

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, May 28, 1974

Present: Commissioner J. Wilmer Bowles, President
 Commissioner George R. Aud
 Commissioner J. S. Guy, Jr.
 Edward V. Cox, Chief Clerk
 Judith A. Mullins, Recording Secretary

The meeting came to order at 10:00 a.m.

READING OF MINUTES

The minutes of May 20, 21, 24, and 25 were read and corrected.

APPROVAL OF MINUTES

Commissioner Guy made a motion to approve the minutes of May 14, 1974, seconded by Commissioner Aud and made unanimous by Commissioner Bowles, who signed same.

REQUEST FOR CONFISCATED CARS

Present: Lt. William Muchow, Md. State Police
 Paul Raley, Administrative and Logistic Officer

Lt. Muchow came before the Commissioners to request use of two cars that had been confiscated by the Sheriff's Department. He stated that the State Police would maintain, service and carry insurance for the vehicles. The Commissioners unanimously agreed that the State Police could have the use of two of the vehicles and requested Lt. Muchow to work with Paul Raley to determine which vehicles were available.

DEVELOPMENTAL CENTER FOR THE MENTALLY RETARDED

A letter dated May 14 was received from the St. Mary's County Developmental Center for the Mentally Retarded requesting that the building permit fee be waived for the Center. Ed Cox is to forward a reply denying this request emphasizing that it has been the County's policy not to waive this fee.

STATE-OWNED HOUSE AT COLTON'S POINT

A letter dated May 17 was received from Mr. Louis Phipps of the Department of Natural Resources stating he is referring the County's request to lease the house at Colton's Point, to Fred Eskew, Program Open Space.

DECLINATION OF SCHOLARSHIP

Grace Ann Quade forwarded a letter to the Commissioners declining acceptance of the scholarship stating she had changed her plans to attend St. Mary's College. The Commissioners decided to leave the vacancy for the scholarship open until a further review of applicants in August.

BILLS APPROVED

The following bill was approved by the Commissioners:

H. D. McGlade, travel expenses for the month of May - \$122.21

OVERTIME PAYMENT TO JUDITH MULLINS

Ed Cox, as Supervisor to Judith Mullins, raised the question concerning the large amount of compensatory time she has accumulated in doing extended assignments for the County Commissioners. As of Friday, May 24, Mrs. Mullins had earned 32 1/2 hours compensatory time and in addition worked eight hours on Saturday, May 25 and six and one half hours on Monday, May 27, a holiday while working on the Zoning Ordinance. Mr. Cox recommended that she be paid compensatory time for 25 hours plus 14 1/2 hours at time and a half. Commissioner Guy made a motion accepting Mr. Cox's recommendation, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

LEXINGTON PARK AREA MASTER PLAN
FINAL BILLING

Ed Cox stated he had consulted with Robert Willard, Planning Director, concerning the above, and Mr. Willard had certified that the project is 100% complete and, therefore the final payment in the amount of \$3,022 is in order for payment. Commissioner Guy made a motion to approve this payment, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

P-1008COMPREHENSIVE PLANNING ASSISTANCE PROJECT

Ed Cox stated he worked with Robert Willard, Planning Director, and it was determined that the above project was 92.55% complete and payment in the amount of \$4,255.02 is recommended. Commissioner Guy made a motion to request Tri-County Council to release this payment to Mr. Angelos C. Demetriou, Consultant, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

TRI-COUNTY ANIMAL SHELTER

Ed Cox informed the Commissioners that the Tri-County Animal Shelter is planning an expanded program and Mr. Cox suggested that the County make a request to the Humane Society as to the possibility of conducting a study to determine if a county animal shelter would be adviseable as opposed to the Tri-County Shelter. The Commissioners agreed that Ed Cox should make this request to the Humane Society.

EMERGENCY OPERATIONS CENTER

Ed Cox presented the annual program paper for local Civil Defense and stated that Harris Sterling, Finance Director, verified that the federal and local share fundings listed thereon are correct. Mr. Sterling and Mr. Wood recommended that the Commissioners approve this report. Commissioner Guy made a motion to approve and authorize Commissioner Bowles to sign this report, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

SUMMER PICNIC FOR COUNTY EMPLOYEES

Ed Cox suggested to the Commissioners that a picnic be held for county employees on July 31, at Point Lookout. The Commissioners gave their approval for the picnic.

PROCLAMATION NO. 74-17CITIZENS FOR PROGRESS FUND RAISING WEEKEND

Commissioner Guy made a motion that the Commissioners sign the above Proclamation endorsing the efforts of Citizens for Progress and encouraging community support for the Fund Raising Weekend May 31 through June 2, 1974, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

ADVERTISING FOR COUNTY EMPLOYMENT

Ed Cox stated that there are three temporary employees in the Courthouse, and that the U. S. Civil Service Commission recommended that these positions be advertised now rather than wait for the completion of the Personal Management Study or that their temporary status be extended. Mr. Cox recommended advertising now, and the Commissioners agreed.

PERSONAL ROAD BONDLAND O'LAKE SUBDIVISION

The County Engineer's office submitted a Road Completion Bond for Land O' Lake Subdivision for approximately 3,300 feet of road, in the amount of \$66,500, naming Oliver R. and Betty M. Guyther as principals and George R. Sparling as surety. Commissioner Guy made a motion to accept this road bond, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

BID OPENING - AIRPORT HANGAR CONSTRUCTION

Present: George Clarke, Airport Committee
 F. Elliot Burch, Airport Committee
 Tom McGuire, Airport Committee
 George M. Sullivan, Airport Committee
 Austin White, NAS
 Thomas Summer, Custom Metals, Inc.
 Ken Sutton, Southwestern Contractors, Inc.
 Alan E. Poole, Whalen & Purdy, Inc.
 J. Gregory Abell, Steel Building Systems, Inc.
 John Norris, County Engineer
 Dick Myers, WKIK

Five sealed bids were received for the construction of the Airport Hangar for St. Mary's County Airport. Bids were as follows:

<u>Contractor</u>	<u>Franchised Builder</u>	<u>General Contractor</u>	<u>Turnkey Contractor</u>
Steel Building Systems Camp Springs, Md.	\$69,900		
Southwestern Contractors Baltimore, Md.	\$82,000	\$93,000	\$175,000
Whalen & Purdy, Inc. Washington, D. C.	\$70,498		
Custom Metals, Inc. Waldorf, Md.	\$74,078		
Golden Const., Inc. Annandale, Virginia			\$196,521.00

Mr. Norris is to review all bids to determine if they have complied with the specifications and make recommendations to the Commissioners. Commissioner Guy made a motion to give John Norris authority to advertise for bids on the general contractor portion of the project, seconded by Commissioner Aud. Commissioner Bowles was not present.

STEUART PETROLEUM COMPANY ZONING

Present: Mr. Frank Steuart
Robert Willard, Planning Director

Mr. Frank Steuart, representing Leonard Steuart, came before the Commissioners to request withdrawal of Steuart's May 6, 1974 letter to the Commissioners requesting certain lands owned by Steuart to be zoned Industrial rather than Planned Industrial. Mr. Steuart presented a letter dated May 28, 1974 formally requesting this withdrawal and stating that the Commissioners should not classify this zoning until after the referendum on July 23.

Mr. Willard presented a memorandum requesting the Commissioners to agree to accept the voters' decision in the upcoming special election as a mandate determining the Commissioners' decision in regard to the Steuart zoning matter; and for the Commissioners to give a positive vote for the refinery to expedite the Steuart project.

Mr. Willard asked if the Commissioners had any comments regarding this request for withdrawal and his memorandum. Commissioner Bowles and Aud offered no comments; however, Commissioner Guy responded that he would like clarification of Mr. Willard's memorandum and raised the following points:

1. By agreeing to accept the voters' decision, are we compromising a zoning request before it is received?

2. If the voters understand that they are voting for or against a zoning case as well as for or against a refinery, and if so, Commissioner Guy stated he could accept a mandate from the people.

3. The Board of County Commissioners had stayed out of the issue so that the people would not be influenced or biased; therefore, comments could come from a County Commissioner as an individual, not as a Board.

4. In the original request, zoning for considerably more land was requested than that for the refinery area. Mr. Steuart was asked for an explanation.

Mr. Steuart explained that the land for the refinery and the Burch property for storage tanks needed rezoning. The other land included in the request was for convenience and at present has no planned use.

RESOLUTION NO. 74-18
ADOPTION OF ZONING ORDINANCE FOR ST. MARY'S COUNTY

Present: John Norris, County Engineer
 Robert Willard, Planning Director
 Kathy Kennedy, Secretary, Planning Office
 Joseph Weiner, County Attorney
 James Kenney, Attorney
 Charles Mander, Attorney
 Marvin Franzen, Realtor
 Dorsey Hughes, Urban Planners, Inc.
 Byron Koste, Urban Systems Corp.
 Captain E. V. Laney, Commanding Officer, NAS
 George Lake, Public Works Officer, NAS
 Leonard Kohl, NAS
 H. L. Miller, Leonard Realty
 Dick Myers, WKIK
 Patty Muchow, Beacon
 Jean Matheson, Enterprise

After Ed Cox read the above Resolution to those present, and a brief question period pertaining to the Zoning Ordinance, Commissioner Guy made a motion that the Zoning Ordinance and Zoning Maps as prepared by the Planning Commission for St. Mary's County with amendments by the County Commissioners as contained in Resolution No. 74.18 be approved and adopted on this day, May 28, 1974, by the County Commissioners and that the County Commissioners sign said Resolution, seconded by Commissioner Aud and made unanimous by Commissioner Bowles. Resolution No. 74-18 was signed at 3:25 p.m.

OILING SCHEDULE

Present: John Norris, County Engineer

John Norris presented a letter from Mr. J. D. Bond, Resident Maintenance Engineer, State Highway Administration, requesting that a check in the amount of \$61,948.33 be forwarded to the State Highway Administration to close out the 1973 oiling account - No. 636-x-517. Mr. Bond also requested that a check in the amount of \$50,000 be sent to the State Highway Administration for the 1974 oiling schedule. Mr. Norris recommended that these checks be forwarded. Commissioner Guy made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

RESOLUTION NO. 74-19
PLANNING COMMISSION

The Commissioners unanimously agreed to sign Resolution No. 74-19 abolishing the Planning Commission and recreating said Commission as the Planning Commission as provided in Article 66B of the Annotated Code of Maryland.

INTERVIEWS FOR POSITION OF ZONING ADMINISTRATOR

At this time the Commissioners held interviews for the position of Zoning Administrator.

The meeting recessed at 5:30 p.m.

Friday, May 31, 1974

Present: Commissioner J. Wilmer Bowles, President
 Commissioner George R. Aud
 Commissioner J. S. Guy, Jr.
 Edward V. Cox, Chief Clerk
 H. D. McGlade, Comptroller
 Judith A. Mullins, Recording Secretary

The meeting reconvened at 11:45 a.m.

MEETING OF THE BOARD OF ESTIMATES

Present: Harris Sterling, Secretary Board of Estimates

The Board of County Commissioners met as the Board of Estimates.

ST. MARY'S COUNTY BUDGET - The St. Mary's County Government Budget for the fiscal year beginning July 1, 1974 and ending June 30, 1975 was presented by Mr. Harris Sterling to the Board of Estimates. Changes and adjustments necessitated subsequent to the public hearing were reviewed and the amount of revenue as now stated in the budget is \$14,912,788. The operating and capital program expenses to include recalculated debt service amounts to \$14,912,788; a balanced budget. All tax rates are held at their current level in this budget. Mr. Sterling stated that the fire tax rate for the Eighth Election District shall remain at .10¢ per \$100 assessable base and that no Resolution is necessary by the Board of Estimates unless the rate is changed.

Commissioner Guy made a motion to adopt the County Budget at \$14,912,788 as recommended by the Secretary to the Board of Estimates, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

RESOLUTION NO. 74-20
1974-75 BUDGET
1974-75 TAX RATE

The Board of County Commissioners convened in special session with Mr. Harris Sterling, Secretary to the Board of Estimates, to review and adopt the St. Mary's County Budget for the fiscal year 1974-75.

The Board of County Commissioners adopted the overall budget for St. Mary's County in the amount of \$14,912,788. The tax rate was fixed at \$2.55 per \$100.00.

Commissioner Guy made a motion that the Board of Estimates adopt and sign Resolution No. 74-20 establishing the tax rate at \$2.55 per \$100 base, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

RESOLUTION NO. 74-21
LOCAL INCOME TAX

Commissioner Guy made a motion that the Commissioners adopt Resolution No. 74-21 establishing the local income tax rate at 50% and sign same, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

RESOLUTION NO. 74-22
TALL TIMBERS EROSION TAX

Commissioner Guy made a motion to adopt Resolution No. 74-22, Tall Timbers Erosion Tax, which will be established at \$2.00 per \$100 on the assessable base and sign same, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

BOARD OF EDUCATION BUDGET

Mr. McGlade presented a letter for the Commissioners' signature approving the Board of Education Budget. Commissioner Guy made a motion to approve that this letter be forwarded to the Board of Education and authorize Commissioner Bowles to sign same, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

MOSQUITO CONTROL PROGRAM

Mr. McGlade presented a letter to be forwarded to Mr. Young D. Hance, Secretary, Maryland Department of Agriculture pertaining to the Mosquito Control Program budget. Commissioner Guy made a motion to approve the Mosquito Control Program budget for the fiscal year 1974-75; total appropriation - \$53,996.50, of which \$30,282 is the County's portion, as outlined in said letter to be signed by all three Commissioners, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

(The Board of Estimates adjourned as the Board of Estimates and reconvened as the Board of County Commissioners.)

PROPERTY TAX ASSESSMENT APPEAL BOARD

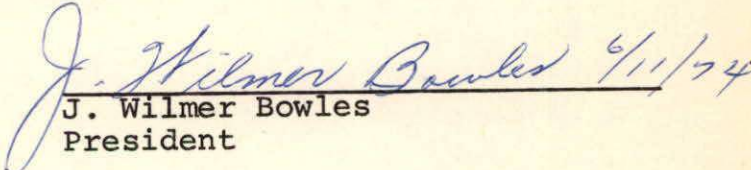
This office was advised by the Governor's office that the term of J. Alfred Abell will expire this date, May 31, 1974 and requested a recommendation from the County Commissioners. The Commissioners unanimously agreed to recommend J. Alfred Abell for reappointment to this Board.

PERSONAL ROAD BOND
MELODY ACRES

Present: John Norris, County Engineer

John Norris submitted a Personal Road Bond for Melody Acres for approximately 2,450 feet of road, in the amount of \$49,000, naming William S. Lawrence and Ann F. Lawrence as principals and Warren E. Barley as Surety. Mr. Norris certified that the amount of the bond is sufficient for the amount of road to be constructed. Commissioner Guy made a motion to accept this Bond, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

The meeting adjourned at 1:30 p.m.

 6/11/74
J. Wilmer Bowles
President