

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, August 10, 1977

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

READING AND APPROVAL OF MINUTES

The minutes of August 3, 1977 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 Jarboe made a motion to approve payment of the bills, as submitted, seconded by Commissioner Dean. All Commissioners voted in favor.

CLEARINGHOUSE PROJECT No. 78-7-74
TRI-COUNTY HEADSTART PROGRAM FOR FY 78

The County Administrator presented the above-referenced Clearinghouse Project, which was reviewed by the Department of Social Services, and recommended that it be forwarded to the State, stating that it is not inconsistent with this agency's plans, programs, or objectives. The Commissioners gave their concurrence.

COMPREHENSIVE WATER AND SEWAGE PLAN - 201 FACILITIES PLANS

In response to correspondence from Mr. James Clise of the Department of Health and Mental Hygiene, in which he proposed the combination of the St. Mary's County Comprehensive Water and Sewage Plan and the 201 Facilities Plan into one single planning program, the County Administrator presented a letter to Mr. Clise for the Commissioners' signatures enclosing comments from the Metropolitan Commission regarding this proposal. Commissioner Parlett made a motion to sign and forward said letter, seconded by Commissioner Dean. All Commissioners voted in favor.

MEMORANDUM OF UNDERSTANDING - SHERIFF'S DEPARTMENT AND TOWN OF LEONARDTOWN

The County Administrator presented a Memorandum of Understanding by and between the County Commissioners, the Sheriff's Department, and the Town of Leonardtown for additional police protection in Leonardtown for certain events. Commissioner Jarboe made a motion to approve and sign said Memorandum of Understanding, seconded by Commissioner Dean. All Commissioners voted in favor.

TRANSFER OF FUNDS - PITCH-IN PROGRAM

By memorandum dated July 20, 1977, the County Engineer requested approval of a transfer of funds in the amount of \$560 from the Contingency Account to Account No. 1243-2981 to cover anticipated costs for the additional pitch-in sites along State Route 234. Commissioner Parlett made a motion to approve said transfer, seconded by Commissioner Jarboe. All Commissioners voted in favor.

TRANSFER OF FUNDS - PURCHASING AND LOGISTICS

By memorandum dated August 8, 1977, the Budget Officer recommended the transfer of \$200 from the Contingency Account to Account No. 1057-3101 (Purchasing & Logistics Equipment) for the purchase of two storage cabinets for Xerox supplies. Commissioner Parlett made a motion to approve said transfer, seconded by Commissioner Dean. All Commissioners voted in favor.

STATE UNEMPLOYMENT INSURANCE LAWS - SCHOOL BOARD PERSONNEL

In response to correspondence from Joseph Murnane, Maryland Association of Counties, the County Administrator presented a letter for the Commissioners' signatures addressed to Mr. William Sykes, Employment Security Administration, regarding the question of school board personnel being County employees for the purpose of administration of the State Unemployment Laws. Said letter endorses Mr. Murnane's position that this would place an intolerable burden on the staff of local government. Commissioner Jarboe made a motion to sign and forward said letter, seconded by Commissioner Parlett. All Commissioners voted in favor.

APPOINTMENT TO YOUTH COMMISSION

Commissioner Parlett made a motion to appoint Reverend Joseph Hoopengardner to the Youth Commission for a term to expire June 30, 1979, seconded by Commissioner Dean. All Commissioners voted in favor.

RESIDENT TROOPER PROGRAM

Present: LT. Muchow, Maryland State Police
SGT. Miedzinski, Maryland State Police
SGT. Robert Short, Maryland State Police
CAPT. Larry Gibbs, Maryland State Police

The above-referenced representatives of the Maryland State Police appeared before the Commissioners in response to the County's expressed interest in the Resident Trooper Program. CAPT. Gibbs explained the operation of the Program in other Counties and stated that the concept of the Program depends strictly on the wishes of the County in how the Program should be applied. The Trooper would be dedicated to the services of the community and would work out of the Control Center. The Program is on a 25% (State) - 75% (County) cost sharing basis, however CAPT. Gibbs mentioned the possibility of the availability of LEAJ funding 75% of the County's costs.

In closing, the Troopers provided the Commissioners with copies of a sample contract and the rules and regulations of the Program. The Commissioners thanked the representatives for their presentation and advised that they would contact them at a later date as to their intent and interest.

EXECUTIVE SESSION

Present: John Norris, County Engineer
Dan Ichniowski

The Commissioners agreed to meet in Executive Session in order to discuss matters of property acquisition. The Session was held from 10:45 a.m. to 11:00 a.m.

RECONSTRUCTION OF LARREDORE ROAD

Commissioner Dean made a motion to approve the expenditure of \$1,000 to J. R. McCrone to update the road plans for Project No. SM 76-1-11, Reconstruction of Larredore Road, seconded by Commissioner Millison. All Commissioners voted in favor.

REPLACEMENT FOR DAMAGED VEHICLE

Present: John Norris, County Engineer

Mr. Norris stated that the landfill tractor which had been stolen suffered substantial damage and it will be 60 days before the vehicle is in service again. Therefore, Mr. Norris stated that the County could rent a vehicle for approximately \$4,000 or purchase a used vehicle for approximately \$5,500 to \$6,000. Mr. Norris recommended the purchase of a used vehicle, if possible. Commissioner Dean made a motion that the County Engineer be authorized to seek out a replacement vehicle, while the damaged truck is being repaired, at a cost not to exceed \$6,000, seconded by Commissioner Jarboe. All Commissioners voted in favor.

ROADSIDE DRAINAGE IMPROVEMENTS (SM 78-1-1)

Present: John Norris, County Engineer

Mr. Norris stated that plans for the above-referenced project were picked up by five firms, however only one bid was received, which was from B. F. Ascher. Mr. Norris recommended awarding the contract to B. F. Ascher, according to the schedule of prices attached to the bid tally sheet. Commissioner Jarboe made a motion to accept the County Engineer's recommendation, seconded by Commissioner Millison. All Commissioners voted in favor.

SUPERVISOR FOR ROADSIDE DRAINAGE IMPROVEMENT PROJECTS

Present: John Norris, County Engineer

Mr. Norris recommended that Mr. Ed Baroniak be hired as supervisor of the above-referenced project at the rate of \$8.00 per hour. Commissioner Dean made a motion to employ Mr. Baroniak, as recommended by the County Engineer, as Supervisor of the roadside drainage improvements in various parts of the County, seconded by Commissioner Jarboe. Four Commissioners voted in favor, with Commissioner McKay abstaining.

WALDEN COUNSELING CENTER

Present: John Norris, County Engineer

Mr. Norris stated that the contract with Cameron Construction for the foundation of the Walden Counseling Center mobile home is with the County Attorney, and recommended that the Commissioners authorize Commissioner President McKay to sign appropriate documents, upon approval by the County Attorney as to legal sufficiency. Commissioner Jarboe made a motion to accept this recommendation, seconded by Commissioner Parlett. All Commissioners voted in favor.

GOLDEN BEACH ROAD RIGHT-OF-WAY

Present: John Norris, County Engineer

Mr. Norris presented Voucher No. 10188, in the amount of \$1,500, payable to David A. Davidson, c/o Mrs. Katie Dombroski, for appraisal value as per report by J. Spence Howard for property on the Golden Beach Road - SM 75-1-7, as per agreement (trust fund) approved by the Board of County Commissioners on August 3, 1977. Commissioner Parlett made a motion to approve said voucher, seconded by Commissioner Jarboe. All Crs. voted in favor.

MONTHLY ESTIMATE 11B - GOLDEN BEACH ROAD (SM 75-1-7)

Present: John Norris, County Engineer

Mr. Norris presented Monthly Estimate No. 11B in the amounts of \$7,800 (Voucher No. 13015) and \$23,089 (Voucher No. 09103), payable to B. F. Ascher for the reconstruction of Golden Beach Road. Commissioner Parlett made a motion to approve payment of said estimate, seconded by Commissioner Dean. All Commissioners voted in favor.

LINCOLN AVENUE RECONSTRUCTION - MONTHLY ESTIMATE No. 3

Present: John Norris

The County Engineer presented Monthly Estimate No. 3 to Dean Construction Company for the Lincoln Avenue Reconstruction Project in the amounts of \$31,364.80 (Voucher No. 12563) and \$2,002.09 (Voucher No. 12546), and, further, submitted Voucher No. 13016 payable to Dean Construction Company for Change Order No. 2, additional feet of pipe ends (paid on Estimate No. 3) in the amount of \$4,232. Commissioner Jarboe made a motion to approve payment of the Partial Payment in Estimate No. 3 and also Voucher No. 13016, seconded by Commissioner Millison. All Commissioners voted in favor.

EXTRA WORK AUTHORIZATION - LINCOLN AVENUE

Present: John Norris, County Engineer

Mr. Norris presented Extra Work Authorization in the amount of \$9,991.80 for the removal of sections of concrete pavement to provide adequate thickness for the asphalt surfacing and other related construction

items for the Lincoln Avenue project. Commissioner Jarboe made a motion to authorize said Work Order, seconded by Commissioner Millison. Four Commissioners voted in favor with Commissioner Dean abstaining.

ROAD RESOLUTION NO. 77-39
MORGANZA TURNER ROAD

Present: John Norris, County Engineer

Mr. Norris presented Road Resolution No. 77-39 posting Morganza-Turner Road at 30 miles per hour from its intersection with Maryland State Route 5 to its intersection with the Morganza-Laurel Grove Road, a distance of approximately one-half mile and that the remainder of the Morganza-Turner Road be posted at 40 miles per hour. Commissioner Dean made a motion to approve said Road Resolution, seconded by Commissioner Parlett. All Commissioners voted in favor.

EMERGENCY OPERATION CENTER - EMS TOWER

Present: John Norris, County Engineer
Otis Wood, Director, Civil Defense

The County Engineer presented for the Commissioners' approval a proposed transmitter building design and explained the details of same. After some discussion, the Commissioners authorized the County Engineer to proceed to cost out the project and prepare necessary construction documents.

TOWER PLACEMENT

Present: John Norris, County Engineer
Otis Wood, Director, Civil Defense

The County Engineer and Mr. Wood explained certain difficulties relative to the placement of the proposed EMS tower and requested the Commissioners' concurrence to negotiate with the state to move the tower closer to the existing Emergency Operation Center rather than be projected into the parking lot. The Commissioners gave their concurrence.

REZONING HEARING
CASE NO. 77-01 - WILLIAM H. PULLIAM

Present: William H. Pulliam, Applicant
James F. Vance, attorney for applicant
Frank Gerred, Director of Land Use and Development
Property Owners in the area in favor of application

Application was made by William H. Pulliam to have approximately .57 acre located on Md. Rt. 5, 200 feet north of Trapp Road, St. Inigoes, First Election District rezoned from AR-2, agricultural residential, to C-1, commercial.

The secretary read the Notice of Public Hearing.

Mr. Vance, attorney to the applicant, submitted the Registered Receipt of Certified letters to property owners within 200 feet of subject property to be submitted into the records as Exhibit 1 (a-d) and in addition, requested that all documents submitted at the Planning Commission be made a part of this record.

The following individuals testified on behalf of the applicant: Donna Abell, Rev. Victor Johnson, Ed Curley, S. A. Abell, James Bush, Leroy Dugan and Charles Mattingly.

The secretary read the Planning Commission's recommendation to grant approval of this rezoning application as contained in their memorandum dated July 25, 1977.

Commissioner McKay inquired if anyone present wished to speak for or against this rezoning application; hearing none the hearing was closed. A tape of the hearing is on file in the Commissioners' Office.

RESOLUTION NO. 77-49
RECREATION AND PARKS REVOLVING FUND

Present: Joseph O'Dell, Budget Officer

Mr. O'Dell presented Resolution No. 77-49 establishing a Recreation and Parks Revolving Fund, the purpose of which is to receive and disburse monies directly associated with the activities of the Recreation Committees, who are under the direct supervision and control of the Board of Recreation and Parks. Commissioner Parlett made a motion to approve and adopt said Resolution, seconded by Commissioner Jarboe. All Commissioners voted in favor.

CLASSIFICATION AND PAY PLAN

Present: Nace Fresco, Personnel Officer

Mr. Fresco reviewed with the Commissioners the Classification and Pay Plan for county employees. Commissioner Jarboe made a motion to adopt said Classification and Pay Plan, as presented by the Personnel Officer, seconded by Commissioner Parlett. All Commissioners voted in favor.

ACCEPTANCE OF DEED - GILLENS GROVE, SECTIONS I AND II

On behalf of the County Engineer, the County Administrator presented a Deed dated June 24, 1977 by and between Hugh Allston and Helen C. Allston and the County Commissioners of St. Mary's County accepting the following roads in Gillens Grove, Sections I and II, Sixth Election District into the County Highway Maintenance System: Allston Lane, Anne Court, Henry Court, Kenneth Court, and Keith Court. Commissioner Dean made a motion to accept said Deed, seconded by Commissioner Parlett. All Commissioners voted in favor. In addition, the Commissioners authorized Commissioner President McKay to sign a letter to the Treasurer regarding payment of taxes to allow recordation of the Deed.

BRETON BAY/NAVIGATION IMPROVEMENT

Commissioner McKay advised the other Commissioners that he had obtained an extension for the County's notification to the Army Corps of Engineers relative to the deauthorization of the above-referenced project. The Commissioners agreed to officially petition the Army Corps of Engineers to change the deauthorization decision, thereby continuing the dredging of the Breton Bay channel and turning basin as an authorized project.

RESOLUTION NO. 77-48

COMPREHENSIVE WATER AND SEWER PLAN UPDATE

A public hearing was held on the 1977 Update of the Comprehensive Water and Sewer Plan for St. Mary's County on June 30, 1977. Therefore, Commissioner Parlett made a motion to approve and sign Resolution No. 77-48 adopting the 1977 Update of the Comprehensive Water and Sewer Plan, seconded by Commissioner Dean. All Commissioners voted in favor.

With regard to the water and sewer classification for Kitts Point, Commissioner Parlett stated that Walter Raum, working with the Metropolitan Commission, should develop a letter for the Commissioners' signatures to Mr. Victor Reynolds, developer of Kitts Point stating that the water and sewer category will remain at W-3 and S-3; however, he should investigate alternative methods of treating sewage such as spray irrigation.

OUTDOOR DRAMA ASSOCIATION - "WINGS OF THE MORNING"

Present: Erik Reeves
Don Adams
Marvin Joy
Edwin Beitzell
John Watts
Fred and Beth McCoy
Mrs. Janssen

Mr. Reeves and Mr. Adams appeared before the Commissioners to present a financial status report of the Outdoor Drama, "Wings of the Morning" and distributed information pertaining to attendance, allocation of expenses for July and August and a list of outstanding debts. Mr. Reeves advised the Commissioners of the funds remaining in their checking account and stated that they will be unable to meet salary expenses for the two remaining weeks of the drama.

The Commissioners advised that they would discuss this matter further and come to a decision later in the meeting.

RECREATION AND PARKS
SEVENTH DISTRICT PARK

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett stated he had readvertised for the seeding and fine-grading of the Seventh District Park and two bids were received; namely, Allston Excavating Company in the amount of \$50,200 and B.F. Asher in the amount of \$34,950. Therefore, Mr. Baggett recommended awarding the contract to B.F. Asher. Commissioner Parlett made a motion to accept this recommendation, seconded by Commissioner Dean. All Commissioners voted in favor.

SEVENTH DISTRICT PARK (FENCING)

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett stated that he had received bids on the above-referenced project and was able to negotiate the bid price down to \$19,385 from Long Fence Company, seconded by Commissioner Parlett. All Commissioners voted in favor.

CHAPTICO WHARF
FOREST LANDING WHARF

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett recommended that the bids be readvertised for the repair of the boat launching ramp and sea wall and construction of a temporary jetty at Chaptico Wharf. In addition, Mr. Baggett recommended readvertising the repair and extension of the boat launching ramp at Forest Landing. The Commissioners gave their concurrence.

PURCHASE OF OVERSEEDER

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett requested authorization to purchase an overseeder from McKay Implement in the amount of \$1206. Commissioner Parlett made a motion to grant this authorization, seconded by Commissioner Dean. All Commissioners voted in favor.

AMPHITHEATER - ALCOHOLIC BEVERAGES

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented a letter to the Commissioners dated August 10, 1977 regarding the attendance at the various concerts at the amphitheater and the consumption of alcoholic beverages on the premises. In his letter, Mr. Baggett stated that he was of the opinion that there was not a problem with the consumption of alcoholic beverages in the parks. With regard to the proposed anti-drinking law, Mr. Baggett further stated that in his opinion it would be undesirable to extend the anti-drinking law to cover parks.

PATUXENT KNOLLS DRAINAGE AND SEDIMENT CONTROL PROBLEM

Commissioner Dean presented a letter for the Commissioners' review and signature addressed to Mr. Milton Hein, builder for the Patuxent Knolls Subdivision regarding a solution to the various driveway, erosion and drainage problems at this Subdivision. The Commissioners agreed to sign and forward said letter.

ANTI-PUBLIC DRINKING ORDINANCE

Commissioner Jarboe submitted a proposed Anti-Public Drinking Ordinance which will be submitted to the County Attorney for his review and comments.

HOUSING AND BUILDING CODE

In response to inquiries regarding a housing and building code for St. Mary's County, Commissioner Jarboe distributed a discussion paper recommending investigating the feasibility of such a code.

After discussion it was agreed that the County Administrator should work with the Housing Coordinator and Director of Land Use and Development to develop a format for a seminar on this subject for the Commissioners' review. The twofold purpose of the seminar is to explain what a building code is and to obtain public input as to the need for a code from various groups, organizations and trades in this field such as lenders, builders, carpenters, real estate agents, etc.

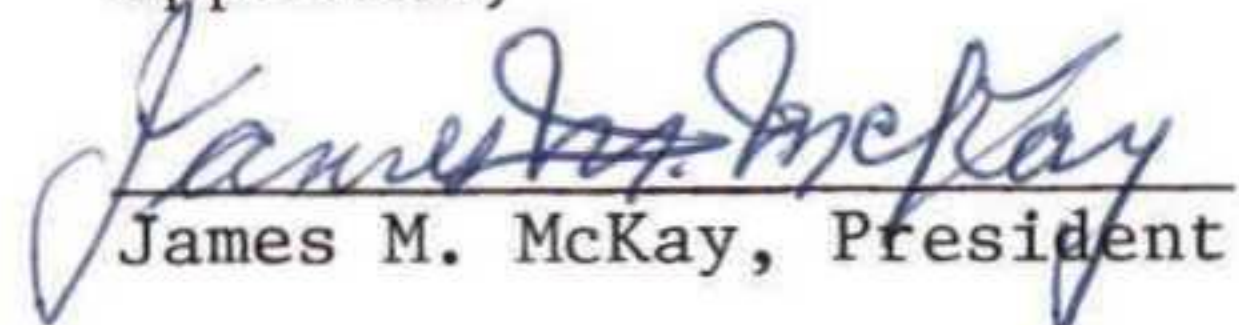
"WINGS OF THE MORNING"

The Commissioners renewed discussion concerning the financial difficulties of the Outdoor Drama production "Wings of the Morning". The Commissioners reviewed the various alternatives related to the County's additional funding for the current production cycle. Commissioner Jarboe made a motion that the County provide the necessary additional funds to continue the "Wings of the Morning" production through August 14; further, that the Budget Officer be directed to prepare as thorough analysis as possible prior to Wednesday, August 17 which will provide a recommended course of action to the Commissioners for the funding of "Wings of the Morning" through August 21 at the least possible financial exposure to the County. Commissioner Dean seconded the motion. The Commissioners voted four to one with Commissioner Millison voting against.

The Commissioners directed the County Administrator to obtain a complete inventory of all assets of the production "Wings of the Morning" in that these assets are the property of St. Mary's County.

The meeting adjourned at 4:35 p.m.

Approved,


James M. McKay, President