

BOARD OF COUNTY COMMISSIONERS' MEETINGDecember 8-9, 1976Wednesday, December 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 came to order at 8:45 a.m.

READING AND APPROVAL OF MINUTES

The minutes of December 1, 1976 were read and corrected. Commissioner Dean made a motion to approve the minutes as corrected, seconded by Commissioner Parlett. All Commissioners voted in favor.

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, as submitted, seconded by Commissioner Parlett. All Commissioners voted in favor.

METROPOLITAN COMMISSION - OFFICIAL STATEMENT IN CONNECTION WITH BOND SALE - RESOLUTION NO. 76-54

On behalf of the Metropolitan Commission, the County Administrator presented the above-referenced Resolution approving the use and distribution of the Preliminary Official Statement of the St. Mary's Metropolitan Commission and St. Mary's County in connection with the \$1.7 Million Dollar Bond Sale.

Commissioner Jarboe made a motion to approve and adopt said Resolution No. 76-54, seconded by Commissioner Parlett. All Commissioners voted in favor.

APPRAISAL OF CHARLOTTE HALL PROPERTY

The County Administrator presented correspondence from the Charlotte Hall Committee regarding the recommendation of an appraiser for the referenced property. After some discussion concerning the necessity and timeliness of the appraisal, Commissioner Jarboe made a motion to authorize the appraisal requested by the Charlotte Hall Committee in correspondence dated November 18, 1976 and to accept the

recommendation of the Committee for John Fincham, M.A.I. to do the appraisal for the sum of \$7,400 pending confirmation from the Chairman of the Charlotte Hall Committee that the appraisal should be done at this time, seconded by Commissioner Parlett. Four Commissioners voted in favor with Commissioner Millison voting against, stating that the decision for an appraisal should be made after the meeting with the State next week regarding the State's interest in this property.

At this time, Mr. Robert Dean, Chairman of the Charlotte Hall Committee entered the meeting and the Commissioners inquired if the Committee desired to have the appraisal done at this time. Mr. Dean replied that in order for the Committee to have as much information available in a timely manner, the Committee was of the opinion that the County should proceed with the appraisal.

#### RESIDENT TROOPER PROGRAM

The County Administrator requested a determination by the County Commissioners as to continued interest in the Resident Trooper Program. The Commissioners directed the County Administrator to prepare correspondence for the Commissioners' review and approval to Col. Smith expressing continued interest in the Program.

#### MARYLAND INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY APPLICATION BY MCGREGOR AND WERNER COMPANY

The County Administrator presented correspondence for the Commissioners' review and signature expressing the County's intent to participate in the financing of acquisition of land and buildings, construction of buildings, and other activities as permitted under the MIDFA Act, related to the application of McGregor and Werner Company, contingent upon approval by MIDFA.

Commissioner Jarboe made a motion to sign and forward said letter, seconded by Commissioner Dean. All Commissioners voted in favor.

#### 1977 LEGISLATIVE PACKAGE

The County Administrator presented the updated 1977 Legislative Package to be submitted to the legislators in Annapolis. Commissioner Jarboe made a motion to forward said package to the legislators, seconded by Commissioner Parlett. All Commissioners voted in favor.

#### ACCOUNT TRANSFER - AIRPORT PROJECTS

Based on a request by the Airport Committee and the Budget Officer's review, Commissioner Jarboe made a motion to increase Account No. 1253-6032 by \$800 and decreasing Account No. 1253-6022 by like amount for a radio-activated automatic light switch at the Airport, seconded by Commissioner Parlett. All Commissioners voted in favor.



ACCOUNT TRANSER - SOUTHERN MARYLAND RESOURCE CONSERVATION  
AND DEVELOPMENT PROGRAM

As per the request by Tri-County Council, Commissioner Dean made a motion to decrease Account No. 2410-2091 by \$250 and increase Account No. 2091-2381 by like amount as the County's share in the Southern Maryland Resource Conservation and Development Program, seconded by Commissioner Jarboe. All Commissioners voted in favor.

EXECUTIVE SESSION

Present: Lt. Gene Pellillo

The Commissioners agreed to meet in Executive Session in order to discuss a matter of personnel. The Session was held from 10:40 a.m. to 10:55 a.m.

HIRING OF A DEPUTY

Present: Lt. Gene Pellillo

Lt. Pellillo reported to the Commissioners that a deputy has been hired to fill the previously existing vacancy.

OVERTIME FOR SHERIFF'S DEPARTMENT

Present: Lt. Gene Pellillo

Lt. Pellillo discussed with the Commissioners the letter from the Sheriff's Department requesting authorization for overtime for the deputies so that there can be additional patrol during the holiday season. Lt. Pellillo requested authorization for overtime for two deputies for four hours per evening at a cost of approximately \$1200.

Commissioner Dean made a motion to authorize an expenditure up to \$1200 to provide for additional patrol, seconded by Commissioner Parlett. Four Commissioners voted in favor with Commissioner Millison voting against stating that he was of the opinion that the deputies be given compensatory time and that this authorization would be the start of additional requests for overtime, and the fact that many others work overtime including teachers and further that there are many in the County who perform dangerous tasks such as volunteer firemen. Commissioner Millison further added that he felt that this authorization was contrary to the Police Study Report.

CRIMINAL INVESTIGATION DIVISION

Present: Lt. Gene Pellillo

Lt. Pellillo stated that he and George Sparling, State's Attorney have been working on the figures and manpower allocation for the joint Criminal Investigation Division, which he will provide to the Commissioners as soon as possible.

NATO DEFENSE COLLEGE VISIT

Present: Ward Miller, Economic Development Coordinator  
(Coordinator of NATO College Visit)

Mr. Miller appeared before the Commissioners to give a final wrap-up of the NATO Defense College visit in November and read excerpts from correspondence from various course members and faculty of the College expressing their gratitude and appreciation of the hospitality exhibited by St. Mary's Countians during their visit.

COMMISSION ON AGING AUDIT

The County Administrator presented the confirmatory Agreement between the County and Wooden and Benson to audit Title III Grant projects for the Commission on Aging. The County Administrator mentioned that the audits in fact have been completed and the reports are in hand.

Commissioner Jarboe made a motion to sign said Agreement, seconded by Commissioner Parlett. All Commissioners voted in favor.

Commissioner Dean referred to the audit reports and suggested that the County staff, as soon as possible, implement the recommendations by the auditors in the report. The Commissioners endorsed this suggestion.

UPDATE OF COMMUNICATIONS SYSTEM AT CONTROL CENTER

Present: Otis Wood, Director, Civil Defense  
Lt. Muchow, Maryland State Police  
Sgt. Miedzinski, Maryland State Police  
Deputy Phil Cooper, Sheriff's Department  
Lt. Gene Pellillo, Sheriff's Department  
George McWilliams, President, Fire Board  
Greg Adams, Vice-President, Fire Board  
Charles Donaldson, County Fire Marshal

Mr. Adams, spokesman on behalf of the committee of users of services at the Emergency Operations Center, stated that this committee was formed to look into the feasibility of remodeling or revamping the communications system at the Control Center. Mr. Adams informed the Commissioners that



although the present services at the EOC are adequate, it would be a good idea to look to the future and the increasing demands being placed on a system that is rapidly becoming outmoded.

The County Administrator recommended that the County contact the Governor's Commission on Law Enforcement and the Administration of Justice to determine the availability of a grant to fund an evaluation of the present system and a determination of what improvements are needed.

The Commissioners directed that the County Administrator Mr. Wood and Mr. Adams work together in coordinating this project.

FRIENDLY PINES SUBDIVISION

Present: Robert Ackerman, Resident of Friendly Pines  
 Nick Tsirigotis, Developer  
 Jim Kenney, Attorney  
 Joseph Ernest Bell, II, County Attorney

Mr. Ackerman informed the Commissioners of hazardous conditions existing in the roadway within the above-referenced subdivision and requested from the Commissioners a determination of the County's efforts to correct these conditions. The County Attorney and Mr. Tsirigotis presented a brief history of past discussions and attempted solutions concerning the construction of the roadway to county standards, all of which efforts have proven futile up to the present decision by the Commissioners to seek a Declaratory Judgement from the Court. Mr. Ackerman requested from the Commissioners emergency assistance because of the severe problems which exist and then a long-range final solution.

After some discussion the Commissioners advised Mr. Ackerman that because of the legalities of the situation, the County is reluctant to do any repairs other than those of an emergency type covered by the County's emergency road repair Resolution. It was suggested that subsequent to determination by the Court as to financial responsibility to bring the road to 1969 standards, the County may add additional funds to the settled amount in order to bring the road up to current county standards.

LETTER TO KENNETH PERKINS, ENERGY AND COASTAL ZONE ADMINISTRATION  
(BOUNDARIES OF "AREA OF FOCUS")

Present: Dick Platt, Director, Land Use and Development

Mr. Platt presented a letter for the Commissioners' review and signature addressed to Mr. Kenneth Perkins, Director, Coastal Zone Unit, Emergency & Coastal Zone Administration regarding the Boundaries of "area of focus". The Commissioners agreed that Commissioner President McKay sign same.

LETTER TO MR. ROBERT S. NORTON, FLOOD CONTROL SECTION  
FLOOD MANAGEMENT WATERSHED DELINEATIONS

Present: Dick Platt, Director, Land Use and Development

Mr. Platt presented a letter addressed to Mr. Norton, Chief, Flood Control Section, Water Resources Administration for the Commissioners' review and signature. The Commissioners requested the County Administrator to redraft the letter to include that the Commissioners are in general agreement with the priorities as addressed by Mr. John Hall, Soil Conservation Service and authorized Commissioner President McKay to sign said letter.

The meeting recessed at 1:40 p.m.

Thursday, December 9, 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.

EXECUTIVE SESSION

Present: John Norris, County Engineer

The Commissioners agreed to meet in Executive Session in order to discuss personnel matters. The Session was held from 8:55 a.m. to 10:00 a.m. During the Executive Session, Mr. Fresco, Personnel Officer, also discussed a personnel matter with the Commissioners.

LETTER TO ROBERT HAJZYK - STATE HIGHWAY ADMINISTRATION

Commissioner Dean presented a letter addressed to Mr. Robert Hajzyk, Director, Office of Planning and Preliminary Engineering, State Highway Administration, expressing the Commissioners concerns of the location and design of the access road from Md. Rte. 235 to the Lower Patuxent River Bridge. The Commissioners agreed to sign said letter and requested that copies be distributed to those individuals who have expressed concern with this matter.



After discussion Commissioner Jarboe made a motion to authorize Mr. Baggett to solicit proposals for the necessary preliminary engineering in order to meet state requirements, which will be returned to the Commissioners for consideration, seconded by Commissioner Dean. All Commissioners voted in favor.

#### RECREATION SUPERVISOR

At the recommendation of the Director of Recreation and Parks, Commissioner Jarboe made a motion to reinstate Mr. Claude Clarke in the position of Recreation Supervisor at Grade 12, Step 1, seconded by Commissioner Millison. All Commissioners voted in favor.

#### HEAVY EQUIPMENT OPERATOR TRAINEE I

At the recommendation of County Engineer and the Personnel Officer, Commissioner Jarboe made a motion that Mr. George C. Yates be hired to the position of Heavy Equipment Operator at Grade 6, Base, seconded by Commissioner Parlett. All Commissioners voted in favor.

(Commissioner McKay left the meeting - 11:00 a.m.)

#### CLERK-TYPIST - COUNTY ENGINEER'S OFFICE

At the recommendation of the County Engineer and Personnel Officer, and upon review by the State Personnel Office, Commissioner Jarboe made a motion that the position of Clerk-Typist Grade 5 in the County Engineer's Office be reclassified to Clerk-Stenographer, Grade 6, and further that this position be advertised within County Government as a promotional opportunity, seconded by Commissioner Dean. Three Commissioners voted in favor, with Commissioner Parlett abstaining.

#### APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Commissioner Dean made a motion that the Commissioners make the following appointments with terms as indicated:

##### Maryland State Conference on Handicapped Individuals (Southern Maryland Regional Forum)

Charles W. Ridgell

Tri-County Council Advisory Committee

TERM

Florence Ballangee

6/30/78

Nursing Home Board

Rupert D. Phillips

6/30/79

<u>Tri-County Youth Services Bureau</u>	<u>Term</u>
Marianne Schaier (reappointment)	12/31/78
<u>Metropolitan Commission</u>	
Francis E. Taylor (reappointment)	12/31/79
J. J. Finnacom (reappointment)	12/31/79

Commissioner Jarboe seconded the motion. All Commissioners present voted in favor.

ESCROW FUNDS FOR TENNIS COURTS AT LAUREL GROVE

Upon the advice of the County Attorney, Commissioner Jarboe made a motion that John V. Baggett, Director of Recreation and Parks, be authorized to pay Fidelity and Deposit Company of Maryland the \$3,000 held in escrow by him on the contract price for the tennis courts at Laurel Grove, and that the Indemnity Agreement dated June 23, 1976 from Fidelity and Deposit Company of Maryland be filled by him in his records of the project. Mr. Baggett is to deliver the \$3,000 check to the County Attorney who will in turn forward it to the Fidelity and Deposit, seconded by Commissioner Millison. All Commissioners present voted in favor.

(Commissioner McKay returned to the meeting 11:05 a.m.)

ROADS INSPECTOR FOR COUNTY ENGINEER'S OFFICE

Commissioner Jarboe made a motion to authorize the creation of an additional Roads Inspector position as had been requested by the County Engineer, and that the County Engineer and Personnel Officer work together to determine appropriate grade and step for this position, seconded by Commissioner Parlett. Three Commissioners voted in favor of this motion, with Commissioners McKay and Millison voting against as they were opposed to the spending of funds for this additional position.

MOSQUITO CONTROL SPRAYING - GOLDEN BEACH

Commissioner Parlett stated that Florence Ballangee, President of the Golden Beach Citizens Association contacted him to advise that Golden Beach has taken over from the State the mosquito control spraying for that area and they have purchased their own equipment, and are now requesting that the County pay the 20% to them rather than to the State as is normally done.

The County Administrator recommended that the Commissioners approve the concept of the percentage payment to the Golden Beach Citizens Association and that a letter of understanding be prepared for the Commissioners' signatures which will state the details of the understanding.



ST. INIGOES PROPERTY

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett appeared before the Commissioners to advise the Commissioners that the State is requiring certain information regarding the St. Inigoes property, such as topographical map, layout of roads, waterfront sounding, how much dredging is needed, etc. and Mr. Baggett therefore requested authorization to expend up to \$6,000 to match funds from Waterway Improvements to do the necessary preliminary engineering.

After discussion, Commissioner Jarboe made a motion to authorize Mr. Baggett to solicit proposals for the necessary preliminary engineering in order to meet state requirements, which will be returned to the Commissioners for consideration, seconded by Commissioner Dean. All Commissioners voted in favor.

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(Commissioner McKay left the meeting - 11:00 a.m.)

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At the recommendation of the County Engineer and Personnel Officer and upon review by the State Personnel Office, Commissioner Jarboe made a motion that the position of Clerk Typist, Grade 5 in the County Engineer's Office be reclassified to Clerk-Stenographer, Grade 6, and further that this position be advertised within County Government as a promotional opportunity, seconded by Commissioner Dean. Three Commissioners voted in favor, with Commissioner Parlett abstaining.

ST. CLEMENTS ISLAND POTOMAC RIVER MUSEUM

Commissioner Dean distributed a list of items pertaining to the St. Clement's Island Potomac River Museum which need to be addressed by the Board of County Commissioners and a Draft Statement of Relationship between the Museum and St. Mary's County. Commissioner Dean suggested that this Draft Statement be reviewed by the Board of Directors of the Museum and also volunteered to meet with the Board of Directors to discuss what course of action with regard to the State's involvement and then report back to the Commissioner. The Commissioners concurred with this suggestion.

SPECIFICATIONS FOR PREPARATION OF BASE MAPS  
PRINTING OF ZONING ORDINANCE AND COMPREHENSIVE PLAN AND  
SUBDIVISION REGULATIONS AND/OR ZONING MAPS

The Commissioners reviewed the proposed Specifications for Preparation of a Base Map for St. Mary's County with Overlays of Zoning Districts, Comprehensive Plan Areas, and Subdivision Locations to be included as part of the 1976 Comprehensive Zoning Ordinance Update, as submitted by Dick Platt, Director of Land Use and Development.

Commissioner Parlett questioned whether the roads on the map should be identified by number only or by name and number.

In addition, the Commissioners reviewed the Notice of Letting Contract for the printing of the St. Mary's County Zoning Ordinance, Comprehensive Plan and Subdivision Regulations and/or Zoning Maps.

The Commissioners agreed to the concept of both documents pending review by the County Planner.

The meeting adjourned at 12:10 p.m.

Approved by,

  
 James M. McKay, President  
 County Commissioners