

BOARD OF COUNTY COMMISSIONERS' MEETING

July 14-15, 1976

Wednesday, July 14, 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 8:45 a.m.

READING AND APPROVAL OF MINUTES

The minutes of July 7-8, 1976 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the encumbrance vouchers for the Commissioners' review and approval. Commissioner Dean made a motion to approve payment of the bills, with the exception of Voucher No. 08768, which is being held for further clarification, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

RESOLUTION NO. 76-37

COMPREHENSIVE WATER AND SEWER PLAN UPDATE

Present: Richard Platt, Director, Land Use and Development

At the request of the Commissioners, Mr. Platt appeared before the Commissioners to explain the various changes in the update of the Comprehensive Water and Sewer Plan and stated that it was the recommendation of the Committee to work on the update that the Commissioners approve said document. The Commissioners conducted a public hearing on the update of the Comprehensive Water and Sewer Plan, and therefore, the County Administrator presented Resolution No. 76-37 adopting said Update.

Commissioner Jarboe made a motion to approve said Resolution, seconded by Commissioner Dean. Four Commissioners voted in favor with Commissioner McKay voting against.

FORMAT FOR PUBLIC HEARING
UPDATE OF ZONING ORDINANCE AND LAND USE PLAN

Present: Richard Platt, Director, Land Use and Development
Edward V. Cox, County Administrator

Mr. Cox and Mr. Platt presented a proposed agenda for the upcoming public hearing scheduled for July 19 for the update of the Zoning Ordinance and Land Use Plan. After discussion the Commissioners agreed to the format for the hearing.

RECREATION SUPERVISOR - RECREATION AND PARKS

The County Administrator notified the County Commissioners that a vacancy exists in the Department of Recreation and Parks due to the resignation of Mr. Claude Clark, Recreation Supervisor, effective July 9, 1976. Authority is requested to fill the vacancy. Further authority is requested to employ Mr. Clark as a temporary employee until such time as the vacancy is filled, but at any rate for a period not to exceed six months.

Commissioner Jarboe made a motion to fill the vacancy according to standard procedures and to grant temporary status to Mr. Clark until such time as the vacancy is filled, but at any rate for a period not to exceed six months, seconded by Commissioner Parlett. All Commissioners voted in favor.

VACANCY AT EMPLOYMENT SECURITY OFFICE

The County Administrator advised that Mrs. Joan Coombs was selected from the eligible list to fill the vacancy of the Clerk-Steno, Grade 6 position at the Employment Security Office and requested the Commissioners' approval. Commissioner Dean made a motion to accept this recommendation, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

SUMMER YOUTH EMPLOYMENT PROGRAM

The County Administrator presented a request for an exception from the norms for the Summer Youth Employment Program whereby four individuals who hold positions at the Potomac River Museum could work 40 hours per week instead of the called-for 20 hour week. The reason for this exception is that these individuals have worked previously at the museum and their supervisor and the Museum Committee would prefer full time rather than part time.

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

WELCOME WAGON

The County Administrator advised that a representative of the Welcome Wagon has approached the County requesting that the Commissioners prepare a letter of welcome to new residents of the County, and therefore, Mr. Cox presented such a letter for the Commissioners' signatures. The Commissioners signed same.

PITCH-IN CAMPAIGN

The County Administrator stated that the County had appropriated \$3,000 for the Pitch-In Campaign, however, \$3,874 has been expended. Therefore, Mr. Cox requested a transfer from the Contingency Account in the amount of \$874 to the Pitch-In Account. Commissioner Dean made a motion to authorize this transfer, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

TITLE VII NUTRITION PROGRAM - AUDIT

The County Administrator requested the Commissioners' authorization for the President of the Board to sign a letter of agreement with the auditing firm of Wooden and Benson to conduct an audit of Phase I and Phase II of the Commission on Aging Title VII Nutrition Program. Also, the County Administrator advised the Commissioners' of the Budget Officer's recommendation that a comprehensive audit of all phases of Title VII and Title III of the Commission on Aging Grants Program be done. It is hoped that State funds will be available from the Grants Program to cover the costs of the audits.

Commissioner Jarboe made a motion authorizing the President of the Board to sign the letter of agreement for the audit of Phase I and Phase II of the Commission on Aging Nutrition Program and that the comprehensive audit as suggested would be decided after resolving the question of state funding.

FAIRGROUNDS PROPERTY

Present: Howard Lancaster)
Elwood Cusic) Fair Board Members
James Owens)
John Ramos, Rotary Club
James Raley, Board of Education
John Norris, County Engineer

Mr. Lancaster reviewed with the Commissioners the list of needed improvements to the fairgrounds and buildings with

costs totalling \$85,095, which has been budgeted. After review of these needed improvements, it was agreed that a work plan be developed identifying priority items to be done before the opening of the Fair. The County Engineer was directed to work with Mr. Lancaster President of the Fair Board on this work plan.

Mr. Norris requested authority from the Board of County Commissioners for the State Highway Administration to do survey work for the staking out of the swales for drainage at the fairgrounds. Commissioner Dean made a motion to grant this authority, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

Mr. Lancaster discussed the problem of proper septic facilities and mentioned the possibility of tying into the school's septic system. In addition, Mr. Lancaster discussed the inadequate water facilities and the Commissioners requested the Fair Board to investigate the most feasible solutions to these problems.

BIDS ON INVESTMENTS

Present: Harris Sterling, Director of Finance

Bids on investments were opened this date as follows:

<u>AMOUNT</u>	<u>TERM</u>	<u>MD. NAT'L</u>	<u>FIRST NAT'L</u>	<u>MD BANK & TRUST</u>
\$500,000	60 days	5.41%	5.435%	No Bid
\$265,000	90 days	5.53%	5.535%	No Bid
\$1,000,000	124 days	5.63%	5.365%	No Bid
\$1,345,000	180 days	5.90%	5.365%	No Bid

Mr. Sterling recommended that the bids be awarded as follows:

- \$500,000 for 60 days at 5.435% to First National Bank.
- \$265,000 for 90 days at 5.535% to First National Bank.
- \$1,000,000 for 124 days at 5.63% to Md. National Bank.
- \$1,345,000 for 180 days at 5.90% to Md. National Bank.

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

ENCUMBRANCE VOUCHER - FAIR BOARD ASSOCIATION

Present: Joseph O'Dell, Budget Officer

After Mr. O'Dell explained the procedure for the disbursement of funds to the Fair Board Association for improvements to the fairgrounds, the Commissioners directed that Mr. O'Dell be the Control Person for this account. Commissioner Dean made a motion to approve payment of Voucher No. 08768, payable to the Fair Board Association, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

The meeting recessed at 11:30 a.m.

EXECUTIVE SESSION

Present: Edward Cox, County Administrator

The Commissioners met in Executive Session from 11:30 a.m. to 1:15 p.m. in order to discuss appointments to the various Boards, Committees and Commissions.

Thursday, July 15, 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 8:45 a.m.

T. W. BURGESS - BRETON BEACH AREA

Present: Mr. Burgess
John Norris, County Engineer

Mr. Burgess appeared before the Commissioners to explain a situation existing on a county road in the Brubacher Subdivision in the Breton Beach area. It is a surface treated county road and beyond the surface treated area is a gravel road which has been blocked off by an adjacent property owner and Mr. Burgess' property is being used as a turn around point. The County Engineer indicated that this matter will require a field investigation, after which time Mr. Norris will return to the Commissioners with a report.

BIDS ON HALF TON VEHICLE - SM 76-5-10

Present: John Norris, County Engineer

With regard to the bids presented by the County Engineer on June 24 on the one-half ton vehicle, Mr. Norris advised the Commissioners that Fenwick Ford, the lowest bidder, indicated that the factory was not accepting any orders and therefore Fenwick Ford obtained another vehicle from another dealer for \$100 additional over the original bid price, \$4,051.23, which would make the bid price \$4,151.23, which is still the lowest bid. Therefore, the County Engineer recommended that the Commissioners accept the increased price of the vehicle. Commissioner Jarboe made a motion to accept this recommendation, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

RECONSTRUCTION OF GOLDEN BEACH ROAD

Present: John Norris, County Engineer

In compliance with the County's Resolution No. 76-32, "Purchasing Agent - Purchasing System", adopted June 17, 1976, the County Engineer submitted proposals for the reconstruction of Golden Beach Road which were opened July 12. Mr. Norris will return at a later time with recommendations on this project.

PURCHASE OF MATERIALS FROM STATE HIGHWAY ADMINISTRATION

Present: John Norris, County Engineer

The County Engineer requested approval from the Commissioners for the transfer of \$500 from the landfill account to a special State Highway Account, in that certain materials can be purchased from State Highway more economically. Commissioner Jarboe made a motion to grant this request, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

✓ ESSEX SOUTH SUBDIVISION

Present: John Norris, County Engineer

The County Engineer reported that the developer of Essex South Subdivision has not made an effort to correct the street construction deficiencies, and therefore Mr. Norris recommended that the matter be turned over to the County Attorney to attempt to reach a satisfactory conclusion.

STORM WATER DRAINAGE - MATTINGLY'S IGA AND COUNTY PROPERTY

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners of a field meeting his office had with Mr. Mattingly and his attorney to discuss the storm water drainage problem whereby Mr. Mattingly has indicated that storm water was draining from the County-owned property (Nursing Home) onto his property. Mr. Mattingly requested that the County tie their outfall into a closed drainage system. An additional problem was noted during the visit, that being a five foot deep drainage ditch on the side property line of the Nursing Home. Mr. Mattingly has indicated a willingness to extend his closed storm water system if the County would do the necessary filling and stabilization. The Commissioners thought that the storm water drainage system is possibly not sufficient in capacity to handle all surface water draining to that point and suggested that any improvements made incorporate improvements in the capacity of the system.

PUBLIC WORKS AGREEMENT AND LETTER OF CREDIT - INDIAN RIVER ESTATES

Present: John Norris, County Engineer

Mr. Norris presented the Public Works Agreement by and between St. Mary's County and Orval B. Uphole for Indian River Estates Subdivision with accompanying letter of credit in the amount of \$75,000 in order to insure the proper construction of the streets and roads in that subdivision. Commissioner McKay requested Mr. Norris to return with the amount of linear feet of road being constructed.

Later in the meeting, the County Engineer advised that 25,031 linear feet is involved.

After review of these documents, Commissioner Jarboe made a motion to accept the Letter of Credit and to authorize Commissioner President McKay to sign the Public Works Agreement for Indian River Estates Subdivision, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

FIRE ALARM SYSTEMS FOR COUNTY OFFICE BUILDINGS

Present: Paul Raley, Director, Purchasing and Logistics
Charles Donaldson, County Fire Inspector

Mr. Donaldson appeared before the Commissioners to explain the advantages and disadvantages of the various types of fire alarms that are available - heat detectors, smoke detectors and heat/smoke detectors. Mr. Donaldson described the two different types of smoke detectors - photo-electric and ionization. Mr. Donaldson was of the opinion that the photo-electronic smoke detector would appear to be the most satisfactory type of unit for the County's needs, except where there may be large congregations of people with a lot of smoking, in which case a fire alarm unit would be more satisfactory.

The Commissioners requested Mr. Donaldson to work with Mr. Raley in drawing up the specifications for the smoke or heat detector units needs in the various county office buildings.

Mr. Raley was also directed to have specifications developed for burglar alarms for Building No. 4 at Leonard Hall and the Lexington Park Health Department building.

Specifications for both projects are to be brought before the Commissioners for their review prior to going out on bids.

AWARDEES OF COUNTY COMMISSIONER SCHOLARSHIPS

Present: Eloise Pickrell
awardees of scholarships

Miss Pickrell appeared before the Commissioners to explain the awarding of the County Commissioner Scholarships, after which time she introduced each of the awardees to the Commissioners.

ECONOMIC DEVELOPMENT COORDINATOR

Commissioner Jarboe made a motion to employ Admiral Ward Miller in the position of Economic Development Coordinator at \$15,000 per annum on a one-year contract, effective as soon as possible, seconded by Commissioner Dean. All Commissioners voted in favor.

COUNTY OFFICE SPACE NEEDS

The County Administrator requested authority from the Commissioners to continue to pursue the possibility of using space at Leonardtown Elementary School for office space for the Economic Development Coordinator, County Planner and the Director of the Economic Development Commission. Mr. Cox indicated that the only cost to the County would be the construction of free standing partitions and the installation of telephones.

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

DIRECTION FOR ECONOMIC DEVELOPMENT COORDINATOR

Commissioner Jarboe volunteered to work with the County Administrator and Mr. James Marsh, Chairman of EDC to develop some type of direction for the Economic Development Coordinator. The Commissioners concurred.

PARTIAL PAYMENT APPROVAL - BICENTENNIAL COMMISSION

The County Administrator presented for the Commissioner's approval partial payment of already encumbered funds pertaining to Bicentennial projects. Commissioner Jarboe made a motion to approve payment, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

INTERIM NOTIFICATION OF GRANT AWARD - TITLE VII, COMMISSION ON AGING

The County Administrator advised that the Interim Notification of Grant Award for Title VII of the Commission on Aging Program was received from the State in the amount of \$55,000 for the project period May 1, 1976 through February 28, 1977, said Grant Award having several contingencies that the State needs satisfied by the end of July 31, 1976.

Commissioner Parlett made a motion to authorize Commissioner President McKay to sign the Interim Notification of Grant Award in the amount of \$55,000 for the Title VII Commission on Aging Program, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

REZONING DECISION

CASE NO. 76-2

ADAM B. HENDERSON

The Board of County Commissioners conducted a Public Hearing on June 30, 1976 on the application of Adam B. Henderson to have a parcel of land containing approximately 1.8 acres located on the east side of Md. Rt. 5, approximately 3/4 mile south of Md. Rt. 6 at New Market, adjacent to the Mechanicsville Post Office, Fifth Election District, rezoned from AR-2, agricultural residential, to C-2, highway commercial.

Commissioner Millison made a motion to grant the change in rezoning from AR-2 to C-2 in that it would be in the best interest of the community placing commercial property in that vicinity and the fact that the property is located on a highway which is unsuitable for residential development, and that the recommendations of the Planning Commission to grant this rezoning request be incorporated as follows:

That the rezoning request be granted with the stipulation that no additional entrances shall be created on Md. Rt. 5 and existing accesses to Rt. 5 shall be authorized. This recommendation is based on the following reasons:

1. There has been substantial change of the character of the area which justifies the need for a change;
2. There is a demonstrated need for commercial development to serve an increasing population of the area;
3. A commercial service center is forming on adjacent properties to the north already;
4. Rezoning is not in conflict with the Master Plan, will not increase the demand for public services, and there is no new highway entrance requirements.
5. There has been no opposition by any member of the public or staff or other governmental agency.

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

EXECUTIVE SESSION

Present: Joseph Ernest Bell, II, County Attorney

The Commissioners unanimously agreed to meet in Executive Session with the County Attorney in order to discuss an item of possible litigation. The Executive Session lasted from 11:25 a.m. to 11:45 a.m.

CHARLOTTE HALL OPTION

Commissioner McKay read correspondence dated July 15, 1976 from the County Attorney addressed to the Board of Trustees in which it was stated that there was agreement to the Commissioners' amendment to the Option and that the caretaker position would be provided by employees of the Board of Trustees. In light of the above, the Commissioners agreed to sign said option with the exception of Commissioner Millison.

LETTER FROM ALAN ROBERT NYE - CHARLOTTE HALL OPTION

Present: Alan Robert Nye

Mr. Nye presented a letter dated July 15 to the Board of County Commissioners in which he expressed opposition to the Commissioners taking an option on Charlotte Hall. Said letter is on file in the Commissioners' Office.

CHARLOTTE HAL CARETAKERS

Commissioner Parlett suggested that pending the Board of Trustees signing the Charlotte Hall Option Agreement, the County Administrator be the contact person for the caretakers. The Commissioners agreed that there should be a meeting with the caretakers, the Board of Trustees and Mr. Cox, County Administrator.

The meeting adjourned at 11:55 a.m.

Approved by,


James M. McKay
President

BOY SCOUTS

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