

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, October 16, 1973

Present: Commissioner J. Wilmer Bowles, President  
 Commissioner J. S. Guy, Jr.  
 H. D. McGlade, Administrative Officer  
 Judith A. Mullins, Recording Secretary

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

DRUG INVESTIGATION

Present: Sheriff Larry Williams  
 Deputy Ron Clark  
 Deputy Chuck Kerr

Sheriff Williams requested an additional \$1,000 to continue his Department's drug investigation program. The Commissioners approved the request and the transfer of said funds from Revenue Sharing or the Contingency Fund to the Sheriff's Department Narcotics Fund.

READING OF MINUTES

The minutes of October 9, 1973 were read and corrected.

(Commissioner Aud entered the meeting.)

NATIONAL BUSINESS WOMEN'S WEEK - PROCLAMATION NO. 73-33

The Commissioners unanimously agreed to sign Proclamation No. 73-33 proclaiming October 21 through October 27 as National Business Women's Week.

NUCLEAR POWER PLANT - DOUGLAS POINT - CHARLES COUNTY

The Commissioners signed a letter to be forwarded to Mr. W. Reid Thompson, President, Potomac Electric Power Company, in which the Commissioners expressed concern over the establishment of a nuclear power plant at Douglas Point, Charles County, Maryland, and, therefore, recommended that the power plant site be moved to the Chesapeake Bay area of St. Mary's County.

(Commissioner Aud left the meeting.)

COMBINED INSURANCE PROGRAM (BOARD OF EDUCATION, COUNTY COMMISSIONERS AND METROPOLITAN COMMISSION)

Mr. McGlade presented a letter from the Insurance Buyers' Council to Mr. Henry Kanowicz, Director, Business Administration, Board of Education, returning the insurance quotations for the

Board of Education, County Commissioners and the Metropolitan Commission. Quotations are as follows:

<u>COMPANY</u>	<u>TOTAL</u>	<u>COUNTY COMMISSIONERS' SHARE</u>
Insurance Co. of North America (Agent: Waring)	\$118,651	\$32,479
Continental & Hartford (Agent: Combs)	\$ 96,097	\$26,052
Maryland Casualty Insurance Company (Agent: Drury)	\$121,527	\$26,737
Continental Ins.Co. (Agent: Drury)	\$ 97,203	\$26,100

Mr. McGlade stated that he and Mr. Sterling recommended accepting the recommendation of the Insurance Buyer's Council to award the bid to Continental and Hartford through the Combs Agency for the annual premium of \$26,052 for the County Commissioners' share of the combined insurance program. Commissioner Guy made a motion to accept this recommendation, seconded by Commissioner Bowles.

#### RECREATION AND PARKS

Present: John Baggett, Director

MEMORANDUM OF UNDERSTANDING - Mr. Baggett stated he is obtaining the signatures on the Memorandum of Understanding between the Sheriff's Department and the Recreation and Parks Department. Said Agreement sets up a procedure for deputies to attend outside functions held by the Recreation and Parks Department.

SEATING AT AMPHITHEATER - Commissioner Guy made a motion that the Application to Program Open Space for the installation of seating for 500 people at the Great Mills High School Amphitheater, Development No. 4 be signed by Commissioner Bowles, seconded by Commissioner Bowles and signed same.

#### GRAVES PROPERTY

Present: John Baggett, Director, Recreation and Parks  
Mrs. Virginia Murphy, Mazie L. Grave's daughter  
William D. Matthews)  
George P. Burch ) agents for Mrs. Murphy  
Joseph D. Weiner, County Attorney

Commissioner Guy made a motion that Commissioner Bowles

sign the Settlement Sheet for the purchase of property owned by Mazie Latham Graves (Laurel Grove) by the County Commissioners in the amount of \$51,576, seconded by Commissioner Bowles. Commissioner Bowles presented a check in the amount of \$41,116 representing balance of purchase price, plus \$100 real estate tax adjustment for 1973-74 to Mrs. Virginia Murphy to be given to Mazie L. Graves.

#### SOCIETY HILL - SECTIONS 12C and 12D

Present: Robert Willard, Planning Director

Mr. Willard presented a letter to the Commissioners concerning the Metropolitan Commission's denial of permits for individual wells for Section 12C and 12D of Society Hill. Mr. Willard is to draft a letter to the Department of Water Resources stating that Section 12C is an approved subdivision which has the approval of all agencies of government, state and local, including the Metropolitan Commission, for individual wells.

Section 12D should go through the normal process of approval as for any subdivision plat.

#### PART-TIME EMPLOYMENT FOR PLANNING OFFICE

Present: Robert Willard, Director of Planning

Mr. Willard stated that Bob Lentz, a student from St. Mary's College has been working in the Planning Office with him on a trial basis and is being paid by the State \$5 a day. His work includes regional planning, and deed research. Mr. Willard recommended that the County pay Mr. Lentz \$3 a day, three days a week for driving expenses until the end of the school year. Mr. Willard suggested that this money come from his own expense account. Mr. Willard is to verify that sufficient funds are in the Planning Budget before the Commissioners make a decision.

Mr. McGlade stated that this is an arrangement between the State Economic Development Commission and St. Mary's College and that Mr. Lentz is receiving credits for work he performs here. The only cost to the County would be travelling expenses.

Commissioner Guy stated a program should be developed between the College, and the State and the County's involvement and expenses should be determined. Also a similar plan should be arranged between the County and the College so we have on record that we are participating and the students are receiving credits.

#### MARYLAND ACADEMY OF SCIENCES

Present: Mr. Abraham Bates, Acting Director, Academy of Sciences

Mr. Bates stated the Academy is in the process of building a science center in the Baltimore interharbor project for the

benefit of all counties in Maryland. It is a Ten Million Dollar building, partially funded by the State of Maryland, provided the balance of funds can be obtained from other organizations, groups and governments. There will be a large number of services offered to the students of Maryland; science exhibits, seminars and the opportunity to meet nationally and internationally known scientists. Mr. Bates requested that St. Mary's County pay a very small amount for the cost of the programs and the science building. The building will include a modern planetarium, observatory, and exhibit halls. Mr. Bates requested a pledge from St. Mary's County in the amount of \$1,000 to \$2,000 per year. Commissioner Bowles stated that the Commissioners would consider his request. Mr. Bates said he would forward a letter to the Commissioners setting forth the program.

#### BILLS APPROVED

The following bills were approved by the County Commissioners:

Cecelia Adams, Margaret Childs, Judith Mullins for secretarial services rendered Saturday, October 13 - \$86.40 each;

H. D. McGlade, reimbursement claim for evening meetings for the month of August and September and attendance at the National Graduate University, Fifth Institution on Funding for State and local governments - \$35.04.

#### PERFORMANCE BOND - WILLOW RUN PROJECT

Commissioner Guy made a motion that the Board of County Commissioners approve Performance Bond No. 594 34 60 obtained by Chapman Development Company, Inc. through Fidelity and Deposit Company of Maryland in the amount of \$348,000 as to the County Commissioners' interest in the road system for the St. Mary's Leased Housing Corporation (Housing Authority) to insure road construction to County specifications and be signed by Commissioner Bowles, seconded by Commissioner Bowles.

(Commissioner Aud returned to the meeting at 2:30 p.m.)

#### KITTS POINT

Present: Robert Willard, Planning Director  
John Norris, County Engineer

Commissioner Bowles opened the discussion on the Kitts Point project by stating that the public hearing on Kitts Point was held for the purpose of considering a point of discharge and to change the area classification from S-4 and W-4 to S-3 and W-3 for a sub-sanitary district, which is part of the Carroll Pond Sanitary District No. 7. Commissioner Guy stated he had no objection to granting the

change in classifications and point of discharge approval requested subject to certain conditions the Commissioners have discussed with Mr. Victor Reynolds, developer of the Kitts Point project, such as roads, public works agreement with the Metropolitan Commission, giving of school site, fire department site, etc. Commissioner Guy further stated that these things should be reviewed item by item after which time the Commissioners would be willing to grant Mr. Reynolds the point of discharge.

Commissioner Aud stated he opposed the point of discharge and not the project.

Commissioner Guy made a motion that the County enter into a development agreement with Mr. Victor Reynolds, et al and the County Commissioners. Said agreement should state that it would include, but not be limited to, certain conditions that have been discussed previously, and that the agreement would also require that the project under consideration be in compliance with the Comprehensive Land Use Plan. The Agreement is to be reduced to writing and recorded in the land records of St. Mary's County and when Mr. Reynolds and his associates come to a satisfactory agreement with the County Commissioners, the County will then move to give him the S-3 and W-3 category and point of discharge necessary for him to develop his project. Commissioner Bowles seconded the motion. Commissioner Aud voted "no"; however, he stated he would like some input as to the conditions in the Agreement.

Mr. McGlade is to develop a letter to Mr Reynolds setting forth the above action.

#### BUILDING PERMIT - ALEX SCHUST

Present: Alex Schust  
Walter Raum, Health Department  
Dr. William Marek, Health Department

Mr. Schust again came before the Commissioners because he said he still has not received a building permit for his property located in the Sixth Election District, St. Mary's County. (See minutes of September 25, 1973) He further stated that he was of the opinion that he is not governed by the subdivision regulations (10.03.28) because he felt that he did not fit within that regulation and he should be governed by 10.03.27 which is for single lot owners.

Mr. Schust referred to a meeting with Mr. Guyther, seller of the property, and the Health Department on October 5 and stated he was not privileged to know what took place at that meeting. He stated that when he discussed the meeting with Dr. Marek, Dr. Marek informed Mr. Schust that legal points were raised but no decision had been made. These legal points

dealt with the purchaser buying the property in good faith from the developer. Mr. Schust stated that at that time he asked Dr. Marek if the preliminary plat had been received from Mr. Guyther by the Health Department. Dr. Marek had informed him that the Health Department has not received a recorded plat.

Mr. Schust reiterated that he should be issued a building permit by John Norris by Regulation 10.03.27. Mr. Schust said he would like a legal opinion from Mr. Weiner, County Attorney. Commissioner Bowles informed Mr. Schust that Mr. Weiner had advised the County Commissioners that a building permit should not be issued until a health permit is issued.

Dr. Marek stated that the Health Department still regards this as being under regulation 10.03.28, that it is a subdivision and Mr. Schust's lot is a part of that. He further stated that on October 12, the Health Department wrote a letter to the Attorney General requesting an opinion regarding subdivision regulations. No answer has been received to date.

Walter Raum stated the Health Department is in the process of doing perc tests in the subdivision; however, the preliminary plat has not been submitted to the Planning Commission.

Mr. Schust asked on what basis a building permit is not issued since the laws of St. Mary's County do not require a health permit. Commissioner Bowles said the County never issues a building permit without a health permit being obtained. Commissioner Guy added that if a building permit were to be issued without the health permit, the Health Department would have the right to take it to court by saying it is an illegal system.

Mr. Schust stated it seemed that the Health Department uses policy when policy is applicable and law when law is applicable. Mr. Raum stated that the Health Department goes by the regulations every time and once everything in this subdivision is in conformance, the Health Department will be in a position to issue a permit.

#### MEMORANDUM OF AGREEMENT - DALE T. CROPPER

Present: John Norris, County Engineer

John Norris presented a Memorandum of Agreement with Dale Cropper, who is to be a temporary employee for a four month period as Engineering Inspector for the purpose of initiating a plumbing inspection program in St. Mary's County. Mr. Cropper will be paid at an annual salary rate of \$8,401.00, effective October 2, 1973.

#### SEEDING AT WALDEN COUNSELLING CENTER

Present: John Norris

John Norris recommended that seeding be done at the Walden Counseling Center at a cost of approximately \$200 for material.

The work will be done by county forces and equipment. The Commissioners approved that this work be done.

CLERK B TYPIST - ENGINEER'S OFFICE

Present: John Norris

John Norris stated that five people passed the examination for the Clerk B Typist position in the Engineer's Office. Mr. Norris recommended that Nancy Jeanne Hutson be hired for that position at an annual salary of \$5715, Grade 5, Base, effective November 5. Commissioner Guy made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

MENTAL HEALTH ADVISORY COMMITTEE

Present: Rev. Joseph L. McDowell, Rector, All Saints Church  
 Dr. Robert M. Friedman, Director, Youth Services Bureau  
 Vimala Peddisetti, Liaison Officer, Crownsville Hospital  
 Dr. Lee Broadbent, Director, Student Counseling,  
 St. Mary's College  
 Bernard I. Johnson, Principal, Great Mills High School  
 Jean E. Engman, Supervisor, Nurses, Health Department  
 Louise Lane, Director of Nurses, St. Mary's Hospital  
 William R. Kreitzer, Psychologist, Board of Education  
 Thomas E. Harrison, Alcoholic Coordinator, Health Dept.  
 Dr. William Marek, Deputy State Health Officer  
 John Norris, County Engineer

Dr. Broadbent opened by stating that their Committee would like a good working relationship with the County Commissioners. They have been meeting once a month and have been looking at the needs of the County in connection with mental health facilities. Dr. Broadbent referred to their letter of September 24 regarding the facilities at the Health Department building in Lexington Park. There is a lack of space and there are poor working conditions. Commissioner Bowles stated that space is a problem throughout local government, and the Commissioners are hopeful of developing means to relieve that situation. However, nothing concrete can be given today.

Rev. McDowell asked if repairs could be made to the building at Lexington Park. Commissioner Bowles stated that a contract has been let to repair the roof and work on the interior would be done soon thereafter.

Dr. Broadbent said they are looking for a psychiatrist and it might help to recruit someone if they knew these conditions were going to be improved.

John Norris is to get together with Dr. Marek and a representative of the Mental Advisory Committee to obtain more-detailed

specifics to determine what work needs to be done and the time frame in which the work can be completed. The use of Tech Center students to perform some of the work should be pursued.

MYRTLE POINT

Present: Marv Franzen  
John Norris

Mr. Franzen agreed to deposit cash in the amount of \$37,500 in the Maryland National Bank payable to the County Commissioners of St. Mary's County in lieu of a road bond, and subject to an agreement reduced to writing by John Norris, County Engineer and approved by the County Commissioners. In order to release the account, the road would have to be completed and approved by the County Engineer.

SCHOLARSHIP - ST. MARY'S COLLEGE

The Commissioners unanimously agreed to select Deborah Chesser to receive a four-year scholarship to St. Mary's College.

OCEAN HALL

Present: John Baggett, Director, Recreation and Parks

John Baggett informed the Commissioners that he had been advised that the owners of the Ocean Hall property have received two other offers including the County's; one of which is for \$250,000, settlement in 60 days, payment over three years, with 7% interest on the balance. Mr. Baggett has received one appraisal in the amount of \$225,000. The Commissioners requested Mr. Baggett to try to obtain an option for six months at \$250,000 before he gets the second appraisal of the property.

ST. MARY'S WATERSHED PROJECT - OWENS PROPERTY

Present: John Baggett

Mr. Baggett presented an application for a new project on St. Mary's River Fish and Wildlife Park, Acquisition #7, located at Site 1 of the Watershed Project, also known as, Owen's property. This application is for reimbursement through the Board of Public Works. Commissioner Guy made a motion for Commissioner Bowles to sign said application, seconded by Commissioner Aud and made unanimous by Commissioner Bowles and signed same.

The meeting adjourned at 5:00 p.m.

*J. Wilmer Bowles 12/4/73*  
J. Wilmer Bowles  
President