

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, December 21, 1977

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

The meeting was called to order at 9:00 a.m.

READING AND APPROVAL OF MINUTES

The minutes of December 14, 1977 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Parlett. All Commissioners present voted in favor.

(Commissioner Millison entered the meeting - 9:15 a.m.)

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the encumbrance vouchers for the Commissioners' review and approval. Commissioner Parlett made a motion to approve payment of the bills, as submitted, seconded by Commissioner Dean. All Commissioners voted in favor.

100-DAY CLUB

Present: Ken Freeburn, Personnel Officer

Mr. Freeburn appeared before the Commissioners to advise them that the plaques have been received for those employees who have accumulated 100 days or more sick leave. It was agreed that the plaques will be presented to the employees at next week's meeting.

LIST OF COUNTY HOLIDAYS - 1978

Present: Ken Freeburn, Personnel Officer

Mr. Freeburn submitted the list of County holidays for 1978, as recommended by the State. After discussion, Commissioner Dean made a motion to approve the list of holidays with the understanding that there be flexibility with the holidays in February for the move of County employees from the Courthouse to Leonard Hall, and further to follow the Governor's decision regarding Maryland Day and Good Friday, seconded by Commissioner Millison. All Commissioners voted in favor.

AMENDMENT TO CETA PROGRAM AGREEMENT

Present: Ken Freeburn, Personnel Officer

Mr. Freeburn submitted Amendment No. A to the "Combined St. Mary's Public Service Project" (CETA Program, Title VI), dated November 30, 1977.

Commissioner Parlett made a motion to accept Amendment A to the CETA Program, seconded by Commissioner Dean. All Commissioners voted in favor.

UNEMPLOYMENT INSURANCE

Present: Ken Freeburn, Personnel Officer

With regard to previous discussion concerning payment of unemployment insurance, Mr. Freeburn recommended that the County use the self-insured method. Commissioner Dean made a motion to accept the Personnel Officer's recommendation, seconded by Commissioner Parlett. All Commissioners voted in favor.

REQUEST FOR ADDITIONAL CETA POSITIONS

Present: Ken Freeburn, Personnel Officer

Mr. Freeburn submitted a list of additional "sustaining" CETA positions as requested by the State Manpower Planning Council under the Title II Program. After reviewing and making certain recommended changes to the list, the Commissioners authorized the Personnel Officer to proceed accordingly.

EMERGENCY MEDICAL SERVICE COUNCIL

Present: Mrs. Ellen Hewitt  
Mr. John K. Erly

Mrs. Hewitt appeared before the Commissioners to advise them of the problem of St. Mary's County having to use the Baltimore Shock-Trauma Center as required by Dr. Cowley, Director of the Maryland EMS, rather than the Washington center, which is closer. In addition, Mrs. Hewitt stated that the EMS Council would like stronger support from the Board of County Commissioners office in order to make the Council a truly coordinated agency for EMS in St. Mary's County. The Commissioners indicated their support and Commissioner Jarboe advised that a letter would be addressed to the Governor regarding the use of the Washington Shock-Trauma Center.

CLARIFICATION OF COMMENTS/CHAMBER OF COMMERCE

Present: Rocky Willis, President, Chamber of Commerce

Regarding previous discussion by the Commissioners concerning membership to the Chamber of Commerce, Mr. Willis appeared before the Commissioners to obtain clarification of certain comments made as reported in the local newspaper.

The Commissioners explained their views on the matter and, although the majority of the Commissioners voted not to join the Chamber, they expressed support of the Chamber of Commerce and its various activities in the County.

BOND FOR COUNTY TREASURER

The County Administrator presented a bond in the amount of \$100,000 from the Glen Falls Insurance Company bonding the County Treasurer, Francis G. Cecil.

Commissioner Dean made a motion to approve said Bond, seconded by Commissioner Jarboe. All Commissioners voted in favor.

TANNER CREEK/SHORE EROSION BENEFIT CHARGE

The County Administrator requested concurrence from the Board with the recommendations presented by memorandum dated November 9, 1977, which briefly are:

1. Method and amount of assessment as established in 1975 be constant over the duration of annual installments;
2. That an adjustment schedule be prepared to compensate overpayment and to collect underpayment for taxable years 1976-77 and 1977-78;
3. That adjustments be made by an addition/subtraction on the billing for taxable year 1978-79;
4. That the property owners be properly informed as to the cause and effects of the adjustments.

The above recommendations meet the requirements as set forth in Article 25, Section 165 of State Code and as reviewed by the Attorney General, County Attorney, and County staff.

Commissioner Jarboe made a motion to accept the recommendations as cited above and recommended by staff, seconded by Commissioner Parlett. All Commissioners voted in favor.

TOURISM COUNCIL - APPOINTMENTS

Commissioner Jarboe made a motion to appoint Robert Kopel and Russell Maddox to the Tourism Council for terms to expire December 31, 1978, seconded by Commissioner Parlett. All Commissioners voted in favor.

TRI-COUNTY YOUTH SERVICES BUREAU - APPOINTMENT

Commissioner Jarboe made a motion to appoint Glenn A. Larnered to the Tri-County Youth Services Bureau for a term to expire December 31, 1978, seconded by Commissioner Parlett. All Commissioners voted in favor.

20-YEAR TRANSPORTATION PLAN

The County Administrator presented a letter for the Commissioners' signatures indicating agreement with the Twenty Years Highway Needs Study for St. Mary's County. A majority of the Commissioners agreed to sign and forward said letter.

RC & D VEGETATION PROJECT - ST. ANDREWS LANDFILL

Because of complications with the plans and specifications, the above-referenced project will not proceed before the agreement deadline of January 1, 1978. Therefore, the present agreement will expire, and a new agreement will be entered into next Spring. Accordingly, the Commissioners approval was requested for an amendment to the project agreement to reduce the funds in the agreement to "0".

Commissioner Jarboe made a motion to authorize Commissioner McKay to sign said Amendment No. 2, seconded by Commissioner Parlett. All Commissioners voted in favor.

MOTOR VEHICLE ADMINISTRATION  
LEASE FOR USE OF HEARING ROOM

The County Administrator presented a lease by and between St. Mary's County Commissioners and the Department of Transportation, Motor Vehicle Administration for use of the State's Attorney's hearing room two days a week at \$1200 per year. Commissioner Dean made a motion to accept said lease, seconded by Commissioner Jarboe. All Commissioners voted in favor.

ACCOUNT TRANSFERS  
ZONING AND SUBDIVISION MAPS

Regarding the request at last week's meeting by the Director of Land Use and Development concerning the funding for the preparation of the zoning and subdivision maps, the County Administrator submitted the Budget Officer's recommendation for the following account transfers:

Increase Acct. #1083-2131 (Contract Services) by \$1,133  
 Increase Acct. #1083-2101 (Office Supplies) by \$867  
 Increase Acct. #1083-1111 (Salaries, General) by \$2,000

Commissioner Dean made a motion to approve the transfers as suggested by the Budget Officer, seconded by Commissioner Parlett. All Commissioners voted in favor.

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise  
 Dave Fox, WKIK  
 Paula Smith, WPTX  
 Ingrid Buehler, Beacon  
 Florence Ballangee, Beacon

The regular semi-monthly press conference was held at this time. A tape of the conference is on file in the Commissioners' office.

COMMUNITY SERVICES ADMINISTRATION GRANT

Present: Don Curtis, Housing Coordinator  
 Mike McCauley  
 Duane Yoder

Mr. Curtis presented the Commissioners with a copy of the grant award from the Community Services Administration in the amount of \$75,000, which has been accepted by the Tri-County Community Action Committee on behalf of the Housing Authority. Said grant being for funding of second mortgages for the mobile home development at King and Kennedy Estates.

EMS TOWER  
RESOLUTION ON LIABILITY

Present: Otis Wood, Director, EOC  
 Richard Neat, EMS  
 Rich Lawrence, GE

The above-referenced representatives presented the Commissioners with a proposed resolution which absolves the State and other affected parties of a greater amount of liability than the resolution formerly adopted by the Board of Commissioners. During the discussion, the Commissioners expressed reservations about the proposed resolution and requested that the County Attorney review it and render a recommendation.

FY '79 BUDGET PREPARATION

Present: Joe O'Dell, Budget Officer

Regarding preparation of the FY '79 budget, the Commissioners made certain recommendations relative to the questions posed by the Budget Officer at last week's meeting, which he will use in develop-

ing a policy letter for the Commissioners' signatures, after which time a budget package will be prepared for the various departments and agencies.

LETTER TO BEN BURROUGHS

The Commissioners agreed to sign and forward a letter to Ben Burroughs concerning road construction in Country Lakes, Section I.

LETTER TO SUPERVISOR OF ASSESSMENTS

The Commissioners agreed to sign and forward a letter to the Supervisor of Assessments concerning assessments of agricultural land that has been improved.

LETTER TO ST. MARY'S PIGSKIN CLUB

Commissioner Dean presented a letter for the Commissioners' review and signature addressed to the President of the St. Mary's Pigskin Club indicating to them to place the order for the required football equipment and that if there is a deficit in paying for that equipment, the County would support that deficit. Commissioner Dean made a motion to sign and forward said letter, seconded by Commissioner Millison. All Commissioners voted in favor.

FLOOD HAZARD BOUNDARY MAPS

Present: Frank Gerred, Director, Land Use and Development

Because of the lack of clarity of the proposed Flood Hazard Boundary Maps, the Commissioners agreed not to conduct a public hearing until a representative from HUD appeared before the Commissioners to explain the impact of flood insurance and the technical use of the maps.

SOUTHAMPTON (ARTICLE 21 - ZONING ORDINANCE)

Present: Frank Gerred, Director, Land Use and Development  
Capt. Gillespie  
Al Bingman  
Joseph Weiner  
Paul Lawrence, Assistant to County Attorney

The Commissioners re-discussed with those present the issues surrounding the referenced subdivision relative to AICUZ. The Commissioners stated that those having an interest in this subdivision were invited to come to this meeting to add any comments or information they felt appropriate. Mr. Gerred was requested to present the alternatives available to the Commissioners in resolving this issue. The alternatives were:

1. Negotiate with the owners of the lots to attempt to work out a more satisfactory density within the AICUZ;
2. Initiate a rezoning process;
3. Investigate the possibility of County and/or Navy purchase of the property.

Mr. Weiner presented from various documents an historical background of the referenced subdivision up to the present, concluding with his stated position that vested interest has been proven and that due process and compensation should be provided to the current landowners.

Capt. Gillespie reiterated the Navy's position that no additional building should be permitted in this subdivision, in keeping with the principle of no new development in the AICUZ.

Commissioner Dean stated that he believed the basic question to be answered is a legal interpretation of "new development" as referred to in Article 21 of the County Zoning Ordinance. Commissioner Dean further stated, that he believed among other points, the simplest and cleanest resolution to the current problem was to allow the build-out of the approved subdivision and prohibit any future development not currently approved.

Commissioner Millison expressed the opinion that in whatever way possible, the land should be purchased to protect the future of the Navy Base and to compensate the landowners.

After some discussion, the Commissioners agreed to meet in Executive Session with the above-referenced persons to discuss the possibilities of land acquisition in the AICUZ. The Session was held from 3:45 p.m. to 4:40 p.m.

BOARD OF EDUCATION - EXECUTIVE SESSION

Present: Dr. King, Superintendent of Schools  
 James Ogden, St. Mary's Public Schools  
 James A. Forrest )  
 Dorothy Harper )  
 H. Edwin Cole ) Board of Education  
 Eleanor Ritchie )  
 William Wagoner )

The Commissioners agreed to meet in Executive Session with the above-referenced individuals in order to discuss collective bargaining and land acquisition. The Session was held from 4:45 p.m. to 5:30 p.m.

The meeting adjourned at 5:30 p.m.

Approved,

  
James M. McKay, President