

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, November 29, 1978

Present: Commissioner John K. Parlett, Vice-President  
Commissioner Ford L. Dean  
Commissioner J. Patrick Jarboe, M.D.  
Commissioner Larry Millison  
Edward V. Cox, County Administrator  
Judith A. Mullins, Recording Secretary

(Commissioner McKay was not present.)

The meeting was called to order at 9:05 a.m.

READING AND APPROVAL OF MINUTES

The minutes of the Commissioners' meeting of November 22, 1978 were read. Commissioner Jarboe moved, seconded by Commissioner Parlett, to approve the minutes as read. All Commissioners present 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 moved, seconded by Commissioner Jarboe, to approve payment of the bills, as submitted. All Commissioners present voted in favor.

AUDIT OF PERMITS SECTION - LAND USE AND DEVELOPMENT

As a follow up to last week's discussion concerning the request for an audit by the Chief of Permits and Inspection since he is leaving, the County Administrator presented a memorandum from the Budget Officer setting forth certain recommendations including that the audit be done internally by someone in the present financial organization.

Commissioner Dean moved, seconded by Commissioner Jarboe, to accept the recommendations of the Budget Officer as set forth in his November 28, 1978 memorandum, and direct the Director of Finance to perform the audit of the Permits section and present results to the Board of County Commissioners and further that the method as recommended by the Budget Officer should apply to all other offices handling recurring sums of money. All Commissioners present voted in favor.

HOUSING AUTHORITY

The County Administrator brought to the Commissioners' attention an item that has been pending since June 14, 1978, at which time Housing Authority members requested from the Commissioners additional funding assistance for maintenance and the awarding of a permanent county position of maintenance mechanic. The Commissioners discussed the needs and background of the Housing Authority requests and agreed that the needs should be met. Commissioner Jarboe moved, seconded by Commissioner Millison, to augment the salary account of the Housing Authority in order to fund the

permanent maintenance mechanics position through fiscal year 1978-79 and to increase by \$6,000 the funds allocated for maintenance with the total amount not to exceed \$12,000; said funds to be transferred from the Reserve for Contingency. All Commissioners present voted in favor.

JOHNSONGRASS PROGRAM AGREEMENT

The County Administrator presented the Agreement by and between the Maryland Department of Agriculture and the County Commissioners for the Control and Eradication of Johnsongrass in the amount of \$4500 for Fiscal 78-79. Commissioner Dean moved, seconded by Commissioner Jarboe, to authorize the President to sign said Agreement. All Commissioners present voted in favor.

REQUEST FOR ELECTRICAL WORK  
ST. CLEMENTS ISLAND - POTOMAC MUSEUM

The County Administrator presented correspondence from Michael Humphries, Director of the St. Clements Island - Potomac River Museum, stating that three estimates had been obtained to replace the existing electrical system in the museum building at Colton Point and requesting that Harding Electric be allowed to proceed to perform the necessary work in the amount of \$4,020. The Commissioners directed the County Administrator to advise Mr. Humphries that this matter will be referred to the incoming Board of County Commissioners for a decision.

LETTER TO NAVAL AIR TEST AND EVALUATION MUSEUM ASSOC.

As requested by the Board of County Commissioners, the County Administrator presented a response to the Naval Air Test & Evaluation Museum, Inc. for review and signatures advising that their proposal for a matching funds program should be referred to the incoming Board of Commissioners for a decision.

AUDIT REQUIREMENTS  
COMMUNITY DEVELOPMENT BLOCK GRANTS  
LOCAL PUBLIC WORKS

The County Administrator presented a memorandum from the Budget Officer setting forth audit proposals for the County Commissioners approval to fulfill requirements in Community Development Block Grants and the Local Public Works Grant which are nearing completion. The funds for the audit are provided with the grants. The Commissioners reviewed the proposals and therefore Commissioner Jarboe moved, seconded by Commissioner Dean, to accept the recommendation of the Budget Officer and award the audit contract to the firm of Wooden and Benson and further to authorize the President of the Board to sign the letter of agreement. All Commissioners present voted in favor.

SHERIFF'S DEPARTMENT  
OVERTIME FOR HOLIDAY SEASON

In response to a request by the Sheriff dated November 28, 1978, Commissioner Dean moved, seconded by Commissioner Jarboe, to authorize the expenditure of overtime funds for the Sheriff's Department in order to provide increased police protection during the holiday season in an amount not to exceed \$1400. All Commissioners present voted in favor.

MERIT SYSTEM - SHERIFF'S DEPARTMENT  
MEMORANDUM OF UNDERSTANDING

Commissioner Jarboe moved, seconded by Commissioner Dean, to authorize the President of the Board to sign the Memorandum of Understanding whereby personnel assigned to the Sheriff's Department shall participate in the Merit System of St. Mary's County Government, effective December 7, 1978. All Commissioners present voted in favor.

ANNUAL LEAVE CARRY-OVER

Mr. Cox provided the Commissioners with a list of those County employees who will have accumulated in excess of 35 days of annual leave by the end of 1978 and according to the Personnel Manual would lose that excess leave unless that requirement is waived by the Commissioners.

Commissioner Dean moved, seconded by Commissioner Jarboe, to accept the County Administrator's recommendation to allow those county employees who have in excess of 35 annual leave days to carry it over to the next year and that the Commissioners will review the Personnel Manual with regard to this item for possible amendment. All Commissioners present voted in favor.

COURT REPORTER'S SALARY

As a follow up to the request made by Judge Mattingly for an increase in salary for the Court Reporter, the County Administrator presented a memorandum from the Personnel Officer setting forth court reporter salaries in the tri-county area. The Commissioners requested that the County Administrator determine why the State pays 2/3 of the Court Reporter's salary in Charles County.

PARK HALL ESTATES SUBDIVISION

The County Administrator presented a memorandum from the County Engineer stating that the County has not received an Addendum to the Public Works Agreement and rebonding for the Park Hall Estates Subdivision, Section I, and therefore requested that the Commissioners issue a "Stop Work Order" affecting all building permits and construction activity, effective November 30, 1978. Commissioner Jarboe moved, seconded by Commissioner Dean, to accept the County Engineer's recommendation. All Commissioners voted in favor.

PARK HALL ESTATES

Present: John Norris, County Engineer

Mr. Norris requested authorization by the Board to take possession of the savings account under the Assignment of Funds Agreement for the referenced matter and to establish the account in the name of the county. Commissioner Jarboe moved, seconded by Commissioner Millison to grant this authority. All Commissioners present voted in favor.

PROJECT NO. SM 78-5-6  
UTILITY BUILDING AT LANDFILL

Present: John Norris, County Engineer

Mr. Norris presented an Agreement by and between Bates & Associates dated November 17 for the construction of the utility building at the St. Andrews Landfill and Change Order No. 1 in the amount of \$168.

Commissioner Dean moved, seconded by Commissioner Jarboe, to authorize Commissioner President McKay to sign said Agreement and further to authorize payment of Change Order No. 1 in the amount of \$168. All Commissioner voted in favor.

GOLDEN BEACH ROAD - SIMPSON PROPERTY

Present: John Norris, County Engineer

Mr. Norris presented a proposal from B.F. Asher in the amount of \$518.49 for construction of a modified "K" inlet adjacent to the Simpson property on Golden Beach Road. Commissioner Dean moved, seconded by Commissioner Jarboe, to accept said proposal. All Commissioners present voted in favor.

PROJECT NO. SM 78-4-1  
CERTIFICATE OF SUBSTANTIAL COMPLETION  
COURTHOUSE PUBLIC WORKS PROJECT

Present: John Norris, County Engineer

Mr. Norris presented the Certificate of Substantial Completion for the Courthouse Public Works project, which has been accepted by the architect and contractor. Therefore, Commissioner Jarboe moved, seconded by Commissioner Millison to authorize the President of the Board to sign the Certificate of Substantial Completion. All Commissioners present voted in favor.

COURTHOUSE RENOVATION PROJECT

Present: John Norris, County Engineer

Mr. Norris presented a proposal from Suburban Plumbing and Heating in the amount of \$1860 for the connection of new-addition fan coils to

the existing heating system at the Courthouse. Commissioner Jarboe moved, seconded by Commissioner Millison, to authorize this expenditure. All Commissioners present voted in favor.

ROAD RESOLUTION NO. 79-10  
INDIAN CREEK SUBDIVISION

Present: John Norris, County Engineer

As recommended by the County Engineer, Commissioner Jarboe moved, seconded by Commissioner Millison, to adopt Road Resolution No. 79-10 establishing the following stop streets in Indian Creek Subdivision:

1. A stop sign on Indian Creek Drive as it intersects with Oaks-Coskey Swamp Road;
2. A stop sign on Comanche Lane as it intersects with Oaks-Coskey Swamp Road;
3. A stop sign on Iroquis Lane as it intersects with Oaks-Coskey Swamp Road;
4. A stop sign on Seminole Road as it intersects with Indian Creek Drive;
5. A stop sign on Seminole Road as it intersects with Apache Road;
6. A stop sign on Cheyenne Court as it intersects with Indian Creek Drive
7. A stop sign on Iroquis Lane as it intersects with Indian Creek Drive.

All Commissioners present voted in favor of the motion.

ST. MARY'S INDUSTRIAL PARK, SECTION II

Present: John Norris, County Engineer

Inasmuch as the Public Works Agreement and bonding has expire on November 24, 1978 St. Mary's Industrial Park, Section II, Mr. Norris recommended that the Commissioners issue a "Stop Work Order" until the Public Works Agreement and bonding is brought up to date. Commissioner Jarboe moved, seconded by Commissioner Millison, to accept the County Engineer's recommendation. All Commissioners present voted in favor.

MOUNT PLEASANT SUBDIVISION, SECTION II

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the Letter of Credit in the amount of \$15,000 will become due on December 1. The work is substantially complete with just some punch list type items to be done which would be considerably less than the \$15,000. The developer has suggested posting a cash bond with the County in the amount of \$300.

After discussion, Commissioner Jarboe moved, seconded by Commissioner Dean, to establish a reduced cash agreement for the completion of work at Mt. Pleasant Subdivision, Section II. All Commissioners present voted in favor.

REZONING DISCUSSION  
FDF, INC. (SOUTHGATE)  
CASE NO. 78-168

Having conducted a public hearing on November 15, 1978 on the application of FDF, Inc. requesting amendment of a development Plan for property currently zoned PDR 3.5 and to amend from 3.5 to PDR 4.2, containing approximately 68.3 acres, located on Maryland Route 712, North of the intersection with Md. Rt. 235, Eighth Election District, the Commissioners commenced discussion.

After discussion, Commissioner Jarboe moved, seconded by Commissioner Dean, that based on the fact that the referenced matter complies with the Zoning Ordinance and Comprehensive Plan and is outside the AICUZ, to adopt the amended Development Agreement as presented, authorize the President of the Board to sign same, to approve the zoning amendment from 3.5 to PDR 4.2 of approximately 68.3 acres, located on Md. Rt. 712, north of the intersection with Md. Rt. 235, Eighth Election District, and further to request the County Attorney to prepare the appropriate resolution, based on the findings of fact, for the Commissioners' review and signatures. All Commissioners present voted in favor.

ACQUISITION OF PROPERTY - CHARLOTTE HALL

Commissioner Parlett opened the discussion on the referenced matter by distributing a copy of a letter to the Board of Public Works dated September 30, 1977, concerning the State's acquisition of land on the Charlotte Hall School property for the Veterans Home and the County's interest in obtaining enough land for various public purposes.

Commissioner Parlett indicated that as directed by the Board, he and the Budget Officer have met with State officials to discuss the County's purchase of approximately 192 acres of the Charlotte Hall School property and displayed a plat indicating the acreage to be purchased by the County. Settlement is scheduled for Tuesday, December 6, 1978. The County will be represented at settlement by the County Attorney.

In addition, Commissioner Parlett presented documentation which indicated the fiscal impact of the purchase and a public notice of intent to purchase which appeared in the November 8, 1978 edition of the Enterprise newspaper.

After discussion, Commissioner Jarboe moved, seconded by Commissioner Dean, to request the County Attorney to proceed to handle the settlement details and the Budget Officer to work out the financial arrangements for the acquisition of the Charlotte Hall School property as explained by Commissioner Parlett in his presentation; the decision to purchase being based on demonstrated existing need for the property for tourist information center, police substation, library, community park, etc., and

demonstrated future need for the property for a middle and a high school site. Further that the President be authorized to sign all appropriate documents relative to the settlement, and if unwilling, the Vice-President. Three Commissioners voted in favor, with Commissioner Millison voting against, stating that he was of the opinion that the incoming Board of County Commissioners should make the decision as to the acquisition of this property.

Commissioner Jarboe moved, seconded by Commissioner Parlett, to make the following account transfers in order to encumber funds for the Charlotte Hall acquisition:

Increase Acct. #1092-64120 (Charlotte Hall property) by \$215,061;  
 Decrease Acct. #1071-60120 (Tourist Information Center) by \$86,400;  
 Decrease Acct. #1832-61120 (Charlotte Hall) by \$120,000;  
 Decrease Acct. #2610-26912 (Reserve for Contingency) by \$8,661.

Three Commissioners voted in favor of the motion, with Commissioner Millison voting against.

Commissioner Dean moved, seconded by Commissioner Jarboe, to approve Encumbrance Voucher No. 20875, payable to the State of Maryland in the amount of \$215,061 relative to the purchase of Charlotte Hall property. Three Commissioners voted in favor, with Commissioner Millison voting against.

#### EXECUTIVE SESSION

Present: Joseph E. Bell, II, County Attorney  
 Jim Kenney, Attorney  
 Frank Gerred, Director, Land Use and Development

At this time the Commissioners went into Executive Session in order to discuss a matter of litigation (Cedar Cove). The Session was held from 12:05 p.m. to 1:00 p.m.

(Commissioner Millison left meeting - 2:00 p.m.)

#### ORIENTATION SESSION

Present: George R. Aud, Commissioner President-Elect  
 Richard Arnold, Commissioner Elect  
 David Sayre, Commissioner Elect  
 Joseph O'Dell, Budget Officer  
 Delores Hill, Youth Services Coordinator  
 Walter Raum, Director, Environmental Hygiene, Health Dept.  
 William Butler, Public Housing Coordinator  
 Harris Sterling, Director of Finance  
 Paul Raley, Director of Purchasing and Logistics  
 Agnes C. McGaharn, Senior Services Coordinator

The Commissioners conducted an Orientation Session for the incoming Board of County Commissioners with the above-referenced departments.

REZONING RESOLUTION NO. Z-78-8  
JOHN W. PRANN - CASE NO. 78-127

Commissioner Dean moved, seconded by Commissioner Jarboe, to adopt and sign Rezoning Resolution No. Z-78-8 approving the rezoning of property containing approximately four acres, known as the Graves Hotel property, in the Seventh Election District, from R-1, Rural Residential to CM, Commercial Marine.

All Commissioners present voted in favor.

APPOINTMENTS TO BOARDS COMMITTEES AND COMMISSIONS

Community College Advisory Board - Commissioner Dean moved, seconded by Commissioner Jarboe, to appoint H. Edwin Cole, term to expire June 30, 1982, and Delores Hill, term to expire June 30, 1979. All Commissioners present voted in favor.

Nursing Home Board - Commissioner Dean moved, seconded by Commissioner Jarboe, to appoint William Groome, term to expire July 1, 1981. All Commissioners present voted in favor.

Mental Health Advisory Committee and Alcoholism Council - Commissioner Dean moved, seconded by Commissioner Jarboe, to appoint the following with terms as indicated:

Community Representatives:

Term to Expire:

Mrs. Frances Marcey	June 30, 1979
Ms. Kathy Lacer	June 30, 1979
Rev. Rudy C. Brooks	June 30, 1979
Rev. Alfred Chambers	June 30, 1979
Ms. Kathy Glaser	June 30, 1980

Department of Education:

Dr. Jayne Sullivan	June 30, 1981
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Legal Profession:

Ms. Timmerman Daugherty	June 30, 1981
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Representative for Service Delivery:

Ms. Jackie White	June 30, 1981
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Relative Representative:

Mr. Richard Cawood	June 30, 1981
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Alcoholic Program Representatives:

Lt. Dan Davis	June 30, 1981
Mr. Joseph Walker	June 30, 1981



Ex-Officio:

Mr. Berlin Cummings  
Mr. Richard Getz

All Commissioners present voted in favor of the motion.

FISCAL CLERK II POSITION - FINANCE OFFICE

The County Administrator presented a memorandum from the Personnel Officer stating that Hilda Fry, Fiscal Clerk, II, Grade 7, in the Finance Office has submitted her resignation effective December 13, 1978, and therefore requesting authority to advertise this position.

Commissioner Dean moved, seconded by Commissioner Jarboe, to authorize the advertisement of this position as requested. All Commissioners present voted in favor.

FISCAL CLERK, II - TREASURER'S OFFICE

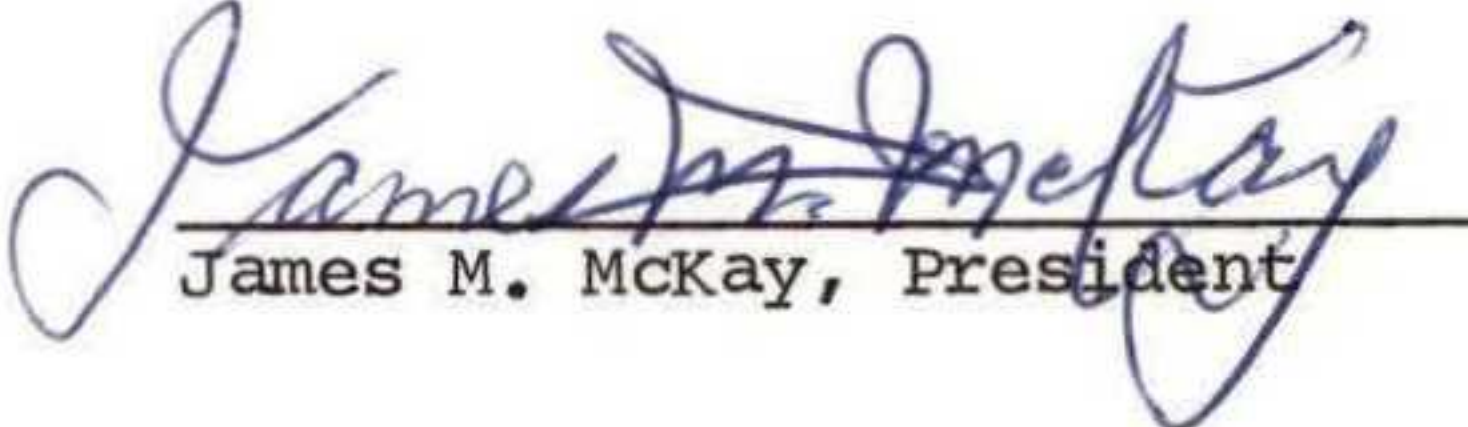
The Commissioners reviewed correspondence from Treasurer-elect, Katherine D'Esposito, in which permission was requested to initiate the employment process of a replacement for the Fiscal Clerk II position which she will vacate in January. Commissioner Jarboe moved, seconded by Commissioner Dean, to approve this request. All Commissioners present voted in favor.

CHARLOTTE HALL PROPERTY

Commissioner Parlett made a clarification concerning the Charlotte Hall property discussed earlier in the meeting in that although the total acreage remains the same, Parcel 8-A should read 39.346 acres and Parcel 8-E should read 60.3935 acres.

The meeting adjourned at 6:00 p.m.

Approved,

  
James M. McKay, President

