

BOARD OF COUNTY COMMISSIONERS' MEETING

June 30 and July 1, 1976

Wednesday, June 30, 1976

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

The meeting came to order at 8:45 a.m.

READING AND APPROVAL OF MINUTES

The minutes of June 23-24, 1976 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.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the encumbrance vouchers for the Commissioners' review and approval. Commissioner Jarboe made a motion to approve payment of the bills as presented, seconded by Commissioner Parlett. All Commissioners voted in favor.

PROPOSED OPTION TO PURCHASE CHARLOTTE HALL

The County Administrator distributed copies of the proposed Option to Purchase Charlotte Hall to the Commissioners and to the news media. This will be an item of discussion at tomorrow's meeting at 10:30 a.m.

CETA PROGRAM AGREEMENT

The County Administrator presented an Agreement for the CETA Program which will transfer Title VI employees to Title II for six months to the end of December at funding in the amount of \$106,876. One of the conditions of the Agreement is that we not fill any vacancies for three months.

Commissioner Jarboe made a motion to authorize the President of the Board to sign said Agreement, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

AGREEMENT FOR DEED OF EASEMENT - CLOVERHILL MACINTOSH ROAD

The County Administrator presented an Agreement dated May 24, 1976 by and between J & T Homes, Inc. and John Lawrence Griffith and Helen C. Griffith and the County Commissioners of St. Mary's County granting easement for certain property for the purpose of improving conditions on Cloverhill-MacIntosh Road. Commissioner Dean made a motion to accept this Agreement, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

FORWARD TO PERSONNEL MANUAL

The County Administrator presented the Forward to the Personnel Manual, which was adopted by the Commissioners at last week's meeting, for the Commissioners' signatures. The Commissioners signed same.

REQUEST FOR RELEASE OF COLLATERAL - MARYLAND BANK AND TRUST

The Director of Finance submitted a request for release of collateral in the amount of \$55,000 from Maryland Bank and Trust Company. In that county funds on deposit total \$277,408.86 and collateral held to secure deposits in the amount of \$2,590,000 far exceeds county funds, Mr. Sterling recommended that the Commissioners sign said Release Agreement. Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign said Agreement, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

PERMANENT STATUS - JAMES M. MILLER

The Director of Purchasing and Logistics submitted a recommendation to place James M. Miller, janitor, on permanent status, as he will have satisfactorily completed his probationary period July 15, 1976. Commissioner Dean made a motion to accept the Director of Purchasing and Logistics' recommendation, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

METHOD OF PAYMENT - BAY DISTRICT FIRE TAX

The County Administrator presented a memorandum dated June 10 from the Budget Officer with attached correspondence from the Fire Chief of the Bay District Volunteer Fire Department with regard to the above-referenced matter and setting forth the Budget Officer's recommendations. Commissioner Millison requested that he be allowed first to contact Mr. Fairfax, Fire Chief of the Bay District Fire Department, to ascertain if he is agreeable to this method of payment. The Commissioners concurred.

ACCOUNT TRANSFER - PURCHASE OF BASE MAP SYSTEM

With regard to the Commissioners' approval of the purchase of a Base Map System on June 16, 1976, the County Administrator advised that to effect this purchase the following transfer was necessary:

Decrease Account No. 34-34191 (Salaries General) by \$1500;

Increase Account No. 34-34361 (Printing and Reproduction) by \$1500.

Commissioner Jarboe made a motion to approve the above-mentioned transfers, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

NOTIFICATION OF GRANT AWARD - HOME DELIVERED MEALS

The Notification of Grant Award was received from the State Office on Aging for the State funded Home Delivered Meals Program in the amount of \$350. Commissioner Dean made a motion to authorize Commissioner President McKay to sign the Notification of Grant Award, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

TRI-COUNTY ANIMAL SHELTER

The County Administrator presented billing received from Charles County, administrator of the Tri-County Animal Shelter, and payment requests via Encumbrance No. 5085 in the amount of \$2500 and No. 08368 in the amount of \$9,054 representing second half fiscal '75 billing and total billing for fiscal '76 for St. Mary's County share of expenditures for the Tri-County Animal Shelter. Inasmuch as funding was underestimated by the County for this matter, a transfer from the Contingency Fund in the amount of \$4,054 is necessary.

Commissioner Dean made a motion to transfer \$4,054 from the Contingency Fund to Account No. 15-18391 and further to approve the payment of Vouchers No. 5085 and No. 08368, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

MARYLAND STATE CONFERENCE ON HANDICAPPED INDIVIDUALS

Correspondence dated June 25, 1976 was received from the Governor notifying the County of a Conference on Handicapped Individuals being held in Washington on May 25-29. There will be a Southern Maryland Region Forum and the Governor is requesting that we appoint a representative of our County to participate. The County Administrator suggested that the Commissioners give consideration to this appointment at the time they consider appointments to their various Boards and Commissions.

STATE CONSERVATION PLAN

Correspondence dated June 11, 1976 was received from the State of Maryland Energy Policy Office concerning the development of a State Conservation Plan and requesting a representative from St. Mary's County to participate in upcoming meetings to discuss the Plan. The County Administrator recommended that the Commissioners appoint Otis Wood, who has been serving as Energy Coordinator for the County, as the County Energy Conservation Officer. The Commissioners concurred.

ABATEMENT OF BUILDING PERMIT FEE
SEVENTH DISTRICT VOLUNTEER RESCUE SQUAD

A request was received from the Seventh District Volunteer Rescue Squad for the abatement of their building permit fee for the construction of a rescue squad building in Avenue to house their ambulance. The County Administrator advised that they meet the requirements of Resolution No. 75-53 which allows for the abatement of building permit fees for non-profit tax exempt organizations. Commissioner Parlett made a motion to abate this fee, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

SOIL CONSERVATION SUPERVISORS BOARD

Commissioner Dean made a motion that the Commissioners appoint Mr. Joseph Anthony St. Clair to the Soil Conservation Supervisors Board, term to expire June 30, 1980, seconded by Commissioner Jarboe. All Commissioners voted in favor.

ELECTRONIC CASH REGISTER FOR TREASURER'S OFFICE

The County Administrator advised that bids were advertised for the purchase of an electronic cash register for the Treasurer's Office. One bid was received; namely, National Cash Register in the amount of \$4,689. Paul Raley, Director of Purchasing and Logistics, recommended that the Commissioners award the bid to National Cash Register. Commissioner Jarboe made a motion to accept Mr. Raley's recommendation, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

CLERK-TYPIST - EMPLOYMENT SECURITY

With regard to the Commissioners' authorization at last week's meeting (June 24, 1976) for the filling of the Clerk-Typist position at Employment Security, Mr. Cox, County Administrator, advised that the Employment Security Office requested that the position be re-evaluated because of the need for stenographic skills. The State has reviewed this position and recommended that it be reclassified from a Grade 5, Clerk-Typist, to a Grade 6, Clerk-Stenographer, and therefore, Mr. Cox recommended that the position be so reclassified.

Commissioner Dean made a motion to abolish the Grade 5 position of Clerk-Typist at the Employment Security Office and establish the Grade 6 position of Clerk-Stenographer and to authorize the filling of the position through the normal hiring process, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

POSITION OF MUSEUM CURATOR

The County Administrator requested from the Board of County Commissioners authority to initiate the process of filling the position of Museum Curator budgeted for FY '77 as a part time position. The Commissioners directed the County Administrator to fill the position.

LEASING OF CAMP GROUNDS AT PINEY POINT

Commissioner Millison requested the County Administrator to look into the terms of the lease the County has with Mr. Swann for \$1.00 per year at Piney Point and the possibility of Mr. Swann having his taxes waived on this property. The County Administrator will contact the Director of Recreation and Parks to request that he determine the equitability of the lease.

POLICE SERVICES STUDY

Present: Mr. Joseph N. Laseau, Cresap, McCormick and Paget, Inc.
Sheriff George Sanger
Lt. William Muchow, Md. State Police
Otis Wood, Director, Civil Defense
Joseph Sommerville, Chief Deputy
Ed Healy, Deputy
Gene Pelillio, Chief Deputy

Mr. Laseau made a presentation to the Commissioners of the final report of the results of a comprehensive management study of law enforcement services in St. Mary's County. Mr. Laseau stated that the primary purpose of the study was to define the overall need for law enforcement services in the County and develop the optimum method in providing those law enforcement needs and services. Problem areas were identified and alternative to providing law enforcement services were listed. In defining the key problem areas, Mr. Laseau stressed that even though there is evidence of good communication between Maryland State Police and the Sheriff's Department, stronger coordination of this effort is needed. He pointed out that the report did not go into positive points; however, he stated that there were many areas which the Maryland State Police and Sheriff's Department have been handling in an excellent manner.

In closing Mr. Laseau advised that he would be available for any future meetings.

The County Commissioners agreed that time was needed to review the written report and that they would meet with the Sheriff's Department and the Maryland State Police to discuss it in more detail.

(A tape of the presentation is on file in the Commissioners' Office.)

REZONING HEARING
CASE NO. 76-2 - ADAM B. HENDERSON

Present: Adam B. Henderson, applicant
Herbert Tice, adjacent property owner
B. F. Asher, adjacent property owner
Joseph Garner, Zoning Technician

Application was made by Adam B. Henderson to have a parcel of land containing approximately 1.8 acres located on the east side of Md. Rt. 5, approximately 3/4 mile south of Md. Rt. 6 at New Market, adjacent to the Mechanicsville Post Office, Fifth Election District, rezoned from AR-2 (Agricultural-Residential) to C-2 (Highway Commercial).

The secretary read the Notice of Public Hearing.

Mr. Henderson presented the Certified Receipts of letters notifying property owners within 200 feet of the subject property.

Mr. Henderson explained that if the rezoning request is granted, he intends to locate a tire center on the property.

Mr. Tice and Mr. Asher spoke in favor of this rezoning application because of the commercial nature of the area.

The secretary read the Planning Commission's recommendations dated June 23, 1976, in which they recommend approval of this rezoning request from AR-2 to C-2.

Commissioner McKay inquired if anyone wished to speak for or against this application, hearing none, the rezoning hearing was closed.

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

WORK SESSION - UPDATE OF ZONING ORDINANCE AND LAND USE PLAN

At 12:15 p.m. the Commissioners recessed and conducted a Work Session on the update of the Zoning Ordinance and the Comprehensive Land Use Plan.

The meeting reconvened at 12:55 p.m.

PROPOSALS FOR BUS FOR COMMISSION ON AGING PROGRAM

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

Mrs. McGaharn advised that proposals were received for the purchase of a bus for the Commission on Aging Program from the following dealers:

Kessler Body and Equipment
Aldrich Ford
Fenwick Ford
McKay Implement
Suburban-Chrysler

In discussion of the proposals, several contingencies were revealed which were in need of further clarification. Therefore, Commissioner Jarboe made a motion to authorize Commissioner McKay to work with Mrs. McGaharn and Paul Raley, Director of Purchasing and Logistics to determine the lowest bidder and to further authorize Commissioner McKay to sign appropriate documents, and that awarding of the bid is to be contingent upon approval of funding by the State Office on Aging, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

SENIOR COMPANION PROGRAM

Present: Mrs. Billye McGaharn, Executive Secretary
Commission on Aging

Mrs. McGaharn advised the Commissioners that the Senior Companion Program will no longer be administered by Charles County but will be administered by Tri-County Community Action Committee instead. Therefore, Mrs. McGaharn requested the Commissioners' signature on a letter addressed to Mr. Yoder, Director of Tri-County Community Action, endorsing the administration of the Program by TCCAC. Commissioner Parlett made a motion to sign and forward said letter, seconded by Commissioner Jarboe. All Commissioners voted in favor.

The meeting recessed at 1:15 p.m.

Thursday, July 1, 1976

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

The meeting reconvened at 8:45 a.m.

GRANT APPLICATION FOR LIGHTING SYSTEM AT GREAT MILLS TENNIS COURTS

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented the Grant Application for the lighting system at the Great Mills tennis courts in the amount of \$11,000, which is to be submitted to the Department of Natural Resources. Commissioner Parlett made a motion to approve and authorize Commissioner President McKay to sign said Grant Application, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

SEVENTH DISTRICT PARK

Present: John Baggett, Director, Recreation and Parks

Commissioner Parlett advised the Commissioners that the Maryland State Police and Sheriff visited the site of the Seventh District Park and were of the opinion that of the possible entrances, Route 238 was the least hazardous. They expressed concern with the Route 242 entrance because it is a high speed road and the hazardous situation of stopping and making a left turn on Rt. 242. The State Police were of the opinion that the sight distance on Rt. 238 was adequate. The Board of Recreation and Parks met again, and taking the Md. State Police and Sheriff's opinion and the County Engineer's report into consideration, recommended to the County Commissioners that the entrance be placed on Rt. 238.

Commissioner McKay advised Mr. Baggett that a group of residents who are in opposition to the Rt. 238 entrance will be appearing before the Commissioners at next week's meeting and therefore a decision by the Board would not be made until after that time.

POLICE MUTUAL AID AGREEMENT

Present: Sheriff George Sanger
Chief Deputy Gene Pellilio

Sheriff Sanger reported to the Commissioners that he has been in contact with the Sheriffs of Calvert and Charles Counties regarding the Police Mutual Aid Agreement proposed for the three Southern Md. Counties and that he understood that said Agreement will be an item of discussion at the next tri-county Commissioner meeting scheduled for July 21. He stated that the Sheriffs of all three counties are in concurrence with the Agreement.

The Commissioners agreed that the following needs to be done:

1. Determine that the County's insurance policy covers a deputy on an official assignment in the other counties;
2. That the County Attorney review the Agreement for legal sufficiency;
3. Obtaining of the concurrence of the other two Boards of Commissioners.

DUALIZATION OF 235 - SANDY BOTTOM AREA

Present: Ed Thompson, Thompson's Furniture City
Mr. and Mrs. Charles Long, Early Bird

The above persons appeared before the Commissioners to express their concern over the route chosen for the dualization of Rt. 235 in the Sandy Bottom area in that, in their opinion, such a route would be economically disasterous. Mr. Thompson also spoke of their concern with the order of procedure used in selecting the route and that State Highway Administration did not follow the proper steps as outlined in SHA's "Your Land and Your Highways". Mr. Thompson requested the Commissioners to speak to representatives of the State Highway Administration on their behalf. In closing Mr. Thompson also requested the Commissioners to contact the Health Department to determine if the property owners in that area would have proper septic facilities after the dualization.

The Commissioners agreed to discuss this matter during the County Commissioner time at next week's meeting and return to Mr. Thompson with their position.

COASTAL ZONE MANAGEMENT

Present: Richard Platt, Director, Land Use and Development
Scott Brumbaugh, Coastal Zone Management

Mr. Brumbaugh appeared before the Commissioners to explain the management program of the Department of Natural Resources Energy & Coastal Zone Administration for the coastal areas of the State and to discuss how St. Mary's County might get more formally involved. The Coastal Zone Administration is interested in providing technical assistance to the County over the next year in carrying out this program. His Department will be meeting with the Planning Commission and Land Use Office to discuss the Program and how Coastal Zone Administration could work in cooperation with the County.

The Commissioners requested Mr. Brumbaugh to forward an inventory as to the level of assistance his Department could offer the County and a summary of the Program, after which time the Commissioners would discuss the program and forward a letter to the Coastal Zone Administration setting forth the County's position on the working relationship between the County and that Administration.

CHARLOTTE HALL OPTION DISCUSSION

Present: Judge Mitchell) Bd. of Trustees
F. Elliott Burch, Sr.) of Charlotte Hall
Mr. Brietbach, Citizens Bank & Trust
Joseph Ernest Bell, II, County Attorney
Other interested citizens

Members of the Board of Trustees of Charlotte Hall School met with the County Commissioners to discuss a proposed option to purchase Charlotte Hall School. Commissioner Dean read verbatim the proposed option. Commissioner McKay requested of the Board of Trustee members any clarifications or points of disagreement they might have. None were expressed by the Board Members who unanimously agreed that the option was in keeping with their prior understanding and negotiations. Commissioner McKay requested of the general members of the public that were in attendance if there were any questions regarding the option. A brief question and answer period ensued in which points of clarification were made regarding the option. There being no further discussion concerning the option, Commissioner McKay introduced a general discussion concerning the advisability of the County entering into the proposed option. Commissioner Parlett opened the discussion with a prepared statement, which he later distributed to those in attendance, citing: a chronology of events leading up to the proposed option, statement of possible uses for the property, and statement for justification for executing

the option. Commissioners Dean and Jarboe expressed opinions that the County should enter into the option to allow appropriate time for studying the financial feasibility and the various facets involved with a decision to purchase.

Questions were raised by various persons in attendance including the media and general public, comprising such areas as sprawl of county government, excessive costs, questionable need by the County, historical preservation of the site, etc.

Commissioner Millison stated that he was at this time undecided about the county's execution of the option and expressed his wish for the County to develop a consistent pattern of providing governmental services as related to land acquisition.

The Commissioners expressed gratitude to the members of the Board of Trustees of Charlotte Hall School and other persons in attendance for their remarks and stated that the Commissioners will discuss the option at the County Commissioners' meeting of July 8 at 11:00 a.m.

The entire proceedings were recorded and the tape is on file in the Commissioners' Office.

BICENTENNIAL COMMISSION PROJECT - SUPERVISORY POSITIONS

The County Administrator explained to the Commissioners that the Bicentennial Commission was in receipt of a grant which allows them to employ seven youth workers for eight weeks for various Bicentennial beautification projects. However, the grant does not allow the employment of a supervisor. It is requested that \$1100 be used of the Youth Commission's Summer Youth Employment Program for the purpose of hiring a supervisor for the seven youth workers mentioned above. The reason for this request is that the Youth Commission Program has an age limitation and this would be an exemption from that limitation.

The Commissioners concurred with this request providing that the budgeted limitations for the Youth Commission Program are not exceeded.

The meeting adjourned at 1:15 p.m.

Approved by,


James M. McKay
President