irrigation. Another alternative would be to erect an additional package storage treatment plant as an interim, until such time as spray irrigation could be investigated.

In conclusion, Commissioner Dean stated that from Mr. Marlay's comments it appears that the Metropolitan Commission is going to do what the residents have asked for in the petition and that it investigate other alternatives.

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.

ADVANCEMENT OF FUNDS - HOUSING AUTHORITY

Correspondence was received from Donald Curtis, Public Housing Coordinator, stating that funds received from HUD are \$4,000 short of their present expenses and therefore the Housing Authority is requesting an advancement from the County in the amount of \$4,000 to be repaid out of their next payment from HUD in approximately one month. Commissioner Dean made a motion to grant this request, that \$4,000 be taken from the Contingency Fund for this purpose, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

CHARLOTTE HALL OPTION TO PURCHASE AGREEMENT

Present: F. Elliott Burch, Sr., Charlotte Hall Board Trustee
Joseph O'Dell, Budget Officer
Charles Mattingly
Claude Jarboe

Commissioner McKay opened the meeting by inquiring if anyone wished to make any comments prior to the Commissioners beginning their discussion on the above-referenced matter.

Claude Jarboe raised two issues: (1) the cost to the taxpayers to set up departments at Charlotte Hall and maintain them and (2) the fact that the County is putting up approximately \$100,000 to \$125,000 to take the option.

Commissioner Parlett explained that the purpose of the year's option was to give time to study what could be done with the property and the ultimate costs to the County.

Mr. Mattingly spoke in opposition of the County going into the land acquisition business and that he was of the opinion that the State should "bail" Charlotte Hall School out, and not the County.

In the discussion of the Charlotte Hall Option Agreement, each Commissioner gave their opinion on the matter.

Commissioner Jarboe stated he is in favor of exercising the option and issued the following statement for the record: "The question at this time is not the purchase of Charlotte Hall, but the obtaining of an option to allow the county time to study the need and feasibility of acquiring the land. If it is clear that the County will never need the land, an option would be foolish. If there is a probability that some land will eventually be needed in the 5th or 6th district, then the Commissioners would be derelict in their duty not to investigate the Charlotte Hall property in detail. Such study will take time. Consequently, an option will be needed, to allow time for the study. Options cost money, and they should, because an option buys time. The option proposed at this time protects the county's investment as much as possible. I have heard two principal arguments against getting involved in Charlotte Hall. The first is that it will be related to and cause an increase in the county governmental bureaucracy. This is a red herring. None of the Commissioners have any desire to increase the number of county departments or employees. It would be much simpler for us if the matter of Charlotte Hall had never come up, but we can't control the timing of these matters. The issue has come up, and as managers of the business of St. Mary's County, the Commissioners must make a decision, whether they relish it or not. Secondly, it has been stated that the County has no reason to get into the real estate business. Of course, it isn't proposed that the county get into the real estate business. As a large business, the county has the necessity from time to time to acquire land to fulfill its obligations to the citizens.

"The issue hangs then on the question of the probability of the county needing land in the 5th or 6th district within the next 5-10 years, and whether acquiring Charlotte Hall might answer this need in an economical manner. Commissioner Parlett has demonstrated some of the needs very well. Within the next 10 years, approximately 150 acres will be needed just to satisfy the requirements of the Board of Education. A need for a 35-acre community park in that area has been recognized for several years. This leaves about 100 acres for other purposes such as tri-county facilities and industrial sites.

I am convinced a potential need exists, and therefore I am in favor of an option. Perhaps we could ignore the Charlotte Hall potential and handle each need as it arises. Some would call this being conservative at this time, and financially irresponsible in the long run."

Commissioner Dean stressed the point that the Commissioners were not making a decision whether or not to purchase Charlotte Hall, but the entering into an Option Agreement and referred to his County Commissioner column which appeared in this week's issues of the local newspapers (July 7, 1976) in which he expressed an opinion in favor of entering into the option in order to allow time to explore in detail possible uses of the property.

Commissioner Parlett stated that nothing had occurred in the past week to change his reasons for obtaining the option and therefore expressed the opinion that he was in favor of entering into the option.

Commissioner Millison voiced his opposition to executing the option for the following reasons:

1. The County should not be involved in the land inventory business;
2. Agency need requests will be solicited and then used to justify the purchase of the property;
3. The appraisal quotation is questionable, since the actual acreage is not known;
4. We are in the middle of Leonard Hall renovations, which are going to be extremely costly.
5. For the first time since 1948 the County Commissioners have reduced the tax rate. Serious consideration must be given to the impact on the tax picture of further acquisition and maintenance costs.
6. Acquisition of this property goes far beyond the community's need for services.

Commissioner Millison also expressed his opinion that if the County executed the option, the County should require the inclusion of title insurance in the option agreement.

Commissioner McKay stated that he was generally favorable to entering into the Option Agreement for the purpose of providing ample opportunity for the County to investigate thoroughly the possible uses by both the State and County of the Charlotte Hall property. He voiced opposition to the idea that the Charlotte Hall property would become a county governmental site in that he did not think that there is a need for such.

After discussion, Commissioner Jarboe made a motion to enter into the Charlotte Hall Option Agreement, with the following amendment: Page 4, Paragraph 11, Line 6 should read "conditions of Paragraph 7 hereof." in place of "conditions of Paragraph 7A and 7B hereof.", signing of said Agreement contingent upon approval by the Board of Trustees to the change, seconded by Commissioner Parlett. Four Commissioners voted in favor with Commissioner Millison voting against.

The Commissioners agreed to discuss appointment of a Charlotte Hall Committee at the Commissioners' next Executive Session to discuss appointments to the various Boards, Committees and Commissions.

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

EXECUTIVE SESSION

Commissioner Dean made a motion that the Commissioners meet in Executive Session on July 14, 1976 after completion of regular business, in order to consider appointments to the various Boards, Committees and Commissions, seconded by Commissioner Parlett. The Commissioners unanimously agreed.

RAILROAD-RIGHT-OF-WAY REPLACEMENT CORRIDOR

Commissioner Dean distributed a draft of a letter addressed to Mr. Bernard Evans of the State Highway Administration setting forth the County's understanding of the 1970 Agreement by and between State Roads Commission, SMECO and the County Commissioners of St. Mary's County and requested the Commissioners to review the draft for discussion at next week's meeting.

FIVE-ACRE ZONING (UPDATE OF ZONING ORDINANCE AND LAND USE PLAN

Commissioner Jarboe made a motion that for the sake of discussion the Commissioners insert the five-acre provision, with its alternatives and ramifications into the matter taken to the public hearing scheduled for July 19 on the Update of the Zoning Ordinance and Comprehensive Land Use Plan, seconded by Commissioner Dean. Four Commissioners voted in favor with Commissioner McKay voting against.

POLICE SERVICES STUDY

Commissioner Dean suggested that the Sheriff, Md. State Police, State's Attorney meet with the Commissioners to discuss the recently presented Police Services Study in order to obtain their individual and collective feelings regarding the various recommendations within the Report. The County Administrator was directed to arrange such a meeting during an upcoming County Commissioner meeting.

SEVENTH DISTRICT PARK

Present: John Baggett, Director, Recreation and Parks

After reviewing comments over the last few weeks regarding the entrance to the Seventh District Park, Commissioner Parlett made a motion that the Commissioners approve the Grant Application to be submitted to the Department of Natural Resources in the amount of \$115,00 rather than the original \$100,000, which addresses the placing of the entrance to the park at the Rt. 242 entrance near Sugar Hole Road, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

TEMPORARY HELP AT LEXINGTON PARK SHERIFF'S OFFICE

The County Administrator presented a request from the Sheriff for consideration by the Commissioners for temporary clerk assistance at the Lexington Park Sheriff's Office. Mr. Cox recommended the use of CETA employees for this purpose and that the position would terminate at the end of the summer CETA Program, or after Labor Day.

Commissioner Dean made a motion that the Commissioners give authority to the County Administrator to assign CETA assistance to work temporarily at the Sheriff's Substation in Lexington Park to be terminated at the time the Summer CETA Program ends, or after Labor Day 1976, seconded by Commissioner Jarboe. Four Commissioners voted in favor with Commissioner Millison voting against stating he was in opposition to granting this request because of the reference in the Police Services Study to improper use of manpower and the fact that the granting of this request may build the need for additional manpower.

The meeting adjourned at 12:30 p.m.

Approved by,


James M. McKay
President

The first part of the report is a general
 introduction to the subject of the
 investigation. It is followed by a
 description of the methods used in the
 study. The results of the study are
 presented in the next section, and
 the conclusions are given in the final
 section.

REFERENCES

- 1. Smith, J. (1950) The effect of temperature on the rate of reaction of hydrogen peroxide with potassium iodide. *J. Chem. Soc.* 100, 1-5.
- 2. Jones, A. (1952) The kinetics of the reaction between hydrogen peroxide and potassium iodide. *Trans. Faraday Soc.* 48, 1-10.