

BOARD OF COUNTY COMMISSIONERS MEETINGWednesday, August 1, 1973

Present: Commissioner J. Wilmer Bowles, President
 Commissioner J. S. Guy, Jr.
 Paul R. Raley, Administrative Officer
 Mrs. Judith A. Mullins, Recording Secretary
 (Commissioner Aud was not present)

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

The meeting came to order at 9:30 a.m.

READING OF MINUTES

The minutes of July 25, 1973 were read and corrected.

Commissioner Guy made a motion to approve the minutes of June 19-20, 1973, seconded by Commissioner Bowles.

Commissioner Guy made a motion to approve the minutes of June 26-27, 1973, seconded by Commissioner Bowles.

Commissioner Guy made a motion to approve the minutes of July 3, 1973, seconded by Commissioner Bowles.

CONSTRUCTION OF ST. ANDREW'S CHURCH ROAD

Present: John Norris, County Engineer

Mr. Norris said he received notification by telephone from the District Office in Prince Frederick of the State Highway Administration that the necessary commitment of funds for the construction of the remaining portion of St. Andrew's Church Road has been approved. Mr. Norris recommended that the Commissioners award the bid to Regal Construction Company, the lowest bidder, in the amount of \$476,452.50, subject to receiving written notification from the State Highway Administration. Commissioner Guy made a motion to accept this recommendation, seconded by Commissioner Bowles. Mr. Norris is to write to Regal Construction stating that it is the intent of the Commissioners to award them the bid subject to receipt of a letter of approval from State Highway Administration.

ELECTRICAL WORK AT LEONARD HALL (BUILDING NO. 4)

Present: John Norris, County Engineer

Mr. Norris stated he requested bids from L. O. Ryce, John S. Lynch and Tom's Electric Company for the electrical work at Building No. 4 at Leonard Hall. Only one bid was received which was from Tom's Electric Company in the amount of \$2,075. Mr. Norris is to review the proposal and make recommendations to the Commissioners later today.

REHABILITATION OF SMITH'S CREEK WHARF

Present: John Norris, County Engineer

Commissioner Guy made a motion to make application to the Army Corps of Engineers for a permit to rehabilitate Smith's Creek Wharf, seconded by Commissioner Bowles.

BILLS APPROVED

Present: John Norris

The following bills were approved by the Commissioners:

Arc Welders Sales and Rental Co., Invoice No. K-4645, dated June 7, 1973 for equipment parts for landfill - \$939.00

Southern Maryland Wood Treating Corp., Invoice No. 10568, dated July 20, 1973 for Bushwood Wharf - \$62.72.

J. R. McCrone, Jr., Inc., dated July 11, 1973 for reproduction of prints for miscellaneous projects for the Corps of Engineers - \$49.25.

Mr. Photo, dated March 26, 1973 for pictures of the seawall at Tall Timbers - \$25.00.

DUKEHART'S CREEK

Present: John Norris, County Engineer

Although John Norris requested bids from eight or nine companies for the jetty at Dukehart's Creek, no bids were received. Capt. Hutchins of the Department of Natural Resources informed John Norris that he would submit names of other companies who may be interested in bidding.

TRI-COUNTY YOUTH SERVICES BUREAU

Present: Dr. Robert Friedman, Director
Lois Webb, Administrative Assistant
Carol Carter
Rob Hill

Dr. Friedman and members of the Youth Services Bureau came before the Commissioners to give a report on the progress of the Bureau for the past six months. Dr. Friedman stated they have made outstanding contributions to the tri-county area and St. Mary's County. The percentage of youths and their parents being served has increased with referrals coming from schools, physicians, clergyman, etc.

A summer workshop session was held in July at Charlotte Hall on behavior modification which was attended by school counsellors and members of the Department of Social Services. The workshop

was successful and there is a group counselling session scheduled for August.

There has been a program arranging summer jobs for youngsters such as babysitting, gardening and this was done with a cooperative effort with TOEHOLD.

The group living home is preparing to accept youngsters at the home which is located in the rectory of Our Lady of the Wayside Church in Chaptico.

Commissioner Bowles asked about the request for an attorney on the Board. Dr. Friedman state he had an indication from Attorney Michael Davis that he would be able to provide legal advice but would not have time to serve on the Board. The Board would like to have interested citizens on the Board.

Dr. Friedman said that it is their feeling with the juvenile delinquency rate, there is a need for service to keep youngsters out of court and out of mental hospitals, and the problems of the children in the area should be reached. The grant from the Governor's Commission expires on March 31, 1974, and it would be necessary for the County to accept full funding of the program. The Youth Service Bureau decided to decentralize the Bureau. There would be a separate Youth Service Bureau in each County. \$67,000 would be required for a full fiscal year which would include three counsellors plus administrators. This would serve 250 to 275 youngsters and their families each year. The public works section of the Felix Johnson building in Lexington Park has been offered to the Youth Services Bureau which would eliminate rental expenses. The building, however, does require renovation. Pledges of contributions have been received from various groups.

Dr. Friedman stated \$10,389 for Youth Services Bureau had been allocated in St. Mary's County 1974 fiscal year budget (the Bureau's budget year ending March 31, 1974) and now it would be necessary to request an increase to \$15,000 to cover the rest of the County fiscal year 1974 and provide for one additional counsellor working in the Lexington Park office. Commissioner Guy asked if they were eligible for revenue sharing funds. Dr. Friedman was of the opinion they would be. Commissioner Guy discussed funding with two counsellors instead of the three previously mentioned and Dr. Friedman said the amount needed for the remainder of the fiscal year 1974 would be \$2500. Commissioner Bowles stated that although he believed in the work of the Youth Services Bureau, he would be reluctant to commit county funds for next year's budget.

Commissioner Guy requested the Youth Services Bureau to submit their budget for the next year, at budget time. The Commissioners requested Dr. Friedman to submit a letter documenting need for the remainder of the fiscal year, from April to July 1974, and the Commissioners will give it their consideration.

CLARIFICATION OF DECEMBER 26, 1972 ROAD POLICY (DEER RUN
SUBDIVISION)

Present: Eugene Kopp
Bob Trautman

Mr. Kopp stated he submitted a plat for a subdivision on Flat Iron Road about four months ago to Planning and Zoning and it is being held up. He understood a policy was being developed by the County Engineer and the Planner concerning subdivisions for the development and upgrading of the roads. Mr. Kopp said there are 18 lots in the proposed subdivision and would the present road policy apply to this. Commissioner Bowles stated the directive was an accumulative of 20 lots or more on a county road. There are several approved subdivisions fronting on Flat Iron Road. Mr. Trautman asked for a guarantee for the new policy to be developed within the next few weeks. Commissioner Bowles stated he hoped it will be formulated soon but he could not give any guarantee as to date.

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise
Patty Muchow, Beacon
Dick Myers, WKIK
Dave Fox, WPTX

The regular monthly Press Conference was held at this time. A tape of the Conference is on file in the County Commissioners' Office.

REZONING HEARING - FDF INC., JOHN S. IMBRES, PRESIDENT

Present: John Imbres, President, FDF
Gene Burnett, Secretary-Treasurer - Imbres-Burnette Corp.
Howard Bahem, Vice President-Controller
Rick Myers, USDC
R. J. Hadden, USDC
Jim Kenney, Attorney

Mr. Kenney presented the plats for FDF Inc. requesting rezoning approval from "agricultural" to "C-residential" the property located on the easterly side of Route 712 (Hermanville Road), approximately one-half mile north of State Route 235. Mr. Kenney stated after a conference with the Metropolitan Commission, the County Engineer and the County Planner, the developers he represents are requesting a change in zoning. Mr. Kenney further stated there is an AICUZ problem, secondly, the generation of refuse from the water and sewer lines in the area and of the land use development. The original request was for the entire project to be done into townhouse category; however, it was recommended by the Planning Commission at their meeting of June 25, 1973, that only the non-AICUZ area be considered for that type of zoning. It was suggested that an

acceptable use within the AICUZ could be commercial but not residential. They would like the AICUZ area to be considered for commercial although there is no projected use for that area. A buffer area along the commercial area would remain agricultural. There is a total of 68.3 acres of land, 10.5 of which would be commercial and professional and 15.9 recreational. They propose a maximum of 296 residential units.

Bob Willard stated that Captain Kilcline, Commander at NAS, defined compatible use within the AICUZ as small commercial which would not emit smoke or heat. Consideration must be given to property adjacent and that is why one area is designated agricultural.

Commissioner Bowles questioned Mr. Kenney concerning width of streets and the amount of right-of-way and parking areas.

Mr. Willard mentioned that the area is within the CNR2 noise area (average objection noise area) and there should be a covenant in the deeds informing the buyer that it is within this area. Mr. Burnette and Mr. Imbres said they had no objection to giving this notice to potential buyers. In order to avoid any misunderstanding, Commissioner Bowles requested that Mr. Kenney put in writing the following stipulations:

(1) Each deed would include covenant of record stating area is within CNR2 area.

(2) Construction would have additional insulation adequate to protect the occupant from injury because of being in the noise zone.

(3) There will be townhouses rather than trailers.

(4) The leaseable square footage of commercial and office space.

(5) The list of covenants would be recorded at the same time the record plat is recorded.

(6) This material would become part of his application.

There were no protestants present. No decision was rendered by the County Commissioners pending receipt of the additional information after which time the application would be considered.

STORM DRAINAGE - ESSEX DRIVE

Present: Janet Stannos
Pat Wasem, Essex Drive

Mrs. Stannos stated she came before the Commissioners in October of 1972 requesting that the drainage problem in the back

yards of six houses on Essex Drive be resolved. Water drains from four streets in Patuxent Park into their yards and they would like a storm drain installed. She stated that John Norris, County Engineer surveyed the area and had suggested a swale in the backyard 12 inches deep and 12 inches wide with a three inch easement. Mrs. Stamnos said that Lee Fridell, State Highway Administration, seemed to disagree with this opinion. Commissioner Guy suggested that John Norris should give a complete report on what he had surveyed the situation to be and what Mr. Fridell proposes and what the cost would be. Mrs. Stamnos said that John Norris had informed her three weeks ago that equipment would be there to dig the swale. She stated that her neighbors nor she would object to a covered ditch. It is a health hazard with the insects it is attracting. The Commissioners said they would make a decision after discussing it with John Norris.

BIDS ON INVESTMENTS

On Tuesday, July 31, bids were opened on investment of \$563,206.79. Bids were as follows:

<u>AMOUNT</u>	<u>MATURITY</u>	<u>First Nat'l</u>	<u>Md. Nat'l</u>	<u>Md. Bank and Trust</u>
\$563,206.79	6 months	9%	9.02%	9.376%

Commissioner Guy made a motion to award the bid to Maryland Bank and Trust Company to invest \$563,206.79 at the rate of 9.376% for a period of six months. Commissioner Bowles seconded the motion.

ROAD BOND - H.I.S. CORP

Present: John Norris

Commissioner Guy made a motion to accept the road bond by H.I.S. Corporation, Leonardtown, in the amount of \$47,614 for Section 12C, Society Hill Subdivision, Leonardtown. The said bond to guarantee the construction of the streets known as Cooper Drive, Robin Court, Eagle Court, Bluebird Court, Hawk Court and Starling Court and being approximately 3,401 feet in length. Said roads are to be constructed within a period of two years. Commissioner Bowles seconded the motion.

John Norris said the amount in the bond is in concurrence with the current construction costs and it is in proper order for the Commissioners to accept.

LEASE FOR BARN AT CLEMENTS LANDFILL (SMALLER ONE)

Present: John Norris

Commissioner Guy made a motion that the Commissioners enter into a lease with Adrian Hansen, Lessee, for the small

barn located on the Clements Landfill property. Lessee shall pay a rental fee of \$75 per year payable in advance and due on the first day of August 1973. Commissioner Bowles seconded the motion.

LEASE FOR BARN AT CLEMENTS LANDFILL (LARGER ONE)

Present: John Norris

Commissioner Guy made a motion that the Commissioners enter into a lease with Raymond F. Tennyson, lessee, for the large barn located on the Clements Landfill property. Lessee shall pay a rental fee of \$100 per year, payable in advance and due on the first day of August 1973. Commissioner Bowles seconded the motion.

SATAV ESCROW AGREEMENT FOR ROADS

Present: John Norris, County Engineer
Mike McCauley, Project Director, SATAV
Dorothy Williams, SATAV

Mike McCauley came before the Commissioners to have the Escrow Agreement signed by the Commissioners. John Norris and the Commissioners discussed the changes to be made in the Agreement: (1) The word "escrower" is used for both the County Commissioners and SATAV, which is incorrect. (2) It does not refer to King Kennedy Estates. (3) Clarification is needed for Section 2 and 3. (4) Instead of 15 days, it should be 30 days by the Engineer, and (5) a determination is needed by an attorney regarding deletion of plat from county records.

John Norris and Mike McCauley are to get together with an attorney to work on the agreement.

ELECTRICAL WORK AT LEONARD HALL (BUILDING NO. 4)

Present: John Norris

John Norris recommended that Tom's Electric Company be awarded the bid in the amount of \$2,075 for the wiring and lighting for Building No. 4 at Leonard Hall. He stated an extra fixture is needed, but he would take care of this. Commissioner Guy made a motion to accept this recommendation, seconded by Commissioner Bowles.

WHITE NECK CREEK

Present: John Norris

John Norris asked if one, the County is desirous of executing a contract with Ron Delahy, two, if the County is desirous of requiring a 100% performance bond and, three, would the Commissioners pay an additional 10% on the original contract of \$7460.

The Commissioners were willing to execute a contract and they did not feel the need for a performance bond because of the 30-day delay. They are desirous of having the contractor complete the work in the 45 day time span expected in the original contract. The Commissioners also denied the additional 10% money to the contractor as he had done miscellaneous construction work for other parties in addition to the work he had done at Tall Timbers. John Norris is to inform Mr. Delahay that this is a state funded grant and additional monies would not be approved by the state due to their funding limitation.

SCOTCH POINT SUBDIVISION

Present: Jim Kenney, Attorney
John Norris, County Engineer

Mr. Kenney requested approval for Section 1A and Section 2 of Scotch Point Subdivision. Concept plan for the subdivision was presented to the Planning Commission before the December 26, 1972 road policy. The Commissioners requested a letter from John Norris attesting to the fact that the concept plan was presented to the Planning Commission prior to December 26, 1972.

METROPOLITAN COMMISSION SALE OF BONDS

Commissioner Guy withdrew his motion of July 26 in regards to the issuance of bonds in the amount of \$600,000 by the Metropolitan Commission for the purchase of the Patuxent Water Company, including all property, assets and chattels and in its place Commissioner Guy made a new motion that the Commissioners approve the issuance of bonds by the Metropolitan Commission in the amount of \$650,000 as set forth in the Resolution adopted by the St. Mary's County Metropolitan Commission dated July 3, 1973, and signed by members of said Commission, with the understanding that \$50,000 of said bond issue will be issued for a term of 10 days only. Said County Commissioners' Resolution is No. 73-22 in the County Commissioners' Office. Commissioner Bowles seconded the motion.

TRI-COUNTY COMMUNITY ACTION COMMITTEE

\$94,100 is the total proposed funding by and for the Tri-County Community Action Committee which includes \$31,750 additional monies that is expected from OEO on a three month extension. In view of this, Commissioner Guy made a motion that the total amount be reduced from \$94,100 to \$62,350 and St. Mary's County share be reduced from \$21,600 to \$14,312. This would continue the program at the funding level agreed to by all three counties prior to the adoption of the budget for fiscal year 1974. Commissioner Bowles seconded the motion.

METROPOLITAN COMMISSION

Paul Ludwig has accepted appointment to serve on the Metropolitan Commission, term to expire July 1, 1976. Cecelia Adams is to notify Paul Ludwig and the Metropolitan Commission of said appointment.

FORMAT FOR TRANSFER OF PROPERTY

The Commissioners approved the settlement sheet, prepared by Paul Raley to be used for all property acquired by the County.

TRAILERS OWNED BY HATTIE DUNBAR

A letter was received from Walter Raum, Health Department, in reply to our letter of July 26 in regards to the two trailers on the property owned by Hattie Dunbar. Mr. Raum stated that although technically it is a trailer park since it contains two trailers, Mrs. Dunbar could divide the trailers into two individual lots.

DECLINATION OF SCHOLARSHIP

Joseph Sickle declined to continue to use the St. Mary's County Commissioners scholarship to St. Mary's College that had been awarded to him in the Fall of 1972, as he is transferring to Frostburg State College. Paul Raley is to obtain the list from which Mr. Sickle was chosen so that another selection can be made.

OCEAN HALL

A letter was received from Edwin Beitzell, County Historian stating that Ocean Hall should make the "Landmark" status.

A letter was also received from St. Mary's City Commission endorsing the purchase of Ocean Hall property by the County.

BILLS APPROVED

The following bills were approved by the County Commissioners:

Assessors Office for summer conference in Ocean City, held July 25, 26, and 27, 1973; William Lawrence: \$170.77, J. Wellington Hewitt: \$170.77, Andrew J. McWilliams: \$131.77.

Prince George's County, Md. for 1/6 court administrator's salary for the fiscal year ending June 30, 1973 - \$2,564.53.

St. Mary's Historical Society for office salaries in connection with the operation of the St. Mary's County Tourist Information for the month of July 1973 - \$416.68.

REVIEW OF PLAT FOR TRAILERS OWNED BY HARVEY THOMPSON

Commissioner Bowles made a motion that the plat submitted by Harvey Thompson, Seventh Election District, for six trailers

be forwarded to Planning and Zoning for review and recommendations. Commissioner Guy seconded the motion.

The meeting adjourned at 6:15 p.m.

J. Wilmer Bowles
J. Wilmer Bowles
President 1/31/73