

BOARD OF COUNTY COMMISSIONERS MEETING

Tuesday, March 27, 1973 and Wednesday, March 28, 1973

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Present: Commissioner J. Wilmer Bowles, President
Commissioner J. S. Guy, Jr.
Commissioner George R. Aud
Paul Raley, Administrative Officer
Judith Mullins, Recording Secretary

Also present were: Patty Muchow, Beacon; Dave Fox, WPTX;
Dick Myers, WKIK; and Jack Kershaw, Enterprise.

READING OF MINUTES

The minutes of March 20-21, 1973 were read and corrected.

AIR CONDITIONER FOR WALDEN COUNSELING CENTER

Present: Ed Cox, Executive Secretary, Youth Commission

Mr. Cox requested that an air conditioner be installed in the trailer for the Walden Counseling Center. Provisions have been made in the trailer for such an installation. Mr. Cox is to obtain prices from various companies for the air conditioner.

COOLING TOWER FOR CONTROL CENTER

The Commissioners advised Paul Raley to advertise for bids the old 15 ton cooling tower which is being replaced at the control center subject to awarding the bid for the new tower.

BILLS APPROVED

The following bills were unanimously approved:

(1) St. Mary's Historical Society for office salaries in connection with the operation of the St. Mary's County Tourist Information Center for the month of March 1973 in the amount of \$416.66;

(2) Maryland School for the Blind for tuition for half year, beginning April 1, 1973, in the amount of \$400;

(3) St. Mary's College of Maryland for scholarship for Mr. Garner D. Morgan in the amount of \$150.00;

(4) Lorenzi, Dodds & Gunnill for re-mark and re-stake out on Owen's property (Watershed Project - Site 1) in the amount of \$480.

ALLEN ORGANIZATION REPORT

Present: John Baggett, Director of Recreation and Parks

Commissioner Bowles stated a letter was received from

Dr. John Mills of Tri-County Council stating Mr. Allen had submitted a report and requesting the County's share for the contract. Nothing to date has been received except for a progress report from November 10, 1972 to March 15, 1973. Mr. Baggett is to contact Dr. Mills to ascertain what report he is referring to and if he (Dr. Mills) has received any additional reports from Mr. Allen.

FIREBOARD MAINTENANCE CONTRACT

Paul Raley stated Mr. Weiner reviewed the contract between Teltronics Industrial Systems, Inc. and the St. Mary's County Commissioners and it met with his approval. Commissioner Aud made a motion to approve this contract, seconded by Commissioner Guy and Commissioner Bowles made it unanimous and signed same.

TALL TIMBERS

Present: John Norris, Assistant County Engineer

Mr. Norris said he received a copy of a letter to Mr. R. H. Resta, Chief, Engineering Division, Department of the Army, from Alfred A. Hahn, Assistant Regional Director of Office of Emergency Preparedness, stating the seawall at Tall Timbers will be rehabilitated in the amount of \$260,000. Portions of the wall will be replaced and other portions repaired. The Commissioners suggested to Mr. Norris to compile all data to date so our Congressmen could be advised of the problem at Tall Timbers.

LIGHTS AT CORAL DRIVE AND TULAGI PLACE

Present: John Norris

A letter was received from Donald A. Gunther, Executive Director of JF Theatres, Inc. requesting the installation of additional lighting at Coral Drive from Great Mills Road to Tulagi Place. Mr. Norris was requested to make a survey and develop cost estimates for said lights. He is to determine costs for the type of light presently used as opposed to mercury lights, after which time he should write to the electric company requesting they make a survey of the lighting of the area.

PINEY POINT RECREATIONAL AREA SECURITY LIGHT

Present: John Norris

Commissioner Aud made a motion that John Norris have a security light installed at the Piney Point recreational area between the boat ramp and the proposed wharf, seconded by Commissioner Guy. Commissioner Bowles made it unanimous. Commissioner Guy also asked John Norris to determine what other boating areas require proper lighting and if the Department of Natural Resources will reimburse the County for the lighting.

ST. ANDREWS CHURCH ROAD - RIGHT OF WAY ACQUISITION

Present: John Norris

Mr. Norris stated he had not been able to get in touch with Mr. Clements to obtain his signature on the Deed.

MENTAL HEALTH ADVISORY COMMITTEE

Joseph D. Weiner and Joseph D. Carter have expressed willingness to serve on the Mental Health Advisory Committee.

Louise Lane, Edna Stroud, Bernard I. Johnson and Joseph D. Carter have been appointed to said Committee. Paul Raley is to notify them of their appointment, and also notify Dr. Marek, Health Officer.

Michael Davis and Dr. W. H. Patrick have declined appointment to the Mental Health Advisory Committee.

TRI-COUNTY GROUP HOME BOARD OF DIRECTORS

Joseph D. Weiner has expressed his willingness to serve on the Tri-County Group Home Board of Directors.

CLEAN

Paul Raley said he received a telephone call from Mrs. Erva McKinney, President of CLEAN, requesting the Commissioners to pay for trash pick-up for two Mondays and the State to pay for the other two Mondays during Clean-Up Month - April. The State will assume the responsibility of picking the trash bags up along the highways. Paul Raley is to request Dan Donnally to coordinate this effort.

Commissioner Aud left the meeting at this time due to illness.

RABIES PROGRAM FOR ST. MARY'S COUNTY

Present: Walter Raum, Director, Environmental Hygiene - Health Dept.
Dr. Wm. J. Marek, Deputy State Health Officer - Health Dept.

Dr. Marek stated that the statistical information on the number of animal bites shows a need for a rabies program for dogs and cats in the County. Calvert County and, hopefully, Charles County will join together for a Tri-County effort for a rabies program. June 10 is the date set for rabies vaccinations with a follow-up date sometime during that week. The cost for the vaccination is \$2.00 per animal and Dr. Marek said they are asking the County to supplement the cost by \$.50 for each vaccination, making the cost to the owner \$1.50 per animal.

Mr. Raum said there would be three stations located at fire houses - three locations on June 10, and three different locations on the make-up day. Dr. Marek said he considered this an emergency item and Commissioner Bowles requested a letter to that effect.

Dr. Marek inquired as to the possibility of initiating a local ordinance requiring people of the County to have their dogs or cats vaccinated against rabies. The County Attorney is to determine the legality of a local ordinance. Commissioner Guy suggested the ordinance be established through a Resolution. Michael Davis is to determine if a local ordinance can be developed for a rabies program.

HEALTH PERMIT FOR PUBLIC EATING PLACES

Present: Walter Raum, Health Department
Dr. Marek, Health Department
Michael Davis, Attorney (Weiner and Davis)

Dr. Marek requested the Commissioners' opinion on the feasibility and desirability of establishing license fees for public eating places. He stated that with their present staff they could not give full attention to the inspection of eating places and, therefore, this would require additional personnel. Michael Davis is to determine whether the County can establish a fee and local ordinance.

LETTER REGARDING JAIL

An undated letter was received March 23, 1973 from Carroll Michael Milburn, an inmate of the St. Mary's County Jail, regarding the quality of food and living conditions in the jail. On the basis of this the Commissioners requested Dr. Marek to make inspection of the conditions of the jail and the quality of the food, and to perform such inspection on a periodic basis.

HOUSING AUTHORITY

Present: Michael Davis, Attorney (Weiner and Davis)

Commissioner Bowles explained to Mr. Davis that last week the County Commissioners had been requested to provide funding for legal assistance to the Housing Authority to defend their case (Housing Authority, et al, vs. James Dobry, et al) in Court and John Slade of the Housing Authority and Mr. Weiner were to further advise the Commissioners. Commissioner Bowles stated that today the Commissioners were presented with copies of the Housing Authority laws by Robin Guyther. Mr. Davis said he would review the law and get back to the Commissioners tomorrow.

TRADER'S LICENSES

A letter was received from Leonard Cryer, County Inspector, stating he had checked the books in the Assessor's Office and the Treasurer's Office and found no one in the County who is required to obtain a trader's license that did not procure one in 1972.

SPEED LIMIT SIGN - BRETON BAY SUBDIVISION

Commissioner Guy made a motion that Commissioner Bowles sign the Resolution restricting the speed limit to 30 miles an hour on the streets within Society Hill, also known as Breton Bay Subdivision, including Society Hill Road from intersection with Bull Road. Commissioner Bowles seconded the motion and signed same.

BUDGET HEARINGS

A letter was received from WPTX stating they plan to carry all three budget hearings on the air. In addition, they plan to run

a series of spots encouraging citizens to participate in local Government by attending or listening to the hearings.

TOWN CREEK AND LEONARDTOWN RECREATIONAL DEVELOPMENT

A letter was received from Department of Natural Resources stating the Board of Public Works approved a commitment of Program Open Space funds for Town Creek in the amount of \$7,237.50 and Leonardtown in the amount of \$16,975.00.

SALE OF TRACKS AND TIES

A letter was received from GSA in response to Commissioner Bowles letter of March 14 approving the Commissioners' proposal concerning the sale of the remaining tracks and ties of the former U. S. Naval Railroad line from Hughesville to the Naval Air Station and the Commissioners would place all monies received for the sale in a special account exclusively for the maintenance and improvement of the right-of-way.

Meeting recessed at 3:45 p.m.

Wednesday, March 28, 1973

Present: Commissioner J. Wilmer Bowles, President
Commissioner J. S. Guy, Jr.
Commissioner George R. Aud
Paul Raley, Administrative Officer
Judith Mullins, Recording Secretary

The meeting reconvened at 9:00 a.m.

INTERVIEWS WITH APPLICANTS FOR PLANNER

The Commissioners held interviews with applicants for the position of Planner from 9:00 a.m. to 2:30 p.m.

REZONING HEARINGS

THE NEW PHOENIX EQUITY & INVESTMENT CORP.

Present: Joseph Weiner, County Attorney
Richard Clark, Attorney representing New Phoenix
Edward Diggs, Attorney representing New Phoenix
Albert Focer, Engineer - Lorenzi, Dodds & Gunnill
Louis D. Grasso, President of New Phoenix
(owner of property)

Mrs. Charles Vaughn, resident of Essex South)
Ronald W. Pyle, resident of Essex South)
John VanDyke, resident of Essex South)
DeWitt Vaughn, resident of Essex South)
Walter Gaedecke, resident of Essex South)
Dr. Wm. S. Bate, resident of Essex South)

Protesting
the New Phoenix
townhouse
development

(continued on next page)

Present: Leonard Kohl, Facilities Planner
Jack Kershaw, Enterprise
Patty Muchow, Beacon
Dick Myers, WKIK
Dave Fox, WPTX

The tape and transcript of this hearing is on file in the County Commissioners' Office.

JOHN B. DEXTER

Present: Mr. and Mrs. John B. Dexter
Joseph Weiner, County Attorney

The tape and transcript of this hearing is on file in the County Commissioners' Office.

WILLARD B. LONG

Present: Mr. Albert Focer, Engineer - Lorenzi, Dodds & Gunnill
(representing Willard B. Long)

The tape and transcript of this hearing is on file in the County Commissioners' Office.

DECISIONS ON REZONING

NEW PHOENIX EQUITY - Commissioner Aud made a motion that the rezoning be denied for the following reasons: the property is located within the AICUZ Zone; the policy adopted by the Planning Commission March 27, 1973; and in addition it is the opinion of the Board of Commissioners that there has been no change in the character of the neighborhood. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous. Also (1) there has been no substantial change in the character of the neighborhood; (2) there has been no substantial change in population; and (3) there was no mistake in the existing zoning classification.

Mr. Weiner is to develop the reply to New Phoenix setting forth these reasons.

JOHN B. DEXTER - Decision on the rezoning of Mr. Dexter's property has been deferred until more information is received. Commissioner Guy is to request the information he needs to make a decision.

WILLARD B. LONG - Commissioner Aud made a motion that this property be zoned Commercial due to the fact all property in the area is zoned Commercial or commercially used. Commissioner Bowles said he would vote against this application for rezoning because of the railroad right of way running through this property is located very close to State Route 235. Also it implies strip commercial zoning which could affect the flow of traffic on Route 235. Commissioner Bowles said in addition he would vote against the rezoning because he did not know at this point whether the planning consultant will or will not recommend such strip zoning.

Commissioner Guy said he was not ready to make a decision.

Commissioner Aud withdrew his motion.

DAVID M. GRUBER

Commissioner Guy made a motion to approve David M. Gruber's proposal of March 26 for scope of services outlined at a cost not to exceed \$15,000 as per agreement by David M. Gruber.

Commissioner Bowles seconded the motion and Commissioner Aud made it unanimous.

ROAD BOND

Commissioner Guy made a motion that Commissioner Bowles be authorized to sign the necessary forms and documents in order to participate in Department of Transportation bond issue for funds to construct and reconstruct county roads 1973-1974. Signing will take place March 29. Commissioner Aud seconded the motion and Commissioner Bowles made it unanimous.

The meeting adjourned at 5:45 p.m.

J. Wilmer Bowles 4-17-73
J. Wilmer Bowles
President

