

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, July 16, 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 July 9, 1974 were read and corrected.

APPROVAL OF MINUTES

Commissioner Aud made a motion to approve the minutes of July 2, 1974, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

APPROVAL OF BILLS

The following bills were approved by the Commissioners:

Jay McGrath, Engineering Technician, June mileage - \$18.48;

Robert Willard, Planning Director, June mileage - \$47.46;

John Norris, County Engineer, June mileage - \$78.48;

Breton Bay Golf and Country Club, June 17, 1974 - \$15.58;

Ted Stroud Concrete, Inc., dated July 10, 1974, for removal and replacing of sidewalk on Coral Drive in front of Bay District Fire House - \$300.00 (Contingency Fund);

Edwin Beitzell, County Historian, for traveling expenses during the period of January through June 8, 1974 - \$85.00;

St. Mary's County Memorial Library, for appropriation for the first quarter of fiscal year 1975 - \$29,014.25;

National Association of Counties, for county member service fee for one year - \$309.00;

Cross and Adreon, Architects, Payment No. 1 to Mervell M. Dean, Inc., Contractor, St. Mary's Nursing Home Project No. MD-172 - \$23,130.00;

St. Mary's Beacon, for notice of invitation to bids on St. Mary's Nursing Home - \$123.25;

Placid Harbor Yacht Club, for Zoning Ordinance Seminar, dated June 18, 1974 - \$60.00;

Chopticon High School, for services of Mr. Cordell V. Carter, Head Custodian, on Saturday June 29, 1974 for secretarial examination - four hours @ \$4.50 per hour - \$18.00;

Free State Surveying & Land Planning, Inc., dated June 30, 1974, for engineering inspection and consultant services on Hermanville Road - \$2,725.45.

ESTIMATE NO. 3 - HERMANVILLE ROAD

Commissioner Aud made a motion to approve Estimate No. 3 to McGuire & Rolfe, for the reconstruction of Hermanville Road, Contract SM 352-1, in the amount of \$18,100.41, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

SOUTHERN MARYLAND POLICE COMBAT RANGE

Present: J. Wesley

Mr. Wesley came before the Commissioners to advise them of his action pertaining to a shooting range to be used by State Police, Sheriff's Department, Leonardtown Police and private detective agencies. This facility is to be located on the Greenwell property across from the Willows Restaurant on Route 5. Mr. Wesley has leased this property from the Greenwells for this use at no cost to the County. Mr. Wesley stated he has been in touch with Mr. Gravelle of the Governor's Commission on Law Enforcement, who advised Mr. Wesley of the possibility of applying for an LEAJ grant for this project.

The Commissioners advised Mr. Wesley that they would give him a letter endorsing this facility.

CEDAR COVE PROJECT
ECONOMIC IMPACT FEE

With reference to the letter dated June 3, 1974 from USDC (US-A Partnership) Ed Cox inquired of the Commissioners if they would be subject to the Economic Impact Fee (House Bill 1497) since they had entered into a Development Agreement prior to the passage of this Bill. The Commissioners requested Mr. Cox to forward a letter to Mr. Byron Koste, USDC, and advise him that the County Attorney had been consulted on this matter and the County has no legal authority to waive the economic impact fee should such a waiver be considered.

FEDDERS PROPERTY

Present: Joseph Weiner, County Attorney

After inspection of the property by the County Commissioners, County Attorney, County Engineer, and after having an appraisal made by Spence Howard, a record of which is on file in this office, Commissioner Aud made a motion to rescind the decision to pay \$12,000 as reflected in the minutes of June 4, 1974, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

Commissioner Aud made a motion that, after the above inspection, several serious questions had been raised in the minds of the Commissioners, County Engineer, and County Attorney and the appraiser as to whether or not the drainage problem implied by Mr. Fedders did in fact cause or contribute in any way to the condition of the house, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

ASSISTANT STATE'S ATTORNEY

A letter dated June 28, 1974 was received from the State's Attorney advising the Commissioners that he is appointing Mr. Walter Wesley Sawyer as Assistant State's Attorney to replace Mr. John Pleisee, who has recently resigned, effective July 1, 1974.

INVESTIGATOR COORDINATOR

A letter dated July 2, 1974 was received from the State's Attorney advising the Commissioners that he has appointed former Deputy Sheriff Ronald P. Clarke as Investigator Coordinator, effective July 15, 1974.

SPRING VALLEY BUILDING PERMITS

Present: Roger Salen, Corporate Officer, Riley Brothers
Joseph Weiner, County Attorney

Mr. Salen came before the Commissioners regarding the denial by the Commissioners of the refund in the amount of \$1,062.50 for thirty-four (34) building permits in the Spring Valley project. Mr. Salen said the permits were purchased and returned within the validity period and he also stated he thought another builder had purchased building permits for some of the same lots causing an overlapping of permits being issued.

Mr. Weiner recommended that there be a refund for the overlapping permits, less administration expenses to the County, for the issuing of the original permits, should the Commissioners have authority to do so.

Commissioner Bowles agreed there should be some adjustment if another builder has been issued permits for some of the same lots;

however, the County should be reimbursed for expenses that it incurred in issuing the original permits.

Mr. Weiner will research this question and report back to the Commissioners.

CAPITAL PROGRAMS BEING SUBMITTED TO PLANNING COMMISSION

Present: Robert Willard, Planning Director

Mr. Willard presented a memorandum to the Commissioners suggesting that all capital improvements (schools, parks, roads) be submitted to the Planning Commission by the appropriate agency, and that a memorandum be forwarded to the various agencies requesting their cooperation. The Commissioners will consider this request.

PRESENTATION OF LETTER OF COMMITMENTS
STEUART REFINERY

Present: Leonard Steuart

Mr. Steuart presented a letter from Steuart Petroleum Company formalizing their commitments to the County with regard to the proposed refinery at Piney Point, a copy of which is on file in the Commissioners' Office.

Mr. Steuart discussed their monitoring agency, which will be set up with the direction of a State agency and the State agency will have their own monitoring, and, in addition, Mr. Steuart suggested that the County have an engineer monitor the refinery.

The Commissioners thanked Mr. Steuart for his presentation.

REPAIRS TO ALLEY AND FRONT STREET - LEXINGTON PARK FIRE HOUSE

Commissioner Aud made a motion to accept the proposal from Dean Construction Co. for the repair to alley and street edge at the Lexington Park Fire House, in the amount of \$2,315.00, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

APPLICATION FOR DREDGING OF LEWIS CREEK

Present: John Norris, County Engineer

Commissioner Guy made a motion that the County submit an application to the Department of Water Resources for the purpose of dredging Lewis Creek within a channel of 75 feet in width and six feet in depth at mean low water, and that Commissioner Bowles be authorized to sign same for St. Mary's County. Commissioner Aud seconded the motion and Commissioner Bowles made it unanimous, and signed same.

MARYLAND ASSOCIATION OF COUNTIES' SUMMER MEETING

Ed Cox requested permission for Mr. McGlade, Comptroller, Mr. Platt, Zoning Administrator, Mr. Raley, Administrative and Logistic Services Officer, and himself to attend the above convention. The Commissioners gave their approval.

TEMPORARY ASSISTANT ANIMAL WARDEN

Ed Cox stated that Pat Meads has been hired as temporary assistant animal warden at a salary not to exceed \$130 per week, as had been authorized by the Commissioners at their meeting of July 9, 1974.

CAMPERS AND CAMPER PARKS

Present: Walter Raum, Health Department
Dr. William Marek, Health Department
Joe Garner, Zoning Technician

Dr. Marek advised the Commissioners that it has been brought to his attention that there are a number of camper locations throughout the County for which no application has been filed, and which are not meeting health regulations and the guidelines of the new Zoning Ordinance. Dr. Marek stated that, in order to inform people of this situation and to make them aware of the requirements, that a public meeting should be held to let them know of the Health Department's and Zoning Administration's regulations, which must be met. He stated that these camper sites do not have proper sewage disposal facilities or adequate water supply.

Walter Raum stated the biggest problem with regard to camper sites is in the First District. The Commissioners suggested that the public meeting be held in this area, to which Dr. Marek and Mr. Raum agreed.

BAY DISTRICT FIRE DEPARTMENT

Present: Keith Fairfax, Fire Chief
Les Hansen, President, Bay District Fire Department
Robert Stevens
H. D. McGlade, Comptroller

Mr. Fairfax presented the Fire Department's Financial Statement by chart, and requested that the County co-sign a mortgage note with the First National Bank of St. Mary's in order to get a reduced interest rate.

Commissioner Aud made a motion that the Commissioners pledge the faith and credit of the County and endorse the Bay District Fire Department's mortgage note, subject to a receipt of a letter from the Fire Department outlining the details, and verification of authority, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

LEASE FOR BARN AT CLEMENTS LANDFILL (SMALLER ONE)

Commissioner Aud made a motion that the Commissioners renew the lease with Adrien Hanse 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, 1974, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

LEASE FOR BARN AT CLEMENTS LANDFILL (LARGER ONE)

Commissioner Aud made a motion that the Commissioners renew the 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 1974, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

GRANT APPLICATIONREBUILDING OF WHARF AT ST. GEORGE'S ISLAND

Commissioner Aud made a motion to approve and authorize Commissioner Bowles to sign the grant application in the amount of \$5,000 to the Department of Natural Resources for the rebuilding of the wharf at St. George's Island, seconded by Commissioner Guy and made unanimous by Commissioner Bowles. The authority and funds for this project is to be from the Land and Building Account as set forth in the FY 75 Budget.

ENTRANCE TO DR. PATRICK'S PROPERTY - ST. ANDREWS CHURCH ROAD

Present: John Norris, County Engineer

Mr. Norris requested authorization to reconstruct an entrance to Dr. Patrick's property on St. Andrews Church Road because of the reconstruction of St. Andrews Church Road, at a cost of approximately \$500. Commissioner Aud made a motion granting this authorization, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

JOHN AUD'S PROPERTY - HERMANVILLE ROAD CONSTRUCTION

Present: John Norris, County Engineer

After viewing John Aud's property located on Hermanville Road on this date by the Commissioners, County Engineer and County Attorney, Commissioner Guy made a motion to authorize the expenditure of up to \$3,000 to do additional site work, slope easement and remove additional fill dirt from this property and use it in the reconstruction of Hermanville Road, seconded by Commissioner Bowles.

REQUEST FOR WAIVER OF GRADING PERMIT FEE
SOUTHERN MARYLAND POLICE COMBAT RANGE

Present: John Norris, County Engineer

Mr. Norris stated he received a request to have the grading permit fee waived for the above project; however, the Commissioners advised Mr. Norris that they do not have the authority to waive such fees.

BARGE AT ST. MARGARET'S ISLAND

Present: John Norris, County Engineer

John Norris advised the Commissioners that the barge at St. Margaret's Island will be removed next week and will be sold for scrap.

PROGRAM FOR REMOVAL OF DERELICT BOATS

Present: John Norris, County Engineer

John Norris advised the Commissioners of the program with the Department of Natural Resources for the removal of derelict boats from the waters of St. Mary's County. The Commissioners agreed to participate in this program and advised Mr. Norris to prepare an Agreement and present it to the Commissioners for their approval.

MAINTENANCE/STORAGE BUILDING - ST. ANDREWS LANDFILL

Present: John Norris, County Engineer

John Norris presented the structural plan and detail for the maintenance and storage building at St. Andrews Landfill and requested the Commissioners' approval of same. Commissioner Aud made a motion to approve and authorize Commissioner Bowles to sign the above, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

MARTIN CALLAN (COUNTY ENGINEER'S OFFICE)

Present: John Norris, County Engineer

Mr. Norris stated that Mr. Callan has finished the Airport project and requested permission to retain Mr. Callan to do the plans and specifications for the jetty at Dukehart's Creek and the Lewis Creek dredging project. Mr. Norris requested utilization of the monthly allocation of his annual appropriation of \$11,304. Commissioner Aud made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

BAY DISTRICT SENIOR CITIZENS' ASSOCIATION

Present: George Smith, President
 Alice M. Moore
 Lillian Keister
 Seldon Haight
 John Baggett, Director, Recreation and Parks

The Bay District Senior Citizens' Association came before the Commissioners to express the happiness and success that has been achieved by the members of the group, and they expressed their desire to continue the program and for the creation of other such clubs for senior citizens in the County as may be feasible.

The Commissioners assured the group of their support and interest in the program and their willingness to support the expansion of clubs throughout the County, if funding is available to do so.

APPLICATION TO PROGRAM OPEN SPACE
 LIGHTS FOR LEONARDTOWN TENNIS COURTS

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented the application to Program Open Space for the lighting at the Leonardtown tennis courts and requested the Commissioners' signature. Commissioner Aud made a motion to approve and authorize Commissioner Bowles to sign said application, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

PROPOSED LEASE FOR OFFICE SPACE FOR RECREATION AND PARKS
 SUPERVISOR

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented a proposed lease between the Board of County Commissioners and Clarence and Nancy Melvin for office space located at the Melvin Construction Co. on Route 246 near Great Mills to be used by Recreation and Parks Supervisor, Ed Atkins. The Commissioners were of the opinion that the lease was too complex for the renting of one room and requested Mr. Baggett to work out a reasonable lease agreement with the lessors.

PROPOSED SCHEDULE OF FEES (ZONING ORDINANCE)

Present: Richard Platt, Zoning Administrator

Mr. Platt presented a proposed fee schedule pursuant to Article 19.1 of the St. Mary's County Zoning Ordinance for the Commissioners' review. Mr. Platt is to obtain a comparison of costs from other counties.

ZONING BOARD OF APPEALS

Present: Richard Platt, Zoning Administrator

Mr. Platt presented a memorandum dated July 11, 1974 concerning the appointment of the Board of Appeals. The Commissioners requested Mr. Platt to arrange a meeting with the present Zoning Board of Appeals and the proposed alternate, John Benson, Golden Beach, to review the new Zoning Ordinance and their responsibility related thereto.

LEONARD HALL LEASE AGREEMENT

Ed Cox advised the Commissioners that he has been in contact with the brothers at Leonard Hall and the Committee to Preserve Leonard Hall School concerning the Lease Agreement.

COUNTY EMPLOYEES' PICNIC

The Commissioners' invitation to the County employees to have a picnic on Wednesday, July 31, from 1:00 p.m. to 9:00 p.m. was reported on by Ed Cox. He advised the Commissioners that there was an insufficient response from the employees after several attempts at soliciting responses and, therefore, recommended that plans be cancelled for the picnic.

ATTORNEY TO THE ALCOHOLIC BEVERAGE BOARD

Ed Cox advised the Commissioners that Michael Davis has been appointed as Attorney to the Alcoholic Beverages Board by the Board.

RELEASE OF OPTION OF PROPERTY LOCATED BEHIND BETHUNE SCHOOL

Present: John Baggett

Commissioner Guy made a motion that the County release the option on the property located behind Bethune School, located in the Seventh District, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

PERSONAL ROAD BOND - BIG OAK SUBDIVISION
WILLIAM S. AND ANN F. LAWRENCE

Commissioner Guy made a motion to accept the road bond from William S. and Ann F. Lawrence as Principals, and Warren E. and Sarah L. Barley as Sureties in the amount of \$260,100 for Big Oak Subdivision, Fifth Election District, for 8,671 feet of road, seconded by Commissioner Aud. Commissioner Bowles abstained.

The meeting adjourned at 5:45 p.m.

J. Wilmer Bowles 8-20-74
J. Wilmer Bowles, President