

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, October 11, 1978

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 A. Mullins, Recording Secretary

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

READING AND APPROVAL OF MINUTES

The minutes of the County Commissioners' meeting of October 4, 1978 were read. Commissioner Jarboe moved, seconded by Commissioner Parlett, to approve the minutes as read. 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 moved, seconded by Commissioner Parlett, to approve payment of the bills as submitted. All Commissioners voted in favor.

HEALTH INSURANCE

Present: Harris Sterling, Director of Finance

Mr. Sterling advised that he had contacted the Insurance Buyers' Council concerning an analysis of our present insurance coverage and rates in order to determine whether the county should put this out on bids. He stated that to have this analysis done and if we do go out on bids, it would cost the County \$4,250, plus travel expenses.

The County Administrator recommended that staff and some employees form a committee to determine what the county's needs are relative to insurance coverage and return to the Commissioners in 30 days with this information. The Commissioners concurred.

BIDS ON SHERIFF'S DEPARTMENT AUTOMOBILES

Present: Paul Raley, Director, Purchasing and Logistics  
Sheriff Somerville  
Joseph O'Dell, Budget Officer

Mr. Raley presented the bid tally sheet for the bids of the purchase of eleven automobiles for the Sheriff's Department. The low bid was from Suburban Chrysler Plymouth in the amount of \$61,460, which includes the trade-in value of nine automobiles. In that the other two vehicles were to go to the Land Use Office for the inspectors, according to the Budget Officer, the Commissioners directed that certain information be obtained

prior to the awarding of the bid: mileage on the 11 individuals cars, analysis of cost of inspector's transportation.

Later in the meeting Mr. O'Dell presented the Commissioners with the above information and the Commissioners agreed to make a decision on the awarding of the bid at next week's meeting.

STORAGE OF VOTING MACHINES

Present: Paul Raley, Director, Purchasing and Logistics

Mr. Raley advised that he had obtained proposals for the storage of the 52 voting machines which are presently being stored at the Courthouse and governmental center. Proposals were received from Mr. Daugherty (old Guardian Building in Lexington Park) in the amount of \$2400 per year plus pick up and delivery and from Hilldrup in the amount of \$2700, plus delivery in the amount of \$390.

The Commissioners directed Mr. Raley to obtain proposals for the storage of the machines presently at the governmental center and some from the Courthouse in order to reduce the bid for less storage space and delivery, and return to the Commissioners next week with this information.

DERELICT BOAT REMOVAL PROGRAM

Present: Otis Wood, Director, Emergency Operations Center

Mr. Wood advised that Waterways Improvements has inquired whether St. Mary's County would be interested in being included in the Boat Removal Program again this year. Mr. Christman, who did the inspections last year is willing to conduct the original survey at the same rate of \$25 per day, which be in the amount of approximately \$400 to \$500.

After discussion, the Commissioners gave their concurrence to proceed with the survey.

YOUTH COMMISSION

(ST. MARY'S COUNTY COUNCIL FOR CHILDREN AND YOUTH)

Present: Delores Hill, Youth Services Coordinator  
Ken Sola, Chairman, Youth Commission  
Steve Tyler, 4-C Chairman  
Mrs. Reese, Juvenile Services  
Bill Combs, " "  
Pat White, Cooperative Extension  
Sharon O'Brien, Tri-County Youth Services Bureau

The referenced individuals appeared before the Commissioners to discuss the recent State legislation requiring the formation of a local Youth and Children Council. Miss Hill stated that the Youth Commission has met and discussed this matter and it was the consensus of the Commission to combine the 4-C Committee and Youth Commission and form the local Youth and Children Council. Based on this opinion, Miss Hill submitted recommendations of the Youth Commission in forming this council.

There was discussion as to the composition of the Board and the difficulties of having a large council and the time involved for various agencies in attending meetings.

Mrs. Reese suggested delaying a decision by the Board of County Commissioners concerning the establishment of this Council until such time as a small committee consisting of representatives of the Youth Commission, 4-C and Juvenile Services and legal counsel to review the bill and its requirements. There may be a possibility of several sub-committees under the Youth Commission and still meet the mandate of the bill. The Commissioners gave their concurrence with this suggestion.

SPECIAL TAXING DISTRICT FOR ROAD IMPROVEMENTS  
SPRING VALLEY SUBDIVISION

Present: John Norris, County Engineer  
Dan Ichniowski, Engineer's Office  
Joseph Ernest Bell, II, County Attorney  
Paul Johnson, County Engineer's Office

At this time the Commissioners reviewed the proposed schedule for the procedures to be followed in the Special Taxing Districts for road improvements in the Spring Valley Subdivision, including advertisements, public hearings and awarding of contract. Also reviewed was the agenda for the meeting scheduled for November 1 with the property owners in the area.

KNOLLAND SUBDIVISION - SECTION II

Present: Joseph E. Bell, II, County Attorney  
John Norris, County Engineer

In that the withholding of building permits in the referenced subdivision only affected the property owner/builder and not the developer, Commissioner Jarboe moved, seconded by Commissioner Dean, to rescind the Commissioners' previous motion concerning the withholding of building permits on Section II of Knolland Subdivision, and provide notification to those applicants for building permits of the county's litigation against the bonding company demanding performance because of the developer's failure to provide for proper construction of streets and roads. All Commissioners voted in favor.

WICOMICO SHORES

Present: Joseph E. Bell, II, County Attorney  
John Norris, County Engineer

The County Attorney apprised the Commissioners of the status of the Wicomico Shores development with the indication that the redevelopment plan will proceed as previously submitted to the County Commissioners. The principal obstacle is an appeal by FDIC of the Bankruptcy Court's decision to release funds to the Trustee as proposed. The County Attorney suggested that the county appoint a person to be the overall coordinator to make sure that the public's interest be safeguarded throughout the

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redevelopment process. The Commissioners stated that before appointing such an individual they would like to review the stipulation and agreement for Case No. 76-620 (Wicomico Shores). The County Administrator was directed to prepare for this review on October 18, 1978.

ST. JOHN'S ROAD

Present: John Norris, County Engineer

Continuing discussion from last week's meeting concerning what type of work should be done on St. John's Road this construction season, Mr. Norris advised that he talked to the contractor, and as a result recommended that the Commissioners approve improvements to be done on the first mile of St. John's Road from Md. Rt. 235 this construction season at a cost of approximately \$25,000. Mr. Norris advised that the price from the contractor was valid only this construction season.

After discussion, Commissioner Jarboe moved, seconded by Commissioner Parlett, to authorize the expenditure of \$25,000 to make improvements to the first mile of St. John's Road from Rt. 235, further to approve the transfer of funds from Surface Treatment Account. All Commissioners voted in favor.

PROCLAMATION NO. 78-57  
NATIONAL CATHOLIC DAUGHTERS OF AMERICA

Present: Mrs. James M. McKay

The Commissioners presented the referenced Proclamation proclaiming October 15, 1978 as National Catholic Daughters of America Day in St. Mary's County.

PROCLAMATION NO. 78-59  
EMPLOY THE HANDICAPPED MONTH

Present: Vivian Ripple

The Commissioners presented the referenced Proclamation proclaiming October 1978 as Employ the Handicapped Month in St. Mary's County.

(Commissioners Dean and Millison left the meeting - 1:00 p.m.)

OLD MILL/COUNTRY STORE

Relative to a request from Mr. Edwin Beitzell concerning funding for renovation and improvements to the Old Mill and Country Store, Commissioner Jarboe moved, seconded by Commissioner Parlett, to request the Budget Officer to include this request for consideration in the FY '80 Budget. All Commissioners present voted in favor.

ZONING AMENDMENT NO. Z-78-3CASE NO. 78-113SAMUEL M. BAILEY, JR.

Commissioner Jarboe moved, seconded by Commissioner Parlett, to approve and sign Zoning Amendment Resolution No. Z-78-3 (Samuel M. Bailey, Jr., Case No. 78-113), which was prepared by the County Attorney and amended by the County Commissioners. Said Resolution approving the reclassification of 2.4 acres located on Md. Rt. 5, Fifth Election District, from AR-2 (Agricultural-Residential) to C-1 (Commercial). All Commissioners present voted in favor. The Resolution will be retyped and presented to the Commissioners' next week for signature.

REZONING DECISION DISCUSSIONCASE NO. 78-127JOHN W. PRANN

Present: Frank Gerred, Director, Land Use and Development

Having conducted a public hearing on September 13, 1978 on the application of John W. Prann to have approximately 4 acres, known as Graves Hotel Property, in the Seventh Election District, rezoned from R-1, Rural Residential, to CM, Commercial Marine, the Commissioners commenced discussion on the decision of this case.

After discussion, Commissioner Jarboe moved, seconded by Commissioner Parlett to approve Zoning Amendment Case no. 78-127, JOHN W. PRANN, for Parcel No. 1, a three-acre parcel, from R-1, Residential, to CM Commercial Marine. The findings of fact will be set forth in the Resolution to be prepared by the County Attorney and submitted to the Commissioners for review and signature.

STEUART TANK FARM EXPANSION SITE PLAN - NO. 75-12

Present: Frank Gerred, Director, Land Use and Development

Continuing discussion from last week's meeting concerning the above, Commissioner Jarboe moved, seconded by Commissioner Parlett, to approve Site Plan No. 75-12, Steuart Petroleum Company Tank Farm Expansion, based on the recommendation of the Technical Evaluation Committee, Planning Commission and the Order of the Court, which stated that an Environmental Impact Statement is not required. All Commissioners present voted in favor. Mr. Gerred advised that the Zoning Ordinance states that the Site Plan approval will expire in one year if work is not started by that time.

INDUSTRIAL SITE PLANS

Present: Frank Gerred, Director, Land Use and Development

Commissioner Parlett suggested that Mr. Gerred recommend to the incoming Board of County Commissioners that consideration be given during the update of the Zoning Ordinance for the incorporation of a statement giving the right to require an Environmental Impact Statement as part of the approval of an industrial site plan.

GOLD LINE BUS COMMUTER SERVICES

Present: Frank Gerred, Director, Land Use and Development

Mr. Gerred advised that correspondence was received from Tri-County Council stating that Gold Line is considering extending their commuter services in St. Mary's County which would require a capital investment and requesting St. Mary's County to apply for a grant under the Urban Mass Transit Act. The Commissioners advised that they would like to have additional information before making a decision for applying for these funds:

1. What level of services they are giving the County;
2. How much additional service we would be getting.

Mr. Gerred is to obtain this additional information and return to the Commissioners for a decision.

BRETON BAY PUD REZONING DISCUSSION

Present: Frank Gerred, Director, Lane Use and Development  
Jeff Poley, Zoning/Subdivision Administrator

Mr. Gerred advised that there were certain issues concerning the Breton Bay PUD rezoning that he wanted to discuss with the Commissioners in order to get direction prior to the October 19 meeting with appropriate agencies. Discussion ensued concerning the Memorandum of Understanding, the stages of development of the condominiums and conference center and the management of open space.

In closing Mr. Gerred advised that as a result of this discussion and the October 5 meeting he will prepare a redrafted Memorandum of Understanding and Development Plan for presentation and review at the October 19 meeting.

REQUEST FOR SECURITY FENCE ON PATUXENT RIVER BRIDGE

The Commissioners discussed correspondence from a resident of Patuxent Beach Road requesting the installation of a security fence because of debris thrown from the bridge to his yard.

The Commissioners directed the County Administrator to prepare correspondence acknowledging receipt of this letter, indicating their concern and indicating that it is State Highway Administration's responsibility and expressing hopes of SHA giving priority to the situation.

APPROVAL OF VOUCHER

Commissioner Parlett moved, seconded by Commissioner Jarboe, to approve payment of Voucher No. 19559 for travel reimbursement for Commission on Aging employee. All Commissioners present voted in favor.

DEED - TOWN CREEK MANOR

The County Administrator presented a Deed by and between Joseph Alfred Dillow, Betty D. Dillow, A Leola Dean, the County Commissioners of St. Mary's County (Grantor) and Edward S. Tincher and Patricia P. Tincher (Grantee) deeding certain property in Town Creek in accordance with the Commissioners action of August 23, 1978. Commissioner Jarboe moved, seconded by Commissioner Parlett to authorize Commissioner President McKay to sign said Deed. All Commissioners present voted in favor.

NOTIFICATION OF GRANT AWARD  
COMMISSION ON AGING TITLE IV-A TRAINING GRANT

The County Administrator presented the Commission on Aging Title IV-A Training Grant in the amount of \$1500. Commissioner Parlett moved, seconded by Commissioner Jarboe, to authorize Commissioner President McKay to sign said NGA. All Commissioners present voted in favor.

CLEARINGHOUSE PROJECT NO. 79-9-341  
FEDERAL AID PROGRAM UPDATE #4

The County Administrator presented the referenced clearinghouse project and indicated that the County Engineer recommended that it be forwarded to the State with the comment that it is not inconsistent with this agency's plans, program or objectives. The Commissioners gave their concurrence.

QUIT CLAIM DEED  
VALLEY ROAD EXTENDED

On behalf of the County Attorney, the County Administrator presented a Quit Claim Deed by and between County Commissioners of St. Mary's County and Riley Brothers and Mayjack conveying to Riley Brothers and Mayjack Valley Road Extended and reiterating the County's position that the Deed dated December 28, 1973, recorded in DBK No. 220, Folio 190, was never validly accepted by the County and incorporated into its road system, said road never having been brought up to acceptable standards.

Commissioner Jarboe moved, seconded by Commissioner Parlett to accept the referenced Quit Claim Deed, and authorizing Commissioner President McKay to sign same. All Commissioners present voted in favor.

REQUEST FOR BUILDING PERMIT WAIVER

The County Administrator presented a request by the principal of the St. Mary's Technical Center for a waiver of the building permit fee for the house to be constructed by the Tech Center students. Inasmuch as the Tech Center complies with the County's Resolution No. 75-53, Abatement of Building Permit Fees, Commissioner Jarboe moved, seconded by Commissioner Parlett to grant this request. All Commissioners present voted in favor, contingent upon presentation of information as to the location of the proposed building and the manner by which the site was obtained.

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The County Administrator was requested to obtain the location of the site for the construction of the house.

CID UNIT DEPUTY  
REQUEST FOR PAYMENT OF OVERTIME

The State's Attorney presented a request for payment of overtime for Officers Cooper and Delozier in the CID Unit for a total of 21 hours. Commissioner Parlett moved, seconded by Commissioner Jarboe, to approve this request. All Commissioner present voted in favor. The Commissioners directed that overtime requests for the CID deputies should be presented once a month in one package.

ST. MARY'S ROOM PLANNING COMMITTEE

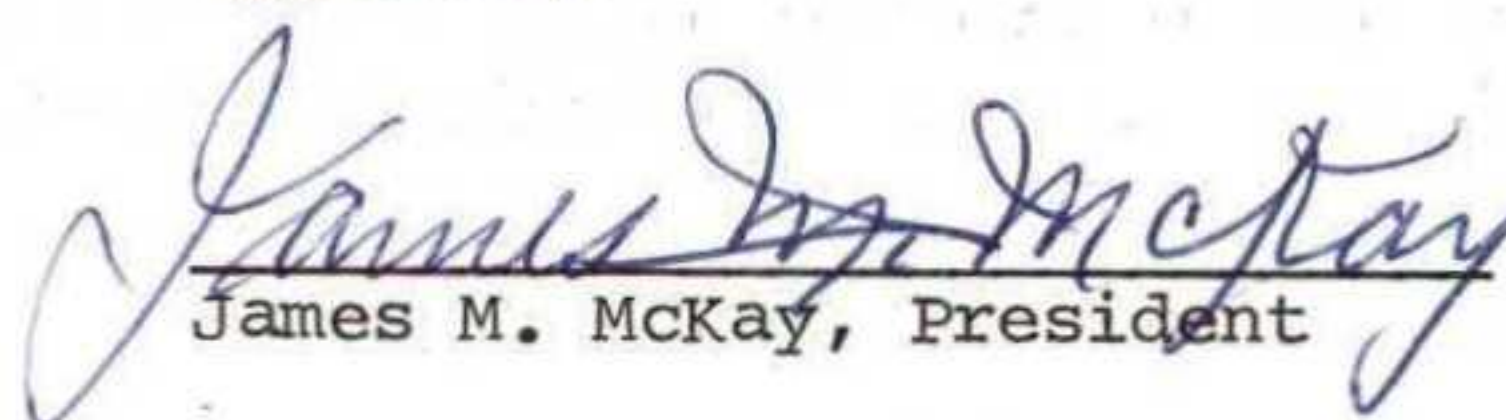
The Commissioners directed the staff to prepare a response to the referenced Committee's correspondence in which a proposal was presented for the furnishing and equipping of a St. Mary's County Room. In that the space originally proposed for the St. Mary's County Room has been used for other purposes, the correspondence should indicate to the Committee the Commissioners' request that the Committee review the lobby area of the Governmental Center and submit recommendations for design and use.

STATE CETA POSITION - COMMISSION ON AGING

Commissioner Jarboe stated that he had reviewed in greater detail the circumstances surrounding the position previously discussed at the Commissioners' meeting of September 27, 1978 and that it was his conclusion a mistake had been made on the county level regarding the grade difference of the position. Therefore, Commissioner Jarboe moved, seconded by Commissioner Parlett to reimburse the incumbent in the referenced position for the difference between the Grade 9 salary promised at time of employment and the Grade 7 salary actually paid. All Commissioners present voted in favor.

The meeting adjourned at 4:15 p.m.

Approved,

  
James M. McKay, President