

BOARD OF COUNTY COMMISSIONERS' MEETING

April 9-10, 1975

Wednesday, April 9, 1975

Present: Commissioner James M. McKay, President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe
Commissioner Larry Millison
Commissioner John K. Parlett
Edward V. Cox, Chief Clerk
Judith A. Mullins, Recording Secretary

The meeting was called to order at 9:00 a.m. by Commissioner President McKay.

READING AND APPROVAL OF MINUTES

The minutes of April 2-3, 1975 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

BILLS APPROVED

The Commissioners approved the following bills:

Thrift Oil for landfill fuel, oil and tires - \$1,287.48.

Mervell M. Dean, Inc., payment No. 10 for the Nursing Home Project - \$43,785.00.

Commissioner Jarboe made a motion to approve payment of the above bills, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

INSURANCE BUYERS COUNCIL

Mr. Cox, Chief Clerk, reported that the Insurance Buyers Council had completed their report on the County's insurance coverage. Mr. Sterling, Finance Director, Mr. Bell, County Attorney and Mr. Cox will review the report and return to the Commissioners with any comments or suggestions.

PERMANENT STATUS
CINDY PILKERTON

John Norris, County Engineer, forwarded a recommendation that Cindy Pilkerton, Clerk Typist in the County Engineer's Office, has satisfactorily completed her probationary period, and therefore recommended that she be placed on permanent status, effective March 24, 1975. Commissioner Jarboe made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

COSTAL ZONE MANAGEMENT

Mr. Cox submitted information from Tri-County Council on Coastal Zone Management. There will be an information meeting at the Tri-County Council office in Waldorf on Thursday, April 17, 1975 at 10:00 a.m. concerning this subject. The Commissioners suggested that Richard Platt, Director, Land Use and Development, attend this meeting and tabled the overall assignment of the project until a later time.

HUMAN RELATIONS COMMISSION

Mr. Cox, Chief Clerk, stated that William Green, Chairman, Human Relations Commission, has verbally received the resignation of Norman Moore from the Human Relations Commission and recommended that William Curtis be requested to serve on this Commission. Commissioner Jarboe made a motion to request Mr. William Curtis to serve on the Human Relations Commission to fill the unexpired term of Norman Moore, terming ending June 30, 1975, subject to receipt of letter of resignation from Mr. Moore, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

OUTDOOR DRAMA ASSOCIATION

"WINGS OF THE MORNING" - LIABILITY INSURANCE

Mr. Cox, Chief Clerk, introduced a request by the Outdoor Drama Association to include the production of "Wings of the Morning" under the County's liability insurance policy. After some discussion the Commissioners directed that the County Attorney review the insurance requirements and request that he establish the various alternatives and prepare recommendations for the Commissioners' consideration.

SOIL CONSERVATION SERVICE - AUDIT

Mr. Cox, Chief Clerk, presented a report from Mr. Beavan, Chairman, Soil Conservation Service, citing a requirement from the State that an audit be performed in this District by the Soil Conservation Supervisors. Mr. Beavan requested that this audit be preformed under the County's general auditing procedures and be paid for by the County. The Commissioners directed Mr. Cox to arrange an appearance by Mr. Beavan before the County Commissioners to discuss the matter in greater detail.

POLICY STATEMENT
STUDENT PARENTS

Dr. Marek, Health Officer, forwarded correspondence requesting that the Board of County Commissioners act as the Board of Health and endorse a policy statement established by the School Health Council regarding student parents; ie, treatment of school-age parents in local schools, continuing of their education, etc. These guidelines have been submitted to the Board of Education, Health Department and Social Services. The Commissioners requested that comments be received from these other agencies and Commissioner Jarboe offered to review the guidelines and report back to the Commissioners.

ROLLER SKATING PROGRAM

Present: Dr. Robert King, Superintendent of Schools
Bernard Johnson, Principal, Great Mills High School
Stan Schrader, Board of Education
John Baggett, Director, Recreation and Parks

Dr. King thanked the Commissioners for the opportunity to have the above-mentioned persons appear before them to openly discuss all of the issues involved in the roller skating program at Great Mills High School.

Mr. Johnson explained his position as follows:

1. The building use agreement with Recreation and Parks is due to expire at the end of March and notification for an extension was not received until March 25, leaving short notice for proper consideration.

2. Upon consultation with his maintenance staff, Mr. Johnson became convinced that the condition of the floor

surface was such that continued use would result in damage to the floor and time for resurfacing was not available.

3. Non-participants in the Program outside of the building had created a distasteful situation in that several windows had been broken and persons were being harrassed, creating a need for the presence of police authorities.

4. The Program had placed a great burden on Mr. Johnson's maintenance staff to the point that he did not think continuation of the Program was possible.

After some discussion it was decided that the Program would continue through the month of April in light of the following conditions:

1. Mr. Baggett would provide police attendance at the skating sessions and gave assurance that precaution would be taken to guard against any further damage to the floor.

2. An announcement would be made at the next skating session that the program will not continue beyond the end of April because of the floor conditions.

3. Appropriate steps will be taken so that the above mentioned problems will be eliminated before the opening of next year's skating program.

The Commissioners thanked those in attendance for their spirit of cooperation in this matter and thereby providing a much needed and welcome recreational service to the youth and adults of St. Mary's County.

HERMANVILLE ROAD
MAURICE C. DIXON

Present: John Norris, County Engineer

Mr. Norris presented copies of minutes of the past Board of Commissioners' meetings and related documents pertaining to the three entrances for Maurice C. Dixon on Hermanville Road. Mr. Norris explained that the reason the former Commissioners had rescinded the Agreement between the Dixons and the County was that it was the County's desire that Hermanville Road be asphalted prior to the end of the construction season. Correspondence was received from McGuire and Rolfe, the contractor, in which it states that they would not be

able to complete the work if they were required to do additional grading.

In light of the fact that there may be certain commitments because of the Easement Agreement, Commissioner Jarboe made a motion to refer this matter to the County Attorney to determine what flexibility the Commissioners have with regard to the previous Commissioners' decision and to determine alternative possibilities. Commissioner Dean seconded the motion. All Commissioners voted in favor of this motion.

HERMANVILLE ROAD
JOHN AUD AND ROBERT STEPHENS

Present: John Norris, County Engineer

Mr. Norris stated that verbal approval had been given by the past Board of Commissioners for the County to asphalt the driveway to the property lines or easements lines whichever are greater for John Aud and Robert Stephens on Hermanville Road. To date, this work has not been done. Mr. Norris recommended that this work be included in the Contract. Commissioner Dean made a motion that the Commissioners fulfill the commitment made by the previous Board of Commissioners as recommended by the County Engineer, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

COMPREHENSIVE WATER AND SEWER PLAN UPDATE

Present: John Norris, County Engineer

Correspondence dated March 3, 1975 was received from Barton-Aschman, Consultant firm for the update of the Comprehensive Water and Sewer Plan, which requested additional monies for their preparation of the 1975 update of the Plan. The additional requests were: 1. Changes made to the Plan by present Board of Commissioners after the Plan had been formally accepted by the previous Board of Commissioners in November of 1974. The Commissioners agreed to reimburse Barton-Aschman for their effort and expenses for

a. Addition of Piney Point School as S-3, text and map changes to original film and presentation map.

b. Revise graphics to indicate new Board of County Commissioners and print new covers and title pages.

c. Change all references on map in text to reflect a 1975 update in lieu of a 1974 update.

The Commissioners decided that reimbursement for the addition of water mains, tanks, and wells to "Water" map in W-6 areas throughout the County per the 1969 Plan would not be a cost the County should bear as it was the County's feeling that the items should not have been deleted from the maps initially and, in fact, Barton-Aschman had not been requested to delete these items from the Plan.

2. Reimbursement for the cost of printing an additional ten copies of the Plan at \$10 per copy, \$160. The Commissioners agreed to reimburse Barton-Aschman for this item.

The Commissioners requested Mr. Norris to determine the amount of money involved on the non-paid item so that the proper vouchers could be prepared by the County and subsequent payment to Barton-Aschman.

COMPREHENSIVE WATER AND SEWER PLAN
BARTON-ASCHMAN BILLING

Present: John Norris, County Engineer

Mr. Norris presented a bill from Barton-Aschman in the amounts of \$2,582 and \$670 for the final payment of the original contract. Commissioner Dean made a motion to approve payment of this bill, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

THOMAS ROAD BULKHEAD

Present: John Norris, County Engineer

Mr. Norris presented to the Commissioners a copy of the Corps of Engineers permit application on which distances between the existing county road and the existing timber bulkhead had been delineated. Mr. Norris explained that the original seawall to the best of the County Commissioners' minutes was constructed in 1947. There was a subsequent extension to the southern end of the bulkhead approximately 270 feet in length in 1963. The property between the timber bulkhead and the county road is privately owned and is detailed on the permit application. The property at the most northern end of the wall was previously owned by the Board of Education; however, it is currently under the ownership of J. W. Ethridge. Mr. Norris explained that the purpose of the bulkhead is solely to protect the county road. It does,

however, vary in distance from the county road. Mr. Norris displayed pictures to substantiate the need of protection of the bulkhead.

Commissioner Jarboe made a motion to accept Mr. Norris's recommendation that the entire length of the existing bulkhead be protected including an extension at the southern end of the bulkhead as sjpwm pm tje Corps of Engineers permit application dated January 8, 1975 and, further moved that the access to the timber bulkhead be previded through a construction easement agreement in lieu of fee simple acquisition, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

DESIGN FOR THE PROTECTION TO THE THOMAS ROAD BULKHEAD

Present: John Norris, County Engineer

Mr. Norris requested that the County accept the proposal of R K & K, engineering firm, for the above project dated September 10, 1974 in the amount of \$10,700 which included \$1,200 for survey. Mr. Norris recommended the acceptance of this proposal if R K & K will agree to the terms of the September 1974 proposal. Commissioner Jarboe made a motion to accept Mr. Norris' recommendation, seconded by Commission Millison. All Commissioners voted in favor.

MARINA PROJECTS

Present: John Norris, County Engineer

Mr. Norris presented proposal for Lewis Creek dredging project and Kingston Creek dredging and jetty project, and indicated that the firm of J. R. McCrone, Inc. or Andrews Millers & Associates would be acceptable to the Engineer's Office to provide the engineering services. Mr. Norris recommended that these proposals be forwarded to the Department of Natural Resources for their concurrence and their funding for the cost of providing design standards for these two projects.

Commissioner Jarboe made a motion to submit this to the Department of Natural Resources for funding, seconded by Commissioner Millison. All Commissioners voted in favor.

Mr. Norris stated that the Department of Natural Resources has requested the county to assist in their efforts to provide a channel entrance to Tanner's Creek and that a cooperative effort by the Department of Natural Resources and the County on these projects should be beneficial to all.

RAMP FOR HANGAR AT AIRPORT

Present: John Norris, County Engineer

Mr. Norris presented a proposal from Dean Construction Company for construction of a ramp in front of the hangar at the St. Mary's County Airport. Funds are available in the project account.

Commissioner Jarboe made a motion to accept the proposal from Dean Construction Company in the amount of \$1,765, seconded by Commissioner Millison. All Commissioners voted in favor.

ASPHALT OVERLAY PROGRAM FOR FISCAL '76

Present: John Norris, County Engineer

Mr. Norris presented the Asphalt Overlay Program for FY '76 and reviewed same with the County Commissioners.

CURTISS DRIVE
ROLLING ACRES SECTION III

Present: John Norris, County Engineer

With regard to accepting Curtiss Drive, Rolling Acres, Section III into the county maintenance system, the Commissioners requested that notification that the road has been brought up to county standards (standards at the time of recordation) should be indicated on the memorandum of recommendation to the County Commissioners for this road and any future roads requesting to be accepted into the county system.

ROAD BONDS

Present: John Norris, County Engineer

Mr. Norris stated that developers have been having difficulty in obtaining bonds for road construction and therefore recommended that various insurance companies in the county appear before the Commissioners to determine what is available and what is required to obtain a bond. Commissioner McKay stated it should be determined if the difficulty in obtaining bonds is a general policy or an individual problem and if a general policy then the Commissioners should formulate some type of policy.

GRANT APPLICATION
POLYGRAPH TRAINING

Present: Sheriff George Sanger

Sheriff Sanger stated that a polygraph machine was being made available to St. Mary's County from the Naval Air Station and he should be receiving it by the end of the week. Sheriff Sanger presented a grant application for Polygraph Training enabling a deputy to attend lie detection school for a six-week course at a cost of \$2,900; Federal share - \$2,610, state share - \$101 and local share - \$189.

Commissioner Jarboe made a motion to approve the grant application and authorize Commissioner McKay to sign same, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

YOUTH WALK

Present: Dr. Frank Van Aalst, St. Mary's College
Robert Wentworth, Executive Secretary, Youth Commission

Dr. Van Aalst informed the Commissioners of the Youth Walk scheduled for Saturday, April 12, for the purpose of raising funds for the Southern Maryland Youth Services USA Program and requested the Commissioners' participation. The Commissioners agreed to meet the group at St. Mary's Square at 1:00 p.m. Saturday.

USE OF LEONARD HALL BUILDING

In that the Commissioners had been requested by the Leonardtown Planning Commission to develop a list of permitted uses in R-1 zoning classification for the Leonard Hall Building in the future, Commissioner Parlett distributed a list of potential uses. Commissioner McKay will draft a letter to the Leonardtown Planning Commission for the Commissioner's review.

ARCHAEOLOGICAL EXCAVATION - ABELL'S WHARF

Commissioner Dean made a motion to forward correspondence to Tyler Bastian, State Archaeologist, welcoming the Archaeological Society of Maryland and the Archaeological Society of Maryland, Inc. to St. Mary's County on Memorial Day weekend for the archaeological excavation.

SAND AND GRAVEL OPERATION - ABELL'S WHARF
RECONSTRUCTION OF STATE RT 244

Commissioner Dean stated that the Planning Commission is developing an agreement between the applicant for Conditional Use for the sand and gravel operation at Abell's Wharf and the County whereby the applicant would pay a gross percentage on the product taken out of the operation and part of the agreement would be a guarantee of a minimum of \$175,000 paid to the County in five equal annual installments for the reconstruction of Rt 244.

Commissioner Dean stated that if the County enters into an agreement there were four possible options to the County to be looked into:

1. That the road not be improved until money is in the County's hands;
2. Improve the road now with the County putting up the money and to be reimbursed by the applicant;
3. Let the state put up the money for the reconstruction of the road and the County would repay the state;
4. Get the state to improve the road with state funds and use the finds paid by the applicant for some other use.

The Commissioners raised several questions as to what point in time the road should be improved and as to when the applicant should reimburse the county for the reconstruction. Commissioner Millison suggested obtaining bond for maintenance and restoring the road to an acceptable condition.

Prior to any agreement being signed, Commissioner Dean suggested that the Commissioners develop all of their concerns with regard to Rt 244 and they can be discussed with the Planning Commission when they appear before the Commissioners on April 23.

Commissioner Dean requested permission to request John Norris to arrange a meeting with the State Highway Administration to determine if they would include State Rt 244 in their asphalt overlay program.

DEMOLITION OF MARGARET BRENT SCHOOL

Commissioner Dean submitted a list of "Questions to be Answered to Resolve the Margaret Brent Issue" including sources to obtain the necessary information. Mr. Cox, Chief Clerk, was named coordinator of this project and was requested to set up a meeting with a representative from Interagency Committee on School Construction to discuss the degree the state would financially participate in the renovation of Margaret Brent School.

Commissioner Millison said that it should also be determined if the present Margaret Brent site was the only property considered in the Helen area for the new school.

HOUSING COORDINATOR - HOUSING AUTHORITY

In view of the fact that problems are beginning to arise at the Douglas Tubman Estates because of lack of management, Commissioner Jarboe made a motion to begin advertising for the position of Housing Coordinator at a cost not to exceed \$14,000 per year, seconded by Commissioner Dean. The Commissioners voted four to one in favor of the motion, with Commissioner Millison voting against, stating that he was of the opinion that someone living in the development should be hired for this position at a lower salary.

Commissioner Jarboe stated that the hiring would be done with the county's usual hiring procedures and policies.

CAPE ST. MARY'S - CAT CREEK

Commissioner Dean raised the issue of the dredging of Cat Creek at Cape St. Mary's to question whether or not any progress had been made since several pieces of correspondence were coming into the Commissioner's Office requesting said dredging. Mr. Cox stated that Capt. Hutchins of the Department of Natural Resources had stated by telephone that the project did not seem to be a public property and that funds were not available to do the dredging for private interest. Commissioner McKay further stated that Capt. Hutchins in conversation stated that the Department would be receptive to a letter from the Board of County Commissioners requesting reconsideration.

Mr. Capper explained that the Greenwell State Park, consisting of 605 acres, is at a stage where the plans are tentative and will be scheduling public hearings before plans are adopted. Acquisition of all property has been completed.

Mr. Brooks displayed and explained the conceptual map of the Greenwell Park. A great amount of property was given by Mr. Phillip Greenwell towards the development of a state park with emphasis on the handicapped. The park will be developed in the framework for all people and not exclusively the handicapped. The park will consist of a day use area, boating, and swimming area, farm center area and shelter camping. Activities will be designed for group participation.

In response to a question from Commissioner Dean, Mr. Capper explained that they would be seeking input from other county agencies. Commissioner Dean said it would be in order that appointments be made to obtain any input from Recreation and Parks, Land Use and Development and Planning Commission.

ST. MARY'S RIVER STATE PARK

Mr. Capper stated that this park has been under contract for three years and they are still in the property acquisition process. The park will begin development in five to ten years. Mr. Brooks presented the five year development plan showing the various areas of the park; 310 acre lake, picnic areas, day facilities, with boating and beach area and camping and beach area on the camping side. The park will have a total capacity of 5,000 at peak time.

Mr. Capper closed by stating that the Department of Natural Resources will be in touch with representatives from county government for constructive comments concerning this project.

The Commissioners thanked the above persons for their presentation and offered to be of any assistance to them.

SAVE MARGARET BRENT COMMITTEE

Present: Richard Arnold
Members of the Save Margaret Brent Committee

Mr. Arnold stated that the Committee has been conducting a petition drive on behalf of the Margaret Brent building

and submitted them (consisting of 2,050 names) to the Commissioners. Mr. Arnold requested the Commissioners to intercede on their behalf to try to save Margaret Brent building from being demolished.

Mr. Claude Jarboe stated the condition of the building was due to neglect and stated that the Taxpayers Association was going to appoint a committee to look at other schools in the county.

The Commissioners thanked them for their concern and petitions. The petitions are on file in the Commissioners' Office.

AGREEMENT FOR ANNEX AT LEONARDTOWN MIDDLE SCHOOL

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented the Agreement among Recreation and Parks Board, Board of Education and the County Commissioners for the annex at Leonardtown Middle School. Commissioner Parlett made a motion to sign said agreement, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

CAPITAL PROJECTS

Present: Joseph O'Dell, Budget Officer

Mr. O'Dell distributed copies of project requests from the various county departments for the Commissioners' review. He stated that the Commissioners will have to determine the amount of funds to be encumbered for FY '75 as arrangements will have to be made with regard to the impact of the FY '76 budget.

BOARD OF EDUCATION BUDGET

Present: Joseph O'Dell, Budget Officer

Mr. O'Dell stated that the Board of Education budget will be reviewed tomorrow and stated he would like to be in attendance to pose several questions to the Board of Education. The Commissioners agreed that he should be in attendance.

FY '76 BUDGET REQUESTS AND REVENUES

Present: Joseph O'Dell, Budget Officer

Mr. O'Dell presented a copy of the FY '76 budget requests and projected revenues for the Commissioners' review.

MAINTENANCE MAN FOR DOUGLAS-TUBMAN ESTATES

Commissioner Jarboe made a motion that Paul Raley, Administrative and Logistic Officer, be authorized to allow someone from his maintenance staff to go to Douglas-Tubman Estates, Housing Authority project, and evaluate the maintenance problems and do any minor repairs that are needed, on an as needed, as available basis, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

PROPOSED RESOLUTION FOR TRAILER CAMPS

Commissioner Dean presented a draft of a proposed resolution pertaining to trailer camps which would give direction to the Office of Land Use and Development to follow the mandate of the Zoning Ordinance. Resolution No. 75-24 "Trailer Camps" did not provide any criteria for the Land Use Office to determine what is meant by "existing" trailer camps prior to the adoption of the Zoning Ordinance, May 28, 1974. Commissioner Dean will review this proposed Resolution with the County Attorney in order to obtain his input and comments and to determine what the Commissioners can legally require for proof of "existing" trailer camps.

DRAINAGE DITCHES IN SUBDIVISIONS

Commissioner Dean submitted a list of questions to be answered in order to resolve the problem -- rip-rap vs. asphalt, and recommended that the County use the volunteer services of Chris Hansen to coordinate the gathering of this information for the Commissioners in order for the Commissioners to make a decision. Commissioner Dean made a motion to contact Mr. Hansen to determine if he would be willing to serve on a volunteer basis to gather this information, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

COLTON'S POINT - DUKEHART'S CREEK

The Commissioners discussed the project at Dukehart's Creek, of which opposition had been presented to the Commissioner at their meeting of March 26, 1975. Commissioner Dean suggested that a public hearing be held in that area to obtain community feeling about the project. John Norris, County Engineer will be requested to report to the Commissioners if he had been able to get the Department of Natural Resources to construct the jetty without the recreational facility and to determine what other alternatives the County had.

NURSING HOME EMPLOYEES

Commissioner Dean made a motion that the County take the necessary steps to request the State to evaluate the employment situation at the Nursing Home prior to the Commissioners making a decision to include the Nursing Home employees in the county personnel system, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

Mr. Cox, Chief Clerk, was requested to contact the State to request that they make this evaluation. The Budget Officer was directed to work with the State people on this project.

The Board of County Commissioners adjourned at 5:45 p.m.

Thursday, April 10, 1975

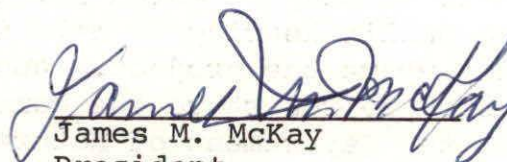
Present: Commissioner James M. McKay, President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe
Commissioner Larry Millison
Commissioner John K. Parlett
Edward V. Cox, Chief Clerk
Joseph O'Dell, Budget Officer

At 8:25 a.m. the Board of County Commissioners convened as the Board of Estimates and conducted Departmental FY '76 budget reviews with the following departments:

Office of County Commissioners
Health Department
Board of Education
Memorial Library
Commission on Human Relations

At 12:45 p.m. the Board of Estimates adjourned.

Approved,


James M. McKay
President