

BOARD OF COUNTY COMMISSIONERS' MEETING

September 10-11, 1975

Wednesday, September 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  
Judith A. Mullins, Recording Secretary

READING AND APPROVAL OF MINUTES

The minutes of September 3-4, 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.

APPROVAL OF BILLS (ENCUMBRANCE VOUCHERS)

Present: Harris Sterling, Finance Director

Mr. Sterling presented encumbrance vouchers for the Commissioners' review and approval. Commissioner Jarboe made a motion to approve the submitted encumbrance vouchers, with the exception of Voucher No. 4426, payable to Mr. Richard Platt, for further clarification, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

Commissioner Dean made a motion to approve Voucher No. 4241 payable to St. Mary's Beacon, which had been withheld last week for clarification, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion. Mr. Sterling noted that Voucher No. 3766, payable to Frank Combs, which had been withheld last week, had been voided.

FEDERAL SURPLUS PROPERTY - SMITH CREEK

Correspondence dated September 4, 1975 was received from General Services Administration stated that approximately 14.44 acres known as Lower Potomac River Land, located at Saint Inigoes Neck on Smith Creek have been determined to be surplus Government-owned property and available for disposal.

Some of the Commissioners along with John Norris, John Baggett and Dr. VanAalst will view the property Sunday to determine if the County could use this land.

RANK ASSIGNMENT - SHERIFF'S DEPARTMENT

Present: Sheriff George Sanger  
Joseph O'Dell, Budget Officer

Sheriff Sanger stated he had reviewed the recommendations by the selection committee for the rank assignments in the Sheriff's Department and these recommendations met his approval.

In discussing the salaries relative to these assignments, Commissioner Millison noted that according to salary schedule, it would mean an average increase of \$1330.70 (including cost of living increase).

Commissioner McKay expressed the desire for an agreement between the deputies and the County Commissioners that there would not be a work "slow-down" or strike as long as all conditions of the personnel systems are met. The Sheriff gave his concurrence to this.

At the request of Commissioner Dean, the Commissioners agreed to defer their decision on the rank assignments.

DISABILITY TAX CREDIT

Present: Robert Lee Owens)  
J. Alfred Abell ) Tax Assessment Appeal Board  
Clarence Bell )  
William Lawrence, Supervisor of Assessments  
June Murray, Secretary

The above persons came before the Commissioners to request the Commissioners' consideration on several real property tax credit cases that are not qualified under the new Circuit Breaker Property Tax Relief Law. There are approximately 15 cases involved.

Relevant to this, Commissioner Dean made a motion to adopt Resolution No. 75-62 establishing a tax credit from real property for homeowners by reason of disability, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

In closing it was agreed that in cases of those who are disabled and do not receive benefits under Circuit Breaker Law or Resolution No. 75-62, they would be considered on an individual basis with recommendations from the Tax Assessment Appeal Board.

NATURAL DISASTER PLAN - OFFICE OF CIVIL DEFENSE

Present: Otis Wood, Acting Director, Civil Defense  
Major Ellison )  
Robert Connolly ) Md. Civil Defense  
Colonel E. B. Cheston )

The above persons came before the Commissioners to discuss the establishment of a natural disaster plan for St. Mary's County. This plan would involve disasters as a result of enemy attack, but rather floods, tornadoes, etc. A federal law passed in 1974 grants assistance to the states and local governments in the event of natural disaster and it is this law that has made it necessary for a great many changes in the local and State Civil Defense Plan.

Col. Cheston, after summarizing the scope of the activities required by the formulization of a local Plan, requested the Commissioners' approval to solicit information from the various county agencies and departments.

Commissioner Dean made a motion to authorize consultants for the Civil Defense to proceed with the formulization of the natural disaster plan and to request all departments to extend their cooperation in providing the necessary information, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

Col. Cheston referred to Resolution No. 75-59 "Civil Defense and Disaster Preparedness Agency - St. Mary's County" with regard to delegation of authority in the event of disaster and requested permission to proceed on this basis. The Commissioners gave their concurrence.

RAILROAD RIGHT-OF-WAY

Present: Craig Colton, University of Maryland - Recreation Dept.  
Marvin Joy, Bicentennial Commission  
Nick Smith, Chamber of Commerce  
John Baggett, Director, Recreation and Parks

Mr. Colton stated that the State Bicentennial Commission in coopertaion with other groups fund various studies of possibilities of Bicentennial projects. The recreational uses of the railroad bed was accepted for study.

Commissioner Dean advised Mr. Colton of the committee formed to study various aspects of the railroad right-of-way, which committee Mr. Baggett will be chairing.

Mr. Colton stated he would attend as many of the committee's as possible. Commissioner Dean stated that prior to a policy being adopted with regard to the railroad bed, a public hearing would be held and requested that the media help publicize the fact that the committee would be interested in obtaining citizen input.

Commissioner Millison suggested that adjoining property owners be notified of the county's intent in this regard.

In closing, Mr. Colton stated he would contact the County Engineer to determine the length of the railroad bed and whether all tracks and ties have been removed.

ST. ANDREWS CHURCH ROAD PROPERTY - ROLLINS BENNETT

Present: Rollins Bennett  
Mrs. Paul Bennett (power of attorney)  
Paul Raley, Administrative and Logistics Officer

Mr. Bennett came before the Commissioners to ascertain whether the County was interested in opening up the road off of St. Andrews Church Road which had deeded to the County in 1969.

Mr. Raley gave the history of this road stating that the County had leased property in 1968 from Mr. Bennett and Mr. Ricketts for \$600 per year for six years for a potential landfill location.

The deed for the road leading to this land was drawn up at the same time; however, the land would not pass the "perc" test and the property reverted back to Mr. Bennett at the end of the lease. Commissioner McKay noted that the Deed accepting the road into the County System was not dated and was not signed by the County.

Commissioner Dean raised the question that if the road had been constructed as an access to the landfill and the property was never used as a landfill would the County still own the land.

Mr. Raley was requested to contact the County Attorney to determine ownership of the road as described in the Deed and to the validity of the Deed. Mr. Bennett will be advised of this determination.

UPDATE OF COMPREHENSIVE WATER AND SEWER PLAN

Present: Richard Platt, Director, Land Use and Development  
Mike Marlay, Director, Metropolitan Commission  
Walter Raum, Health Department  
Dr. William Marek, Health Department

Mr. Platt presented a letter dated September 10 to the Commissioners in which he recommended that the undertaking of the Comprehensive Water and Sewer Plan be accomplished in-house with assistance provided by contracted technician under the direction of the staff committee formed as previously discussed at the Commissioners' meeting of August 27. The Commissioners will take this under advisement.

ZONING REGULATION VIOLATIONS

Present: Richard Platt, Director, Land Use and Development

In view of the fact that Mr. James Chauncey Watts and Mr. Thomas Meidzinski had not complied with the terms agreed to at the Commissioners' meeting of July 30, the Commissioners requested Mr. Platt to contact the County Attorney to take whatever legal action necessary.

PLANNER'S POSITION

Present: Edward V. Cox)  
John Norris ) Planner Selection Committee  
Dick Myers )

Mr. Cox explained the screening and interviewing process with regard to the position of County Planner and stated that it was the committee's recommendation to readvertise this position and requested permission to set the salary at "negotiable" rather than a set figure.

It was the consensus of the County Commissioners to accept the committee's recommendation to readvertise and negotiate the salary for the position of County Planner.

HEATING FOR BUILDING NO. 2 - LEONARD HALL

Present: John Norris, County Engineer

Mr. Norris stated he solicited proposals from three firms for the heating of Building No. 2. Proposals were as follows:

Owens Electric	\$725
Tom's Electric Co.	\$945
Leonard Harding, Jr.	\$735

Mr. Norris recommended that the Commissioners award the contract to Owen's Electric in the amount of \$725.

Commissioner Jarboe made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Dean. All Commissioners voted in favor of the motion.

HEATING FOR BUILDING NO. 4 - LEONARD HALL

Present: John Norris, County Engineer

As had been requested by the Commissioners, Mr. Norris stated he solicited additional proposals for the heating of the upper level of Building No. 4 at Leonard Hall, but was not successful; however, Winter's Sheet Metal agreed to reduce their proposal from \$3700 to \$3300 and Mr. Norris recommended that the Commissioners accept this proposal from Winter's Sheet Metal.

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

ENGINEERING INSPECTIONS

Present: John Norris, County Engineer

Mr. Norris informed the Commissioners that the inspection services of Mr. Robert Trautman should not be charged to Salaries Account, and therefore recommended the establishment of a Highway Inspection Account to which would be transferred funds from the Contingency Fund approximately in the amount of \$4700 to cover the cost of Mr. Trautman's inspection services.

Commissioner Jarboe made a motion to transfer \$4700 from the Contingency Fund to Highway Inspection Account, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

TRUCK FOR MAINTENANCE CREW

Present: Paul Raley, Director, Administrative and Logistics Services

Mr. Raley explained that the maintenance people have been working out of their own trucks and stated he had been attempting to obtain one of the confiscated vehicles from the Sheriff's Department but has been unable to do so. Mr. Raley recommended that he be authorized to proceed to advertise for the purchase of long-wheeled base 1975 Van for the Maintenance Department.

The Commissioners authorized Mr. Raley to proceed and obtain bids for various vehicles, new or reconditioned.

FLORESCENT LIGHTING AT LEXINGTON PARK HEALTH DEPARTMENT

Present: Paul Raley

Mr. Raley requested permission to advertise for electricians to install 15 florescent lights in the nursing office of the Lexington Park Health Department Building. The Commissioners gave their approval.

ROAD RESOLUTION NO. R75-21  
CHAPTICO-MECHANICSVILLE ROAD

The County Engineer's Office submitted Road Resolution No. R 75-21 setting the speed limit on Chaptico-Mechanicsville Road at 30 miles per hour from its intersection with Md. Rte 5 for a distance of approximately one mile. Commissioner Dean made a motion to adopt this Resolution, seconded by Commissioner Jarboe. All Commissioners voted in favor.

ROAD RESOLUTION NO. R 75-22  
PATUXENT VIEW ROAD

The County Engineer's Office submitted Road Resolution No. R-75-22 designating Patuxent View Road as a "Stop Street" at its intersection with Lewis Creek Road and designating that Lewis Creek Road, Cecil Road, and Calvert View Road as "Stop Street" where they intersect with Esperanza Drive and Green Holly Road.

Commissioner Parlett made a motion to adopt Resolution No. R-75-22, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

RESOLUTION NO. 75-63  
PLANNING, ZONING AND PLUMBING FEES

Commissioner Dean made a motion to adopt Resolution No. 75-63 establishing the revised fee schedule for Planning, Zoning and Plumbing Fees, effective August 1, 1975, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

HEALTH SERVICE AREA

Commissioner Jarboe stated that a non-profit corporation is going to be set up which would be the governing body for the Prince George's Tri-County Health Planning Service Area and that when this is negotiated, the Tri-County Comprehensive Health Planning Board would go out of existence. Therefore, Commissioner Jarboe made the following motion:

Inasmuch as the Secretary of HEW has designated Prince George's County and the tri-county area as a Health Service Area under PL 93641-National Health Planning Resource and Development Act, effective January 1, 1975 and

Inasmuch as the Tri-County Comprehensive Health Planning Board begun preliminary negotiations with the Prince George's Health Planning Agency to develop a structure for governing body of the H. S. A., and

Inasmuch as the CHP Board represents governmental, providers and consumers interests of St. Mary's County,

Therefore, be it resolved that the St. Mary's County Board of Commissioners authorize the Tri-County Comprehensive Health Planning Board to negotiate on behalf of St. Mary's County the contract with Prince Goerge's County, with the understanding that this is no way commits St. Mary's County to any legally binding agreement on this matter.

Commissioner Parlett seconded the motion. All Commissioners voted in favor of this motion.



ST. MARY'S RIVER WATERSHED PROJECT

Commissioner Parlett stated that Mr. Baggett brought to his attention the fact that the County owns two parcels of land at Site 1 location of the St. Mary's River Watershed Project, one consisting of approximately 16 acres and the other approximately 30 acres. Commissioner Parlett stated that this discovery might have a bearing on whether to purchase Sites 3, 4 and 5 by fee simple or easement.

In discussing whether property owners adjacent to the watershed sites would be in favor of this project, Commissioner Jarboe made a motion to conduct a public hearing to determine the feasibility of obtaining land by fee simple or easement Sites 3, 4 and 5 of the St. Mary's River Watershed Project, said public hearing should take place at Great Mills High School, and that all affected property owners be notified by letter of the public hearing, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

ELMS PROPERTY

Commissioner Dean stated that since making his motion last week concerning management of the entire Elms Property by the Wildlife Administration, he had received additional information. In talking with Mr. Bonham of the Elms Property Study Committee, Commissioner Dean was informed that: (1) WLA showed no interest in managing the property until a private club showed interest, (2) The Committee did not know how much money the WLA would put into the management of this property. (3) that Bradley Dorff, who is a regional WLA manager, was enthusiastic about the management of this property, but how much enthusiasm WLA had was unknown, and (4) if a private group were to manage the property, specifications call for a public rifle range, trap shooting and a gun safety course open to the general public. WLA would not do these things.

In view of the above, Commissioner Dean made a motion to rescind the action taken last week relative to WLA managing the entire property, and moved that the County Commissioners accept the recommendations of the Elms Property Study Committee dated August 12, 1975, relative to the WLA development and public hunting on the Elms property, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

The meeting recessed at 4:30 p.m.

Thursday, September 11, 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 8:40 a.m.

FOOT PATROL - SHERIFF'S DEPARTMENT

Present: Sheriff George Sanger  
Chief Deputy Gene Pelillo

In response to the recent issue of foot patrol for the Lexington Park area, Sheriff Sanger appeared before the Commissioners to explain his Department's position. He stated that with the amount of personnel in the present Sheriff's Department, it would be impossible to assign men to foot patrol in a designated area. He further stated that it would take six additional men and three cars for adequate coverage. The cost would be approximately \$75,000 for equipment, automobiles, and training. Sheriff Sanger stated that if foot patrolmen were assigned to Lexington Park, other areas would make the same request. Sheriff Sanger pointed out that there had been less disturbance this summer than in the past two summers and he felt that patrolling by automobile was just as effective as foot patrol in disbursing crowds.

Commissioner Millison stated he had contacted former and present FBI agents and was informed that it was not a good policy to keep the same people in drug detection work over a year and they recommended rotation. Sheriff Sanger stated he would change one of the men in this area.

In closing, Commissioner McKay stated he was in favor of the businessmen in Lexington Park hiring private police patrol the area and Commissioner Millison stated that he would not be in favor of this.

PRE-WORK-UP OF AUDIT

Present: Joseph O'Dell, Budget Officer  
Karl Silex, auditor (Wooden and Benson)  
Bill Anderson, auditor (Wooden and Benson)

The above persons came before the Commissioners to apprise the Commissioners of the status of the audit of the County and stated that their final recommendation should be completed by the end of September. The Commissioners will have an opportunity to review the audit prior to final completion in order to give their comments.

CETA CONTRACT FOR FY '76

Mr. Cox presented the CETA Title II contract for fiscal year '76 in the amount of \$26,538 and pointed out that this figure was in variance with previous correspondence we had received from State CETA Administration. Mr. Cox requested permission to forward a cover letter on the signed agreement stating the difficulties we have had in the administration of the CETA Program and clarifying funding discrepancies.

Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign said contract and to authorize Mr. Cox to forward the cover letter, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

ALLGOOD VS. WILLIAMS AND COUNTY COMMISSIONERS

With regard to correspondence dated September 9, 1975 from Joseph D. Weiner pertaining to the above court case, Commissioner Jarboe made a motion that the County not settle the case by negotiation with Mrs. Allgood through the County Commissioners as mentioned in Mr. Weiner's letter but rather let the case take its natural course, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

LEGISLATIVE PACKAGE REVIEW

Present: Will Foreman, student intern

At this time the Commissioners reviewed item by item the Legislative Package. Prior to conducting a public hearing, another work session was scheduled for September 25.

BIDS ON INVESTMENTS

Present: Harris Sterling

Bids were opened this date for investments as follows:

<u>AMOUNT</u>	<u>TERM</u>	<u>First Nat'l</u>	<u>Md. Nat'l</u>	<u>Md. Bank &amp; Trust</u>
\$1,200,000	88 days	6.765%	6.519%	6.376%
\$ 275,000	95 days	6.765%	6.819%	6.376%

Mr. Sterling recommended awarding the bids as follows:  
 \$1,200,000 to First National Bank for 88 days at 6.765%.  
 \$ 275,000 to Maryland National Bank for 95 days at 6.819%.

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

RANK ASSIGNMENTS - SHERIFF'S DEPARTMENT

Commissioner Dean stated that the rank assignments as recommended by the Selection Committee does the following:

1. Establishes a chain command;
2. Give opportunity for advancement;
3. Provides improvement in the salary scale.

Therefore, Commissioner Dean made a motion to approve and adopt the recommendations as contained in the report to the Commissioners as prepared by the Sheriff's Department Selection Committee, effective September 22, 1975, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

MERIT SYSTEM FOR THE SHERIFF'S DEPARTMENT

In selecting a committee to look into the Merit System for the Sheriff's Department, the Commissioners agreed to use the same persons from the Rank Assignment Committee - Edward Cox, Marvin Kaminetz and Gene Weimer.

J. IRVING KNOTT REZONING CASE 75-9

Present: Joseph Ernest Bell, County Attorney

The Commissioners agreed that the County Attorney should contact Mr. Knott's attorney to advise him that the Commissioners intend to make a decision of this rezoning case next week and to make him aware of the correspondence between Commissioner Dean and the County Attorney regarding Mr. Knott's options.

POLICE SERVICE STUDY GRANT FOR ST. MARY'S COUNTY

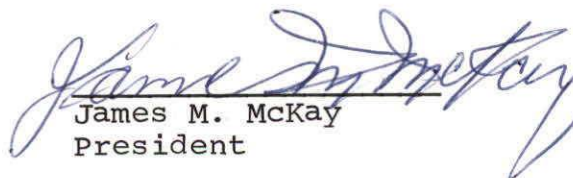
Commissioner Jarboe made a motion to proceed with the solicitation of bids for the Police Service Study, and that said study should not exceed the amount of the grant, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

BY-LAWS FOR ST. MARY'S COUNTY NURSING HOME

In view of the fact that the County Attorney reviewed and approved the by-laws for the Nursing Home, Commissioner Jarboe made a motion to approve the by-laws, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

The meeting adjourned at 12:10 p.m.

Approved by,

  
James M. McKay  
President