

BOARD OF COUNTY COMMISSIONERS' MEETING

October 15-16, 1975

Wednesday, October 15, 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 came to order at 9:20 a.m.

READING AND APPROVAL OF MINUTES

The minutes of October 8-9, 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.

ENCUMBRANCE VOUCHERS (BILLS)

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the Encumbrance Vouchers for the Commissioners' review and approval. Commissioner Jarboe made a motion to authorize payment of the Encumbrance Vouchers, as submitted, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

TAX RECEIVABLE ANALYSIS PRINTOUTS

Present: Harris Sterling, Director of Finance

Mr. Sterling advised the Commissioners that Mr. O'Dell, Budget Officer, has contacted Charles County Community College and they will be in St. Mary's County next week to advise what services they could provide us and the cost with regard to the tax receivable analysis printouts. David M. Gruber & Company has been contacted and they will be submitting a proposal for costs for this service. In addition, Mr. Gruber advised that they are keeping the original card bank, which is the property of St. Mary's County, in safekeeping until it is needed by the County.

RECREATION & PARKS SUPERVISOR

Present: John Baggett, Director, Recreation & Parks
Judy Roa, Recreation & Parks Board
Mary Ruth Horton, Recreation & Parks Board

The Commissioners agreed to meet in Executive Session in order to discuss personnel with the above persons.

ST. MARY'S COUNTY NATURAL DISASTER PLAN

Present: Otis Wood, Acting Director, Civil Defense

Mr. Wood distributed draft copies of the County's Natural Disaster Plan to each of the Commissioners for their review and comments. He stated that he would be returning to the Commissioners in two weeks to obtain their input.

REQUEST FOR REIMBURSEMENT OF BUILDING PERMIT FEE
PATUXENT RIVER ASSEMBLY OF GOD

Mr. Cox presented correspondence from Rev. Bonnici of the Patuxent River Assembly of God dated September 30, 1975 requesting the Commissioners' consideration for reimbursement of the building permit fee in the amount of \$36.00 for a mobile classroom to be installed at the Church. Dan Raley of the Land Use Office has verified that this would be in compliance with the Commissioners' Resolution No. 75-53, "Abatement of Building Permit Fees".

Commissioner Jarboe made a motion to refund the \$36.00 to Rev. Bonnici for building permit fee cost, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

DONATION OF LAND - MRS. SHERMAN and MRS. CRAMER

Mr. Cox brought to the Commissioners' attention a memorandum from John Baggett, Director, Recreation & Parks, stating that he and John Hall of Soil Conservation Service visited the sites of the proposed donations of property by Mrs. Sherman and Mrs. Cramer, as had been requested by the Commissioners. In that there appeared to be drainage problems and other situational problems, Mr. Baggett recommended that the Commissioners not accept the donations of these properties for recreational purposes.

Commissioner Parlett made a motion that, based on Mr. Baggett's recommendation, the Commissioners notify Mrs. Sherman and Mrs. Cramer by letter that, due to the fact that the soils are not suitable for possible use by the County, the County appreciates their offer but will have to decline the donations of these lands; seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

Mr. Cox was directed to prepare the above-mentioned letters for Commissioner McKay's signature.

MACO CONFERENCE FOR ADMINISTRATIVE OFFICERS

Mr. Cox requested permission from the Commissioners to attend the MACO Administrative Officers Conference in Hagerstown October 23-24. Commissioner Dean made a motion granting this request, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

PROCLAMATION No. 75-66
NATIONAL BUSINESS WOMEN'S WEEK

Present: Mary Novotny)
Elsie Hughes)
Dorothy Stringer) Margaret Brent Business and Professional
Judy Caddy) Women's Association
Dottie Barclift)

The Commissioners presented Proclamation No. 75-66 to the above persons proclaiming the week of October 19th through October 25th, 1975 as National Business Women's Week.

PRESS CONFERENCE

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

At this time the regular semi-monthly Press Conference was held. A tape of the Conference is on file in the Commissioners' Office.

AGREEMENT FOR TRI-COUNTY DETENTION FACILITY AT HUGHESVILLE

Present: Clark Gravelle, Criminal Justice Planner, TCC

Mr. Gravelle presented the above Agreement for Commissioner McKay's signature. Commissioner McKay signed same.

(Commissioner McKay left the meeting at this time to attend a MACO meeting in Annapolis concerning the Legislative Package for the 1976 Legislative Session. Commissioner Vice-President Parlett presided over the meeting.)

COMMISSION ON AGING - FOOD CONTRACT

Present: Mrs. "Billie" McGaharn, Executive Secretary, Commission on Aging

Mrs. McGaharn presented for the Commissioners' review and signature the Agreement between the Commission on Aging and Board of Education for food service for Senior Citizen Program.

After review of the Agreement, Commissioner Jarboe made a motion to approve the Agreement, contingent upon receiving the County Attorney's signature; seconded by Commissioner Dean. All Commissioners present voted in favor.

The Commissioners requested Mrs. McGaharn to try to check with other sources to obtain a better price per meal cost.

TRANSPORTATION FOR COMMISSION ON AGING PROGRAM

Present: Mrs. "Billie" McGaharn

Mrs. McGaharn advised the Commissioners that the Commission on Aging Program has two buses; however, that transportation is constantly a difficulty. She inquired of the buses that had been confiscated by the Sheriff and appealed to the Commissioners to consider the Commission on Aging for one of these buses. Commissioner Parlett explained that the State's Attorney has not taken any action on the buses at this time.

ST. MARY'S RIVER WATERSHED PROJECT

Present: John Hall, Soil Conservation Service

Mr. Hall explained to the Commissioners that the Site Plan for the Watershed Project calls for five dams. The County is required to acquire the land sites, either by buying the land and have use of the lakes, buy all of the land, or obtain easements on all of the land letting the lakes belong to the people who own the land or who may own it in the future. This can be done on any of the three dams at Sites 3, 4, and 5. He further stated that rights have to be acquired prior to construction. Mr. Hall explained that Site 3 is very important for sediment control and flood control; however, they will have definite benefits to the estuary.

In discussing the obtaining of land rights, Mr. Hall stated it was the County's responsibility; however, Soil Conservation Service will assist by checking the plans and property descriptions to make sure they are in agreement with the property to be acquired. In response to a question from Commissioner Jarboe concerning available open space monies for the acquisition of sites, Mr. Baggett stated that open space monies would be available on a particular project approval if enough land were purchased and if easements would contribute to a facility for public use. Mr. Hall indicated that there was a necessity of having a geological study made to determine if the dams can be built at this location. The Commissioners were of the opinion that this study should be made prior to the Commissioners making a decision as to acquisition.

Commissioner Parlett mentioned the Commissioners going to the Gilbert Run Site in Charles County and that perhaps John Hall would like to go along to answer questions.

Commissioner Dean stated that there are two questions to resolve:

- (1) Is the need for the five dams as originally envisioned in the Agreement signed in 1969 still the same?
- (2) What will be the method of acquisition - easement or purchase?

Mr. Hall stated that when the State Soil Conservation people come down to visit the Watershed site with the Commissioners, these questions can be discussed with them.

BUILDING COMMITTEE

Commissioner Parlett advised that the Building Committee met on October 10 and appointed Ed Long as Chairman. Two meetings have been scheduled - October 19 to tour the Courthouse and Leonard Hall, and a regular meeting on October 20.

MDIA AGREEMENT

Commissioner Dean presented a revised copy of the Agreement between MDIA and St. Mary's County regarding electrical inspection for the County.

Commissioner Dean requested that the Agreement be typed in final for the County Attorney's review and approval as to legal sufficiency and that a representative from Middle Department Inspection Agency be invited to appear before the Commissioners for a signing ceremony.

PROPOSED LEGISLATION - NO LOITERING LAW

Commissioner Dean stated that the questions before the Commissioners concerning this legislation are as follows:

- (1) Are existing laws sufficient to deal with the problem?
- (2) Can a law be drafted which would have County-wide application and, at the same time, be constitutional?

Speaker Briscoe, Sheriff Sanger, Lt. Muchow, Ernest Bell - County Attorney, and State's Attorney George Sparling should be invited to appear before the Commissioners to comment on these questions.

PROPOSED LEGISLATION - BINGO BILL

Commissioner Jarboe recommended that the State's Attorney be requested to comment on the proposed Bingo Bill.

GUARANTEEING OF LOANS FOR FIRE DEPARTMENTS

Commissioner Dean inquired as to the status of the investigation of the proposed legislation guaranteeing loans for fire departments. Mr. Cox advised that the County Attorney was investigating what effect it would have on the County's financial status. Commissioner Dean requested that the County Attorney determine how much of a percentage of reduction the fire departments could obtain.

MEDICAL EXAMINER'S FEE

Correspondence dated September 17, 1975 was received from Dr. William Boyd, Sr. relative to the Medical Examiner's Fee. He has been receiving \$35.00 per case for the past nine years, and is requesting an increase to \$50.00 per case, which would be in line with other Medical Examiners throughout the State.

The Commissioners agreed to table this matter until next week and to request Mr. O'Dell, Budget Officer, to determine what budget this would come from and how many cases there are per year.

TELEPHONE SERVICE - WICOMICO SHORES

Commissioner Dean advised that a copy of correspondence dated September 29, 1975 was received from residents in Wicomico Shores addressed to the C&P Telephone Company regarding service at Wicomico Shores, and it should be determined whether the residents have received a reply and, if so, what the reply was.

TITLE I PROJECT - EDUCATIONAL ASSISTANCE TO LOCAL PLANNING BOARDS

With regard to Miss Pat Maher's presentation to the Commissioners at their meeting of October 1, 1975, Commissioner Dean recommended submitting the following projects to Miss Maher for technical assistance and to request if her department could compile existing information that is available on these topics:

- (1) On-site sewage treatment plan other than septic systems;
- (2) Groundwater management;
- (3) Techniques for managing population growth in rural areas and preserving agricultural land.

Mr. Cox, Chief Clerk, was requested to handle this.

PROPOSED LEGISLATION - OPEN MEETINGS ACT (JOURNALIST ASSOCIATION)

Present: Jack Kershaw, The Enterprise
Bill Caffey " "
Janet Shaffron " "
Sunny Mays Schust "
Richard Polk "
Randy Buehler, The Beacon
Dick Myers, WKIK
Brian Murphy, The Guardian

At this time the Commissioners reviewed the revised draft of the proposed Open Meetings Act legislation as prepared by Commissioner Dean and revisions to that draft by the Journalist Association. The Commissioners requested the Journalist Association to redraft the legislation and return to the Commissioners on October 29th to discuss same.

In closing, Commissioner Dean stated that he supported the concept of the bill and that, in writing a law, it should be devoid of personalities. The intent of the law should not be written in such a way that would be an instrument of harrassment to elected and appointed officials and should not hamstring government.

TRI-COUNTY YOUTH SERVICES BUREAU

Present: Dr. Schor
Robin Guyther
Dr. Van Aalst
Barbara Manahow

In that Dr. Schor will be leaving as Director of the Tri-County Youth Services Bureau, he wished to thank the Commissioners for their support and expressed a desire that the Commissioners would continue their support in the future of the Youth Services Bureau.

Mr. Guyther stated that Barbara Manahow will be filling in during the interim as Acting Director until a Director is hired.

Dr. Schor stated he has been sitting in as temporary Chairman of the St. Mary's County Mental Health Advisory Committee and, of the three Counties, St. Mary's County is the most advanced in the area of mental health. Dr. Schor suggested that the Commissioners give consideration to the long-range plan of a community mental health facility in the Tri-County area.

In closing, the Commissioners expressed their appreciation to Dr. Schor for his services to the County.

NEWTOWN NECK REZONING - CASE No. 75-2
(CALEDON DEVELOPMENT CORPORATION)

Present: Joseph Weiner, Attorney for Caledon
Mr. Whitfield, Caledon Development
Dennis Webster " "
David DeVilliers " "
Mr. Inabanet, Wilbur Smith Associates
Richard Platt, Director, Land Use & Development
Joseph Gough, Chairman, Planning Commission

Representatives from Caledon Development Corporation appeared before the Commissioners and Mr. Whitfield, spokesman for the group, explained to the Commissioners that, through the oversight of Caledon Development Corporation, notices were not sent to adjacent property owners as required by the St. Mary's County Zoning Ordinance.

The County Attorney was requested to attend the meeting and, after some discussion, the Board of County Commissioners announced that a new hearing date is established for November 12, 1975 at 2:30 pm and that all legally prescribed advertising and sending of notices should be effected by Caledon Development Corporation.

A tape of the above discussion is on file in the Commissioners' Office.

PROCLAMATION No. 75-67
NATIONAL CATHOLIC DAUGHTERS OF AMERICA DAY

Present: Mary Loretta Norris
Mary Lillian Hewitt
Eleanor Mae Guy

The Commissioners presented Proclamation No. 75-67 to the above persons proclaiming October 19, 1975 as National Catholic Daughters of America Day.

INTERVIEWS FOR PLANNER

At this time the Commissioners conducted interviews with two applicants for the position of Planner.

The meeting recessed at 5:00 pm.

Thursday, October 16, 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 9:10 am.

LEONARD HALL REZONING

Commissioner Parlett reported that John Norris, County Engineer, attended the rezoning hearing for Leonard Hall Monday evening, October 13th, and the Leonardtown Commissioners, at the recommendation of the Town Planning Commission, approved the rezoning from PUD to Single Family with Conditional Uses. Commissioner Parlett stated he has requested Dick Myers of the Leonardtown Planning Commission and Ernie Bell, County Attorney, to advise the Commissioners as to the necessary paperwork for the Conditional Uses.

ANTI-PUBLIC DRINKING ORDINANCE

Commissioner Jarboe submitted a draft of a proposed Anti-Public Drinking Ordinance for the Commissioners' review and comments. After suggested changes were made, Commissioner Jarboe requested that the Ordinance be typed in draft form for the County Attorney's review and comments, after which time it should be resubmitted to the Commissioners for action.

REVISED STATEMENT OF PROPERTY VALUES FOR INSURANCE COVERAGE

Present: Harris Sterling, Finance Director

Mr. Sterling presented the revised Statement of Property Values as of October 1975, prepared for the Commissioners' review and approval by the Insurance Buyers Council. The schedule is estimated on a replacement cost less 10%.

The Commissioners discussed the possibility of obtaining increased liability insurance coverage and requested Mr. Sterling to obtain costs for this increase.

Commissioner Dean made a motion to approve the increased appraisals of the County-owned property and authorize Mr. Sterling to request our insurance carrier to provide the additional coverage as recommended by the Insurance Buyers Council, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

LETTER TO DEPARTMENT OF TRANSPORTATION - VALLEY ROAD

Commissioner Jarboe made a motion to authorize Commissioner McKay to sign and forward the letter to the Maryland Department of Transportation concerning the entrance to Valley Road and Route 235, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

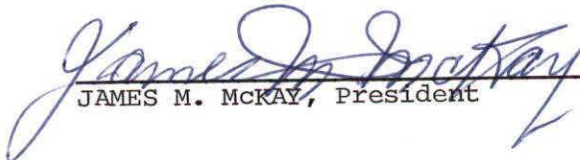
APPROVAL OF ENCUMBRANCE VOUCHER

Present: Harris Sterling, Finance Director

Commissioner Jarboe made a motion to approve Encumbrance Voucher No. 5265, payable to Francis G. Cecil for fees for September notifications, dog tags and auto tags, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

The meeting adjourned at 9:55 am. At this time the Commissioners visited the Watershed Sites at Great Mills.

Approved:



JAMES M. MCKAY, President