

BOARD OF COUNTY COMMISSIONERS' MEETING

June 4-5, 1975

Wednesday, June 4, 1975

Present: Commissioner John K. Parlett, Vice-President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe
Commissioner Larry Millison

The meeting was called to order at 9:10 a.m. by Commissioner Parlett.

(Commissioner McKay entered the meeting at this time.)

READING AND APPROVAL OF MINUTES

The minutes of May 28, 1975 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

APPROVAL OF BILLS

The following bills were approved by the Commissioners:

Mervell M. Dean, Inc. Application No. 12, for the Nursing Home Project - \$29,160.00;

Transfer from the Contingency Fund in the amount of \$1,680 to the State's Attorney Operating Expense Account, as an adjustment to current fiscal year budget.

Commissioner Jarboe made a motion to approve payment to Mervell M. Dean and the transfer from the Contingency Fund to the State's Attorney's Operating Expense Account, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

DAVID M. GRUBER & COMPANY - PHASE II PROJECT

Present: H. D. McGlade, Comptroller

Mr. McGlade presented billing from David Gruber as follows: Phase II Study, \$1,408.90, Treasurer's Office, Zero District - \$650 and Assessment Office, \$196.25, totalling \$2,255.15. Mr. McGlade, along with Harris Sterling, Finance Director, and Joseph O'Dell, Budget Officer, recommended payment of the bill. Commissioner Dean made a motion to approve payment of the above bill, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

SENATE BILL 1081
ST. MARY'S COUNTY - PARK LAND DEDICATION

Correspondence was received from Senator James Simpson pertaining to Senate Bill 1081, an act concerning St. Mary's County - Park Land Dedication, and suggested prefiling this bill for enactment during the 1976 legislative session and that he would request the Department of Legislative Reference to make it conform to the requirements set forth in the Attorney General's letter of May 9, 1975.

Mr. Cox, Chief Clerk, was requested to make copies of the bill available to the Commissioners to discuss at a later date and to forward a copy of the bill to John Baggett, Director of Recreation and Parks. Mr. Simpson is to be notified that the Commissioners will take this under advisement and would probably include this bill with other items to be prefiled.

ST MARY'S COUNTY FIRE BOARD
MIDDLE DEPARTMENT INSPECTION AGENCY

Correspondence was received from St. Mary's County Fire Board stating they would like to go on record in support of keeping the Middle Department Inspection Agency as the electrical inspection service for St. Mary's County. Mr. Cox is to request the Fire Board to clarify this recommendation. Commissioner Dean advised the Commissioners that the Electrical Examiners Board will be making a recommendation to the Commissioners on this matter.

LONGVIEW BEACH CLUB ASSOCIATION - ROADS

Correspondence was received from the Longview Beach Club Association setting forth questions they would like answered pertaining to the County taking over their roads. This letter is to be referred to County Engineer and County Attorney for comments. Mr. Schrader of the Board of Education is to be contacted for information pertaining to school buses travelling on private roads.

APPOINTMENTS BY THE GOVERNOR

Copies of correspondence were received making appointments by the Governor as follows:

Alcoholic Beverage Board

Gaylord P. Aschenbeck (reappointed)
J. Frank Wilkinson (reappointed)
Mary Virginia Russell (reappointed)

Board of Supervisors of Elections

Guffrie Smith (Substitute Member)
Alfred Gatton (Substitute Member)
Elinor Peabody (reappointed)
Ronald Delahay (appointed)
Paul Balta (appointed)

LORD CALVERT GARDEN APARTMENTS
LEXINGTON PARK

As had been requested at last week's meeting, Mr. Waring forwarded a sample letter to be forwarded to the Maryland Department of Economic and Community Development stating that the Commissioners support the general concept of the Lord Calvert Garden Apartments and that a need exists for garden apartment housing in our County. Mr. Cox was requested to contact Mr. Ken Minor of the Department of Economic and Community Development to obtain information as to the intent of the program.

SHERIFF'S DEPARTMENT - CARNIVALS

Mr. Cox requested the County Commissioners' concurrence with the past practice of the Board of County Commissioners to recognize the volunteer fire department carnivals as items for official Sheriff's Department coverage. Such concurrence would be conveyed to the Sheriff so that he may assign deputies as needed to the various carnivals throughout the summer months. If manpower staffing of the Sheriff's Department does not allow the assignment of the deputies on regular shifts, then overtime would have to be paid to the off-duty deputies. The overtime charges will be to the Sheriff's salary account and adjustments will be made to that account at the end of the fiscal year if necessary. The Commissioners gave their concurrence.

TRI-COUNTY GROUP HOME

Mr. Cox reminded the Commissioners that Board members of the Tri-County Group Home (Loretta House) had appeared before the Commissioners on January 29, 1975 to request funding for the final quarter of FY '76 since state funding will be terminated at the end of the third quarter of FY '76. Mr. Cox informed the Commissioners that Mr. Clark Gravelle, Criminal Justice Planner of Tri-County Council, has intimated that there is a possibility of classifying the Tri-County Group Home as a juvenile justice institution and therefore eligible for state funding as any other criminal justice institution in the State. The Calvert County Commissioners were of the opinion that this is a feasible course of action to adopt and Mr. Cox recommended that the St. Mary's County Commissioners adopt same. The Commissioners were in agreement to this.

CLEARINGHOUSE PROJECTS

Present: H. D. McGlade, Comptroller

EVERGREEN PARK SEWERAGE FACILITIES - Mr. McGlade apprised the Commissioners of the above Clearinghouse project (Applicant: Metropolitan Commission) and advised that the appropriate agencies had been notified. Mr. McGlade requested that he be authorized to sign the Project Summary Notification Review indicating that the project is not inconsistent with our plans. The Commissioners gave their consent.

STATEWIDE TRANSIT PLANNING PROGRAM - Mr. McGlade presented the above Clearinghouse project (Applicant: Department of Transportation). Commissioner Parlett will review said project.

CAPE ST. MARY'S SUBDIVISION
(PROPERTY ON COUNTY ROAD RIGHT-OF-WAY)

Commissioner Dean advised the Commissioners that he received a telephone call from John Balius who is applying to have his house, located in the Cape St. Mary's Subdivision, Holly Lane, financed through the VA. A survey revealed that the house is constructed in part on the County road right-of-way. The VA requested that a letter be sent to them indicating that the municipal authorities do not plan any condemnation proceedings and that there are no liens with respect to the building violation. The VA wants assurance that if they finance this house that the County is not going to initiate litigation against this person because the property is on the right-of-way. The County Engineer and County Attorney are to be requested to look at the situation to determine if there are any potential problems. Commissioner Dean made a motion that if the County Engineer and County Attorney concur that such a letter be forwarded to the VA from the County, that the letter be drafted, and authorize Commissioner President McKay to sign same, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise
Richard Polk, Enterprise
Dick Myers, WKIK
Patty Muchow, Guardian
Brian Murphy, Guardian
Randy Buehler, Beacon
Cable Television

The regular bi-monthly Press Conference was held at this time. Tape of the Conference is on file in the Commissioners' Office.

LIGHTS FOR LEONARDTOWN TENNIS COURTS

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented the application for the lighting for the Leonardtown tennis courts. Commissioner McKay signed same.

ANNUAL REVIEW OF COMPREHENSIVE LAND USE PLAN
AND ZONING ORDINANCE

Commissioner Dean outlined a suggested procedure for the annual review of the Comprehensive Land Use Plan and Zoning Ordinance.

1. The planning Commission will divide up into two subcommittees, who will each select three citizens at large to assist their committee;
2. Each subcommittee should submit a report back to the Planning Commission by July 21;
3. Concurrently with the Planning Commission, the Office of Land Use is to make recommendations for revisions in the Zoning Ordinance;
4. After July 21, the Planning Commission will submit a report to the County Commissioners;
5. The County Commissioners would then hold one or more public hearings;
6. The Commissioners would then proceed to make the necessary revisions.

The Commissioners were in agreement to this procedure.

NATIONAL ASSOCIATION OF COUNTIES
PLANNING SERVICE

Commissioner Dean advised the Commissioners that he had learned that there is an affiliate organization with the NACO comprised of planners and they offer a self-help service to counties such as ours whereby they would bring into the County a team of planners to assess what has gone before, what we are doing now, and what we might do better in the future. This is a service provided at no expense to the County except for travel expenses for the people who would come here. The purpose of this service is to provide the County an opportunity of having additional planning input without bearing the costs of professional consultants. Commissioner Dean recommended that a request be made of the NACO Planning Director to have such a team come to our County and assess our planning function. The Commissioners were in agreement for Commissioner Dean to proceed to find out more details to determine what needs to be done to initiate such a study.

JUDGE RALPH POWERS' DECISION
CONDITIONAL USE IN THE ZONING ORDINANCE

Commissioner Dean advised the Commissioners that the Planning Commission decided to have a special meeting on June 16, for the purpose of discussing whether or not to appeal Judge Powers' decision of May 27 in which he stated that the Board of Appeals, rather than the Planning Commission (as stated in the Zoning Ordinance) has the authority to grant or deny Conditional Uses. Commissioner Dean was of the opinion that the Board of County Commissioners and Planning Commission should have some general agreement on this matter. It was agreed that the Commissioners would meet with the Planning Commission June 5 at 7:30 p.m. in the Commissioners' Conference Room.

RESOLUTION NO. 75-50
HISTORIC DISTRICT COMMISSION

Present: Richard Platt, Director, Land Use and Development

Mr. Platt presented Resolution No. 75-50 "Historic District Commission" for approval by the Commissioners.

Commissioner Jarboe made a motion to adopt Resolution 75-50 "Historic District Commission", said Commission to consist of seven members, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

RESOLUTION NO. 75-51
ST. MARY'S COUNTY LAND USE BOARD

Present: Richard Platt, Director, Land Use and Development

Mr. Platt presented the above Resolution for approval by the Commissioners. Commissioner Parlett made a motion to adopt Resolution No. 75-51 establishing the St. Mary's County Land Use Board, consisting of 15 members, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

EXECUTIVE SESSION TO DISCUSS BOARDS
AND COMMISSION MEMBERSHIPS

Commissioner Parlett made a motion that the Commissioners meet in Executive Session June 16, 7:30 p.m., to discuss membership to the various Boards and Commissions, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

ADVERTISEMENT FOR REZONING OF LEONARD HALL PROPERTY

Commissioner Parlett reported to the Board that Dick Myers of the Leonardtown Planning Commission has inquired if the County would pay the cost for publishing two notices for the rezoning of the Leonard Hall property to be held June 26 at 7:30 p.m. by the Leonardtown Planning Commission and July 14 at 7:30 p.m. by the Leonardtown Commissioners.

Commissioner Parlett made a motion to pay the cost of advertisement, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

JOINT MEETING OF COUNTY COMMISSIONERS
CALVERT, CHARLES AND ST. MARY'S

Commissioner Parlett suggested the possibility of joint meetings with the three Boards of County Commissioners from Calvert, Charles and St. Mary's to discuss common problems. Commissioner McKay suggested that the meetings be held on a rotating basis at each Courthouse on a quarterly or twice-yearly basis. Mr. Cox was instructed to contact the other two counties to see if they would be interested in such meetings.

PLACEMENT OF RAILROAD RIGHT-OF-WAY - ROUTE 235
SCHEDULING OF PUBLIC HEARING

John Norris, County Engineer, was requested to schedule a Public Hearing June 26, 1975 at 7:30 p.m. at the Oakville Elementary School with regard to the placement of the railroad right-of-way associated with the dualization of Route 235.

USE OF MOBILE SIGNS

Commissioner Dean suggested that Mr. Platt be requested to give an extension to Mr. Bill Thomas and allow him to continue to use his mobile signs until the update of the Zoning Ordinance, at which time this problem should be addressed. The only alternative would be for Mr. Thomas to go to the Board of Zoning Appeals.

CAMPING AT PINEY POINT

Present: Mr. Robert Swann
Mr. John Pleisse
Clarence Fox, Health Department
David Wessinger, Health Department
Richard Platt, Director, Land Use and Development
John Baggett, Director, Recreation and Parks

Mr. Pleisse stated that Mr. Swann had been advised by the Office of Land Use and Development that he could not operate a camper park at Piney Point because of Health Department regulations and that it was a nonconforming use according to the Zoning Ordinance. Mr. Pleisse explained that Mr. Swann has not been operating a camper park in that he has not been charging anyone to camp there. Also, the County leases one acre from Mr. Swann and the County owns the prime property in that area adjacent to Mr. Swann's property. However, Mr. Swann is willing to work to comply with the health regulations and with the Zoning Ordinance with regard to his property. Mr. Swann cannot enforce "No Camping" on the County-owned property. Mr. Pleisse added that the County should value this property as a campground based on the fact that tourism, camping and recreational facilities are important to this County, especially in that area.

Mr. Platt explained that once his nonconforming uses are identified, Mr. Swann has several options open to him, which he would be willing to work with him to try to evaluate what is involved. Mr. Wessinger explained the requirements of the Health Department and that the facilities that are on Mr. Swann's property need to be evaluated and that the Health Department would be willing to work with Mr. Swann.

The Commissioners agreed that signs should be posted to designate "No Camping" on the County-owned property and that Mr. Swann should work with the Health Department and Land Use Office to comply with their regulations.

SIGNING OF CONTRACT - SURFACING OF LANDFILL ROADS
DEAN CONSTRUCTION COMPANY

Present: John Norris, County Engineer

Mr. Norris presented the contract with Dean Construction Company for the surfacing of the roads at the Valley Lee Transfer Station and St. Andrew's Landfill. Commissioner McKay signed same.

UTILITIES AT LEONARD HALL

Present: Paul Raley, Director, Administrative & Logistic Services

Mr. Raley came before the Commissioners to discuss the utility situation at the Leonard Hall buildings:

Electricity - Mr. Raley stated that at the time of the County's purchase, Buildings 1, 2 and 4 were to be put in the County's name. It has now been discovered that Building No. 4 and the school building are on the same meter and that the school has been paying the electric bill for Building No. 4 for the County since the time of purchase. The electric company said it was not feasible to put Building No. 4 on a separate meter and recommended that Building No. 4 and the school building electric bill be paid by the County. The school has agreed to pay the County, beginning May 5, \$70 per month for the electricity. In addition, the County should reimburse the school for the past year's electric bill in the amount of \$827.47.

Plumbing and Electricity at Drillhall - Mr. Raley explained that when the Leonard Hall Junior Naval Academy was requested by the past Board of Commissioners to move out of Building No. 4 they went to the Drillhall. This move necessitated some electrical and plumbing work at the Drillhall for the school to have proper dining facilities. Mr. Raley explained the misunderstanding concerning the bill for these repairs (Copsey Plumbing and Heating in the amount of \$340.03 for plumbing and Leonard Harding in the amount of \$249.48 for electricity). Mr. Raley said that to his knowledge the former Commissioners had been informed of this bill but did not authorize the payment because they had no knowledge of the bill. Commissioner McKay stated that in order to clear this up, that Commissioner Bowles should be contacted to determine what the past Commissioners' understanding had been concerning these bills.

Water/Sewage and Trash Collection - Mr. Raley stated that the meter is broken and there was no way of checking how much water was being used. The town agreed to charge minimum costs. Mr. Raley recommended that the County reimburse Leonard Hall School for one-half of the bill from the third quarter of 1973

up to and including the fourth quarter of 1974 (six quarters at \$65.05 per quarter, totalling \$390.30; the County's share being \$195.15).

Commissioner Dean made a motion that the County pay one-half of the cost for trash removal and water and sewage - \$195.15, and that the County reimburse the Leonard Hall School for the electricity for the period August 1973 to May 1975 in the amount of \$827.47, seconded by Commissioner Millison. The vote was four in favor of this motion with Commissioner Parlett abstaining.

Commissioner Jarboe made a motion that the County accept \$70 per month from the School for electricity being used by the School, seconded by Commissioner Millison. The vote was four in favor of this motion with Commissioner Parlett abstaining. Paul Raley was requested to have the electric meter put in the County's name.

The Town Commissioners are to be requested to bill the County separately from the School for the water and sewage and trash collection.

TELEPHONE SURVEY

Present: Paul Raley, Administrative and Logistic Director

Mr. Raley distributed the survey report conducted by the C & P Telephone Company. Mr. Raley recommended that the offices that are moving to Leonard Hall have our present system installed there rather than private lines, to which the Commissioners agreed.

BIDS ON FORD TRUCK AND ROTOR MIST SPRAYER

Present: Paul Raley, Director, Administrative and Logistic Service

Mr. Raley stated that bids were opened for the sale of one 1964 Ford Truck and one John Bean Rotor Mist Sprayer on June 3. Bids were as follows:

<u>Name</u>	<u>Sprayer</u>	<u>Truck</u>
R. Johns Dixon	\$250	\$100
Aloysius Lathroum	\$ 26	\$ 75
Joseph A. Thompson, Jr.	---	\$ 50

Mr. Raley recommended that the bid be awarded to Mr. R. Johns Dixon, the highest bidder, for the sprayer and truck.

Commissioner Jarboe made a motion to accept Mr. Raley's recommendation, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

BIDS FOR CARPETING FOR BASEMENT AND
STAIRWAY AT LEONARD HALL

Present: Paul Raley, Director, Administrative & Logistic Services

Mr. Raley stated that bids were received as follows for the carpeting for the basement and stairway at Building No. 4 at Leonard Hall:

Griffin Carpeting for 458.22 square yards - \$4,123.39
Raley Sales Center for 408 square yards - \$4,569.60

Mr. Raley recommended awarding the bid to the lowest bidder, Griffin Carpeting. Commissioner Millison made a motion to accept Mr. Raley's recommendation, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

COUNTY SEAL

Present: Paul Raley, Director, Administrative & Logistic Services

Mr. Raley presented the County Seals to the Commissioners explaining that they cost .24¢ each and that the public should be charged .50¢ each. The Commissioners agreed that the Historic Society, St. Clements Museum and other appropriate agencies should be charged .24¢ each, allowing them to sell them at .50¢ each.

The meeting recessed at 5:00 p.m.

Thursday, June 5, 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 reconvened at 9:15 a.m.

LETTER TO BOARD OF EDUCATION RE: BUDGET

Present: H. D. McGlade, Comptroller
Joseph P. O'Dell, Budget Officer
Harris Sterling, Finance Director

Mr. O'Dell presented the letter addressed to the Board of Education approving their budget for 1975-76 fiscal year budget in the amount of \$16,023,981. The Commissioners made suggested changes to the letter. Mr. O'Dell will represent the letter at next week's meeting.

SELECTION OF AUDITING FIRM

Present: H. D. McGlade, Comptroller
Joseph O'Dell, Budget Officer
Harris Sterling, Finance Director

Mr. McGlade presented the list of proposals from firms for the County audit, and the Soil Conservation Service.

Commissioner Jarboe made a motion to select the firm of Wooden & Benson of Baltimore, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

MEMBER AT LARGE - TRI-COUNTY COUNCIL

Commissioner Parlett stated that the Tri-County Council needed reconfirmation for the appointment of the member at large and that J. Frank Raley has been the member at large. Commissioner Jarboe made a motion to reappoint J. Frank Raley, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

YOUTH SUMMER EMPLOYMENT PROGRAM

The Commissioners made several suggestions pertaining to the Youth Summer Employment Program as had been presented by Robert Wentworth, Executive Secretary, Youth Commission, at last week's meeting.

1. That the youths be farmed out to various agencies and they be under the supervision of that agency.

2. That there be two mobile teams of three, one of which would be a working supervisor.

3. The following agencies should be contacted by Robert Wentworth to determine if they could use youths: Recreation and Parks (including recreational facilities at Housing Authority project), Metropolitan Commission, Board of Education (maintenance and tutoring), St. Clements Island Museum and Outdoor Drama.

Commissioner Dean suggested that Bob Wentworth be Project Director of the Program and that there be two working supervisors.

Commissioner Dean stated he would meet with Mr. Wentworth to give him guidance for the Program.

HIRING OF PLANNER

Commissioner Jarboe made a motion that we begin advertising for the position of Planner with a Maryland State Planner III classification, Grade 15, seconded by Commissioner Dean. The Commissioners voted four to one with Commissioner Millison voting against.

Mr. Cox was requested to screen applicants and the Commissioners would conduct the interviews.

LETTER TO ECONOMIC AND COMMUNITY DEVELOPMENT
LORD CALVERT APARTMENTS

Commissioner Jarboe made a motion that the Commissioners sign the letter to the Department of Economic and Community Development approving the general concept of the Lord Calvert Apartments as had been requested by Henry T. Waring, seconded by Commissioner Millison.

The Commissioners agreed to table the signing of this letter until after Mr. Ken Minor of the Department of Economic and Community Development appears before the Commissioners on June 19, 1975 to explain the general program and the guidelines.

CLEARINGHOUSE PROJECT
RETIRED EXECUTIVE PROGRAM

Present: H. D. McGlade, Comptroller

Mr. McGlade came before the Commissioners stating he had completed gathering the information as had been requested by the Commissioners and that the response to State Clearinghouse was prepared for Commissioner McKay's signature. The Commissioners approved and Commissioner McKay signed same.

CONTINUATION OF REZONING HEARING
REZONING HEARING NO. 74-14A
MAYJACK, INC.

Present: Bill Loker of Mayjack, Inc.
Sterling Tennison (opponent)

The Commissioners conducted the continuation of the rezoning hearing, which was held May 21, 1975 upon the application of Mayjack, Inc. to have Parcel No. 6 and No. 202, consisting of 4.1 acres, located on the west corner of intersection of Route 235 and Chancellors Run Road, Eighth Election District, rezoned from C-1 to C-2.

Mr. Loker presented Return Receipts for the notification to landowners within 200 feet of the subject property.

Mr. Loker explained that prior to the adoption of the Zoning Ordinance, the subject property was zoned "Commercial," which permitted uses now prohibited by the C-1 classification of the present Zoning Ordinance, and therefore felt there was a mistake in zoning.

Mr. Tennison protested to the rezoning of this property and presented a letter from Mrs. Lillian Tennison, widow of J. C. Tennison, opposing said rezoning.

Commissioner Dean requested Mr. Platt to put all the facts in writing to substantiate that there was or was not a mistake in zoning.

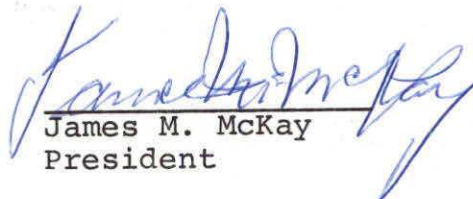
Commissioner McKay inquired if there were any other opponents or proponents. Hearing none, the case was closed. A tape of the hearing is on file in the Commissioners' Office.

RECIPROCAL AGREEMENT
BOARD OF ELECTRICAL EXAMINERS

Commissioner Dean presented a copy of a Reciprocal Agreement drafted by the Electrical Examiners Boards of Calvert, Charles and St. Mary's County, whereby the three counties would recognize the Master Licenses from each county. The Commissioners should review the proposed agreement and make comments at next week's meeting.

The meeting adjourned at 12:10 p.m.

Approved,


James M. McKay
President