

BOARD OF COUNTY COMMISSIONERS' MEETING

November 19-20, 1975

Wednesday, November 19, 1975

Present: Commissioner John K. Parlett, Vice-President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe
Commissioner Larry Millison
Judith A. Mullins, Recording Secretary

(Commissioner McKay was not present as he was attending a Public Works meeting in Annapolis and Commissioner Vice-President Parlett presided over the meeting.)

The meeting came to order at 9:00 a.m.

READING AND APPROVAL OF MINUTES

The minutes of November 12 and 14, 1975 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Dean. All Commissioners present voted in favor of this motion.

EXECUTIVE SESSION

The Commissioners unanimously agreed to meet in Executive Session to discuss litigation and personnel matters.

COMMISSION ON AGING

Present: Mrs. Agnes "Billie" McGaharn
Dr. Tayback, State Office on Aging
Janet Martin, " " " "
Wendy Morgan, " " " "
Dr. William Marek, County Health Officer
Mrs. Virginia Thomas, Nursing Home Director
Members of Commission on Aging Board

Dr. Tayback discussed funding and programs of the Title III and Title VII of the Commission on Aging. He stated that his office has been making an effort to consolidate efforts of the Office on Aging and recommended to the County Commissioners that St. Mary's County have a strong Commission on Aging - citizen based- and that there should be some focal point of responsibility of the funding of the programs and in order to do this, Dr. Tayback made the following recommendations:

1. Either an Office on Aging within our County Government,
or
2. Have an Executive Director for the Commission on Aging, which would be an appointment of the County Commissioners, pursuant to recommendations of the Commission on Aging.

Dr. Tayback mentioned the possibility of having the Nursing Home under the purview of the Commission on Aging.

Mrs. Martin stated that Title VII requires a full-time project director in charge of the nutrition projects and, due to the fact that there are insufficient funds for Charles and Calvert Counties for a full-time director, it was requested that Mrs. McGaharn be allowed to go to Charles and Calvert Counties once a month to assist the Commission on Aging Program, which should satisfy this requirement.

In closing Mrs. Martin pointed out that St. Mary's County will maintain funding at their present level of \$66,000 for Fisacl 74-75 and again in Fiscal 75-76 by a hold harmless.

The Commissioners will take these requests under advisement.

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise
Debbie Prager "
Dick Myers, WKIK
Randy Buehler, Beacon
Patty Muchow, Guardian
Brian Murphy, Guardian

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

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the encumbrance vouchers for the Commissioners' review. Commissioner Dean made a motion to return to the Land Use Office Voucher No. 5452 payable to Joseph Ernest Bell, II, Attorney to the Appeal Board, with a copy of the section of minutes dealing with payment to the Appeal Board and their attorney, seconded by Commissioner Jarboe. All Commissioners present voted in favor of this motion.

Commissioner Jarboe made a motion to pay the submitted Encumbrance Vouchers with the exception of Encumbrance Voucher No. 5452, seconded by Commissioner Millison. All Commissioners present voted in favor of this motion.

EMPLOYMENT AGREEMENT - WALTER WISE
ENGINEER ASSOCIATE VI

Present: John Norris, County Engineer

Mr. Norris indicated to the Commissioners that Mr. Wise is hopeful of beginning employment with the County the first week of December.

With regard to the Employment Agreement, it was suggested that an addendum be included in the Agreement concerning the selling of his business. All parties concerned are to initial this addendum when represented by Mr. Norris.

TRANSFER OF FUNDS - INSPECTION SERVICES

Present: John Norris, County Engineer

In order to cover expenses for the inspection services for the County performed by Mr. Trautman through November, Mr. Norris requested a transfer of funds in the amount of \$2800 from the Contingency Fund to Account No. 57-60351 (Consultant Inspections).

Commissioner Dean made a motion to approve this transfer, seconded by Commissioner Jarboe. All Commissioners present voted in favor of this motion.

MACINTOSH CLOVERHILL ROAD

Present: John Norris, County Engineer

Mr. Norris presented a plat to the Commissioners depicting a design for a 30 mile per hour curve and also a 40 mile per hour curve, with the former having the least amount of property involved. After review of this plat, the Commissioners directed Mr. Norris to contact the affected property owners and obtain an indication from them as to the amount of their property required to construct the 30 mile per hour curve.

John Norris stated that the 30 mile per hour curve would correct the sight-distance problem and provide a reasonable and workable solution for some time in the future.

ROAD COMMITTEE FOR HIGHWAY STUDY PROGRAM

Present: John Norris, County Engineer

Mr. Norris distributed copies of traffic count data on certain roads in the County which will be used in the Highway Study being conducted by the Engineering Department of the University of Maryland.

With regard to this study, Mr. Norris recommended that the Commissioners select a representative from the following agencies to serve on the Roads Committee: State Highway Administration, State Police, Sheriff's Department, County Commissioners, Planning Commission, and County Engineer's Office, and the Regional Traffic Engineer, Mr. Larry Elliott. This Committee will be discussed at the next County Commissioners' Executive Session with regard to personnel.

PATUXENT RIVER BRIDGE ACCESS ROAD

Present: John Norris, County Engineer

Mr. Norris brought to the Commissioners' attention the fact that the public hearing on the access road to the Patuxent River Bridge has been postponed until some time in the latter part of January. Mr. Norris was requested to contact the Patuxent Beach Citizens Association to advise them of this fact.

LEONARDTOWN SENIOR HIGH SCHOOL - SEWAGE FACILITIES

Present: Dr. King, Superintendent of Schools
Jim Raley, Construction Program, Bd. of Education
Mike Marlay, Metropolitan Commission
John Fortunato, " "

Mr. Raley advised the Commissioners that the Leonardtown Senior High School project should be ready to go out on bids in December, and distributed copies of correspondence from the former Board of Commissioners that they would participate and support the required local share of costs providing appropriate sewer lines for the High School. A letter dated July 11, 1975 from the Metropolitan Commission indicating that this project has a given priority of 266 on Maryland's FY 1976 Municipal Sewerage Facilities Grant Priority List which contains 269 items.

Mr. Raley submitted a draft letter for the Commissioners' consideration to Dr. King reaffirming the County Government's support of 12-1/2% in providing the necessary sewer line and further committing the Board of Commissioners, if the grant requested by the Metropolitan Commission is not received in time to allow for the completion of the sewer line by September 1977, to advance all necessary funds to insure completion of the needed connection line.

It was agreed that a letter be forwarded to Mr. Clise of the State Department of Health and Mental Hygiene verifying his commitment in writing as related to Dr. Marek the assurance that the 87-1/2% State and Federal share of the cost would be committed in Fiscal Year 1977.

If these funds from the State and Federal are not committed, the Commissioners will give consideration to the Board of Education's request.

METROPOLITAN COMMISSION - CAPITAL IMPROVEMENT PROGRAM

Present: Mike Marlay, Metropolitan Commission
John Fortunato, " "

Mr. Marlay presented to the Commissioners copies of the Metropolitan Commission's Two-Year Capital Improvement Program, which will be reviewed with the Commissioners at their meeting of December 10, 1975.

ST. MARY'S CITY SEWERAGE PROJECT

Present: Mike Marlay, Metropolitan Commission

Mr. Marlay presented a letter dated November 12 to the County Commissioners enclosing a draft letter to Secretary of State Planning Wahbe assuming certain positions on the part of the County Commissioners concerning the Bay Interceptor of the St. Mary's City Sewerage Project.

The Commissioners will review this letter and discuss it at the December 10, meeting at the time the Capital Improvement Program is discussed.

COUNTY COMMISSIONERS' MEETINGS - CHRISTMAS AND NEW YEAR'S WEEKS

Commissioner Jarboe made a motion that the Commissioners' meeting for Christmas week be conducted on Tuesday, December 23, beginning at 9:00 a.m. and the New Year's week meeting be conducted on Tuesday, December 30, 1975, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

CHRISTMAS EVE

Commissioner Dean made a motion that the County employee's be given off a half-day on December 24, Christmas Eve, seconded by Commissioner Millison. All Commissioners present voted in favor of this motion.

MEETING WITH NAVY OFFICIALS

Commissioner Millison made a motion that the Commissioners meet with the Navy to discuss items of mutual interest sometime in January on a Thursday afternoon, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

JOINT MEETING OF EDC, CHAMBER OF COMMERCE AND COUNTY COMMISSIONERS

Present: Arthur "Buck" Briscoe, Director, EDC
Jim Marsh, Chairman, "
Mary Salisbury, "
Dan Watters, "
Joseph Lloyd, "
Rubye Beaman, President, Chamber of Commerce
Nick Smith, Exec. Director " " "
Bert Fenwick, Vice-President " " "
Donald Hunt, " " "
Robin Guyther, Tri-County Council

At this time the Commissioners conducted the monthly joint meeting of the Economic Development Commission, Chamber of Commerce and County Commissioners. The following items were discussed:

1. Tourist Information Center;
2. Tourism - Chamber of Commerce
3. Tourism grants;
4. Readvertisement of Economic Development Coordinator position and duties of position;
5. Maryland-Virginia Ferry proposal;
6. Guidelines for industry that would be compatible with St. Mary's County;
7. Evaluation of what St. Mary's County has to offer to bring in tourism;
8. Use of Fairgrounds for activity on a routine basis.

(During this discussion, Commissioner McKay entered the meeting.)

"WINGS OF THE MORNING" - BICENTENNIAL COMMISSION

Commissioner McKay reported to the Commissioners that he had attended the Board of Public Works meeting concerning funding in the amount of \$50,000 for the "Wings of the Morning". He stated he received a firm commitment from the Governor that this item would be put in the State budget that will be presented to the legislature in January.

LETTER TO MR. CLISE (LEONARDTOWN HIGH SCHOOL SEWAGE SYSTEMS)

Commissioner Jarboe made a motion to sign and forward the letter to Mr. Clise, State Department of Health, as previously referred to, regarding funding of the Leonardtown High School Sewage System. Seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

The meeting recessed at 4:45 p.m.

Thursday, November 20, 1975

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

The meeting reconvened at 9:25 a.m.

EMPLOYMENT AGREEMENT - WALTER WISE

Present: John Norris, County Engineer

Mr. Norris presented the Employment Agreement with Mr. Walter Wise, for the position of Engineer Associate VI. Commissioner Dean made a motion to authorize Commissioner President McKay to sign said Agreement, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

ST. MARY'S COUNTY COMMISSIONERS VS. RILEY BROTHERS, INC.

Present: Joseph Ernest Bell, County Attorney
John Norris, County Engineer

Mr. Bell explained the litigation pending in St. Mary's County Circuit Court of County Commissioners of St. Mary's County vs. Riley Brothers, Inc. pertaining to the correction of the road problems in Spring Valley Subdivision. Mr. Bell stated that Attorney Bennett Crain of Annapolis has been co-counsel with him in this matter and that since the initiation of the suit in June 1975, there has been extensive settlement negotiations, and proposed settlement has been effected in the amount of \$55,000 and it was the recommendation of the County Attorney that this settlement offer be accepted. Mr. Bell set forth his reasons for recommending settlement.

Commissioner Jarboe made a motion to accept the recommendations of the County Attorney and accept the \$55,000 settlement, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

Subsequently, The Board of Commissioners will adopt a Resolution which will deal with the use of \$55,000 thus obtained. Mr. Bell reported later that Judge Mattingly had approved the settlement and a Consent Judgement in the amount of \$55,000 has

been entered against Riley Brothers, Inc. among the judgement records of St. Mary's County.

The Commissioners reviewed a proposed Resolution pertaining to the above and made suggested changes. This Resolution will be presented to the Commissioners' at next week's meeting for their consideration.

SUBDIVISION ROAD POLICY RESOLUTION

Present: John Norris, County Engineer

The Commissioners discussed the Subdivision Road Policy Resolution with the County Attorney and made suggested changes. The Resolution is to be typed in final for the Commissioners' consideration at next week's meeting.

APPROVAL OF BILLS (ENCUMBRANCE VOUCHERS)

Commissioner Jarboe made a motion to approve payment of Encumbrance Voucher No. 5550 payable to Hunt Valley Inn and Golf Club and Encumbrance Voucher No. 5549 payable to Maryland Association of Counties, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

HOUSING AUTHORITY - LITIGATION

Commissioner Jarboe advised the Commissioners of the suit by Commerce Union Bank of Nashville, trustee for the bond issue for St. Mary's Leased Housing, in which Commerce Union has sued J. M. O'Neil, prime contractor for the development, and Mr. O'Neil has issued a third party summons and has named the non-profit organization (St. Mary's Leased Housing) for contributory negligence. Commissioner Jarboe stated that the services of Attorney Tom Hayden has been used in the past for the Housing Authority, with the consent of the former Board of Commissioners and Commissioner Jarboe inquired if this matter should be turned over to the County Attorney or should Tom Hayden handle it since he is familiar with all the facts.

The Commissioners agreed that this matter should be referred to the County Attorney and if in his judgement, he feels that someone more experienced with the details should handle it, he should make this request to the Board of Commissioners.

BIDS ON INVESTMENTS

Present: Harris Sterling, Director of Finance

Bids were opened this date on investments as follows:

<u>AMOUNT</u>	<u>TERM</u>	<u>MD. NAT'L</u>	<u>FIRST NAT'L</u>	<u>MD. BANK & TRUST</u>
\$1,222,000	110 days	5.925%	5.675%	5.26%

Mr. Sterling recommended that the bid be awarded to Maryland National Bank, the highest bidder.

Commissioner Jarboe made a motion to accept this recommendation, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

POSITION OF CHIEF CLERK TO THE COUNTY

Commissioner Dean introduced the topic of abolishing the position of Chief Clerk to the County Commissioners and establishing the position of County Administrator. This organizational change is intended to improve the administrative function of county government and better describe the duties and responsibilities of this position. A second suggested change will be to replace the title of Director and Administrative and Logistic Services with the Director of Logistics and Purchasing. After some discussion concerning the need to readvertise the position of County Administrator to preserve the policy of advertising reclassified county jobs, the Commissioners decided to postpone a decision on the matter until next week.

ANTI-LOITERING LEGISLATION

In view of the expanded Disorderly Conduct law and in view of the letters from the Commissioners to Lt. Muchow and Sheriff Sanger pertaining to the dispersing of crowds in previously troubled areas, Commissioner Parlett made a motion to delete the proposed Anti-Loitering legislation from the 1976 Legislative Package, seconded by Commissioner Jarboe. Four Commissioners voted in favor of this motion, with Commissioner Millison voting against.

METROPOLITAN COMMISSION - LEGISLATIVE ITEMS

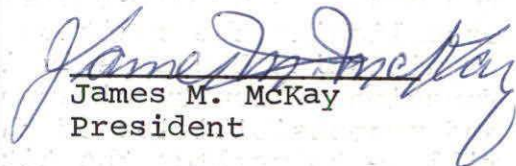
Commissioner Parlett reported to the Board that he had requested the Metropolitan Commission to obtain their legislative package from Piper and Mulberry in order that it could be presented to the Commissioners in December prior to going to public hearing.

SHERIFF'S DEPARTMENT VEHICLES - BICENTENNIAL COMMISSION

Commissioner Jarboe stated he received a request from Mrs. Beaman of the Bicentennial Commission to have two Sheriff's vehicles painted Bicentennial red, white and blue at a cost of approximately \$250-\$300. Commissioner Jarboe made a motion to authorize the Bicentennial to proceed with this project, seconded by Commissioner McKay. After some discussion, it was agreed that this matter be tabled until next week.

The meeting adjourned at 12:10 p.m.

Approved by,


James M. McKay
President