

BOARD OF COUNTY COMMISSIONERS' MEETINGFebruary 16-17, 1977

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 came to order at 8:55 a.m.

READING AND APPROVAL OF MINUTES

The minutes of February 9-10, 1977 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Parlett. All Commissioners voted in favor.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

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

OVERTIME PAYMENT FOR MRS. CHILDS

The County Administrator presented a request for overtime payment to Mrs. Margaret Childs, who has been serving as secretary to the Charlotte Hall Committee. This request is necessitated by the fact that the Committee is having evening meetings from February 14 through February 28. She would receive compensatory time up to 40 hours per week and overtime for over 40 hours.

Commissioner Dean made a motion to approve this overtime request, seconded by Commissioner Parlett. All Commissioners voted in favor.

SUPPLEMENT TO TITLE VII GRANT (COMMISSION ON AGING)
HOME DELIVERED MEALS

The County Administrator presented the Supplement to the Title VII Commission on Aging Grant for 248 home delivered meals in the amount of \$350.

Commissioner Parlett made a motion to authorize Commissioner President McKay to sign said Supplemental Grant Application, seconded by Commissioner Jarboe. All Commissioners voted in favor.

RELEASE OF COLLATERAL
MARYLAND BANK AND TRUST COMPANY

On behalf of the Director of Finance, the County Administrator presented a request for release of collateral by Maryland Bank and Trust Company in the amounts of \$10,000 and \$40,000. Since collateral held to secure deposits of St. Mary's County (\$1,708,000) far exceeds total county funds on deposit (\$7,845.53), Mr. Sterling, Director of Finance, recommended that the Release Agreement in the amounts of \$10,000 and \$40,000 be signed. Commissioner Dean made a motion to authorize Commissioner President McKay to sign said Release Agreements, seconded by Commissioner Jarboe. All Commissioners voted in favor.

RATE ADJUSTMENTS ON HEALTH INSURANCE

The County Administrator presented an amendment to the County's health insurance policy carried by John Hancock Insurance Company, which establishes the effective date for any rate increases. For this year the effective date is March 1 and for the following years the effective date will be February 1.

Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign said amendment, seconded by Commissioner Dean. All Commissioners voted in favor.

SUPERVISOR OF HIGHWAY INSPECTIONS
COUNTY ENGINEER'S OFFICE

Commissioner Dean made a motion to accept the recommendation of the County Engineer that the Supervisor, Highway Inspections, be given the additional responsibility of the supervision of the County landfill operation in addition to his presently assigned responsibilities, under the Office of County Engineer, and further that the position remain at Grade 14 as presently classified, but the incumbent be moved from Step 1 to Step 2, effective February 21, 1977, seconded by Commissioner Parlett. All Commissioners voted in favor.

AUTHORITY TO HIRE - COUNTY ENGINEER'S OFFICE
ROADS INSPECTOR (ENGINEER ASSOCIATE IV)

At the Commissioners' meeting of December 9, 1976, the Commissioners authorized the establishment of the position of Roads Inspector (Engineer Associate IV).

Commissioner Dean made a motion to authorize the hiring of Mr. John Thompson to the position of Roads Inspector (Engineer Associate IV), at Grade 10, Step 2 (\$10,601), effective as soon as possible, seconded by Commissioner Parlett. Four Commissioners voted in favor with Commissioner McKay abstaining.

AREAS OF CRITICAL STATE CONCERN

Present: Richard Platt, Director, Land Use and Development
 Joe Garner, Zoning Technician

Mr. Platt presented the 13 nominations for the areas of critical state concern, which was prepared by the Land Use Board and endorsed by the Planning Commission. The Commissioners scheduled a Public Hearing March 10, 1977 at 7:30 p.m. at the Leonardtown Middle School. Mr. Platt was requested to make the necessary arrangements.

FEE SCHEDULES

Present: Richard L. Platt, Director, Land Use and Development
 Joe Garner, Zoning Technician

The Commissioners discussed the Fee Schedules with Mr. Platt and agreed that three items need addressing: (1) site plan review fees, (2) subdivision fees and (3) plumbing fees. The Commissioner will give consideration to these items for discussion at next week's meeting.

STATE AGENCIES' COMPLIANCE WITH ZONING ORDINANCE

Present: Richard Platt, Director, Land Use and Development
 Ernie Bell, County Attorney

Mr. Platt brought to the Commissioners' attention that his office had notified St. Mary's College and State Highway Administration that they would be subject to the requirements of the St. Mary's County Zoning Ordinance. He further stated that he was of the opinion that all state agencies should comply with these requirements. In this particular case, GSA is constructing a building at the college. The Commissioners directed Mr. Platt to draft a letter to GSA, to be reviewed by the County Attorney, and presented to the Commissioners concerning compliance with the County's Zoning Ordinance.

PROCLAMATION NO. 77-8
BIG BROTHER WEEK

Present: Bob Wentworth, Executive Secretary, Youth Commission
 Chris Dettmar, Big Brother Program

The Commissioners presented the above-referenced Proclamation proclaiming the week of February 20-26, 1977 as Big Brother Week.

PROCLAMATION NO. 77-7
YOUTH SERVICE RECOGNITION AWARD - EDWARD BLISS

Present: Bob Wentworth, Executive Secretary, Youth Commission
 Edward Bliss

The Board of County Commissioners presented the above-referenced Proclamation to Edward Bliss proclaiming that he is the recipient of the 1977 Youth Service Recognition Award.

PROCLAMATION NO. 77-6
YOUTH SERVICE RECOGNITION AWARD

Present: Bob Wentworth, Executive Secretary, Youth Commission
 Tina McMaster

The County Commissioners presented Proclamation No. 77-6 to Tina McMaster, who is the recipient of the 1977 Youth Service Recognition Award.

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise
 Sunny Schust, Enterprise
 Rick Boyd, Enterprise
 Richard Polk, Enterprise
 Leslie Walker, Guardian
 Mike Klienback, Beacon
 Dick Myers, WKIK
 Bill McGough, WPTX

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

The meeting recessed at 12:30 p.m.

Thursday, February 17, 1977

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.

LEONARD HALL RENOVATION BIDS

With regard to the pending decision on the acceptance of the bid for the Leonard Hall renovation project, Commissioner Jarboe made a motion to award the contract to the lowest bidder, The Davis Corporation, at the negotiated figure, for the St. Mary's Governmental Center renovation project and further that funds be provided as budgeted, with additional funding to be provided as set forth in the memorandum dated February 14, 1977 from the Budget Officer, and further that the President of the Board be authorized to sign the necessary documents, seconded by Commissioner Parlett. Three Commissioners voted in favor with Commissioner Millison voting against because of the amount of expenditure and type of renovation and Commissioner McKay abstained as has been his position on the Leonard Hall renovations project. Commissioner McKay stated that with this vote he had fulfilled his commitment on abstaining from Leonard Hall renovation decisions.

REZONING DECISION

CASE NO. 76-8 - EQUIPMENT RENTAL, INC.

The Board of County Commissioners conducted a public hearing on January 12, 1977 on the rezoning application submitted by Equipment Rental, Inc., Richard Leighton, President, Case No. 76-8, to have a parcel of land containing approximately .58 acre located on the east corner of Maryland Route 5 and Maryland Route 246, Eighth Election District, rezoned from R-1, Rural Residential to C-2, Highway Commercial.

Commissioner Jarboe made a motion that the rezoning of Case No. 76-8, Equipment Rental, Inc., of .58 acres, from R-1, Rural Residential to C-2, Highway Commercial, be granted for the following reasons:

(1.) It seems reasonable to deduce that a mistake was made in the original zoning because:

- a. The property in question has been used for highway commercial purposes for several decades;
- b. The property is located in such a fashion as to be completely inappropriate for residential use (surrounded on three sides by highway);
- c. Other parcels in the immediate vicinity were zoned commercial in the original zoning.

(2.) Change from the present non-conforming C-2 status to C-2 zoning will allow structural improvement of the facility, while the limitation of land (0.58 acres) will tend to prevent expansion beyond its present use.

(3.) The property lies within the urban planning area, and such change in zoning would not be contrary to the intent of the Comprehensive Land Use Plan.

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

REQUEST FOR EMERGENCY EQUIPMENT

Commissioner Dean discussed the request by the owner of the Potomac Speedway for surplus emergency equipment, and directed the County Administrator to contact the Rescue Squad Association, Fire Departments and Maryland State Police to offer this equipment to them prior to selling it by the bidding process. All surplus county equipment is to be disposed of through a bid process.

REQUEST TO ATTEND SEMINAR (PLANNING COMMISSION ATTORNEY)

A request was received from Joseph Densford, Planning Commission Attorney, to attend a two-day seminar in New York City entitled "Local and Regional Regulation of Land Development", which will be held on March 31 and April 1, 1977. The approximate cost of attending this course is \$403.00.

Commissioner Dean made a motion to authorize Mr. Densford to attend this seminar and approve funding in an amount not to exceed \$403, seconded by Commissioner Jarboe. All Commissioners voted in favor.

CHIEF ADVISOR ON ENVIRONMENTAL MATTERS

Commissioner Jarboe recommended that Walter Raum, Director of Environmental Health of the Health Department, be appointed as Chief Advisor to the Commissioners on Environmental Matters with the advice and consent of the Environmental Committee. Commissioner Jarboe will write a letter to Dr. Marek, County Health Officer requesting that this be part of Mr. Raum's responsibility.

EXECUTIVE SESSION - PERSONNEL MATTERS

The Commissioners agreed to meet in Executive Session in order to discuss matters of personnel. The Session was held from 9:55 a.m. to 10:50 a.m.

BICENTENNIAL COMMISSION MEMBERS

Commissioner Jarboe made a motion that the following Bicentennial Commission members' terms be extended through June 30, 1977:

Marvin Joy, Chairman
 Frederick L. McCoy
 Mary Combs Barber
 Robert E. T. Pogue
 Edwin W. Beitzell
 F. Elliott Burch, Sr.
 Patti Runco

Commissioner Dean seconded the motion. All Commissioners voted in favor.

APPOINTMENT OF SHERIFF

The Commissioners directed the County Administrator to arrange a meeting within the next couple of weeks with the State's Attorney and County Attorney to discuss the matter of appointment of a Sheriff.

CHAPTICO-MECHANICSVILLE ROAD

Present: John Norris, County Engineer

Mr. Norris presented the semi-final request for payment from Asher Construction Company for the construction of Chaptico-Mechanicsville Road in the amount of \$9,292.78 and recommended the Commissioners' approval. Commissioner Parlett made a motion to approve payment to Asher Construction Company in the amount of \$9,292.78, seconded by Commissioner Dean. All Commissioners voted in favor.

GOLDEN BEACH ROAD

Present: John Norris, County Engineer

Mr. Norris stated that the County is desirous of eliminating a section of the old highway adjacent to Rolling Acres by providing a property owner with a driveway access to the new road. In order to do this, the County needs to acquire a strip of land approximately 4,000 square feet in area which lies between the old and new road, and is owned by Rustic Hill Estates, Inc. Therefore, Mr. Norris presented a Deed dated November 18, 1976 by and between Rustic Hill Estates, Inc. and the County Commissioners of St. Mary's County for the County's acceptance of the required strip as part of the construction of Golden Beach Road.

Commissioner Millison made a motion to accept said Deed seconded by Commissioner Parlett. All Commissioners voted in favor.

ROLLING ACRES, SECTION III
ACCEPTANCE OF DEED

Present: John Norris, County Engineer

Mr. Norris presented a Deed dated May 21, 1976 by and between Benjamin H. Burroughs, Jr. and F. Elliott Burch, Jr. and the County Commissioners of St. Mary's County, conveying to the County Huntt Road and Dudley Road, situated in the Rolling Acres Subdivision, Section 3.

Commissioner Dean made a motion to accept said Deed, seconded by Commissioner Millison. All Commissioners voted in favor.

AWARDING OF BID FOR PITCH-IN PROGRAM

Present: John Norris, County Engineer

Mr. Norris stated that bids were opened February 7, for the collection of trash from Pitch-In containers. Bids for once a week pick up are as follows:

B and B Maintenance	-	\$309 per month
Buddy's Disposal	-	\$350 per month
Frank Goldsmith and Archie Pilkerton	-	\$947 per month

Mr. Norris recommended awarding the bid to B & B Maintenance at \$309 per month for once-a-week pick up service for one year.

Commissioner Jarboe made a motion to award the bid to B & B Maintenance for the Pitch-In Program at \$309 per month and further to make the necessary transfer from the Contingency Account in the amount of \$1236 seconded by Commissioner Parlett. All Commissioners voted in favor.

PURCHASE OF MOTOR GRADER

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that he has not been successful in obtaining a motor grader for his department; however, there is one available from Alban Tractor which may be \$2500 more than the allocated funds of \$7500. The Commissioners directed Mr. Norris to negotiate with Alban Tractor and offer an amount not to exceed \$10,000.

REQUEST FOR SPEED BUMPS IN COMPTON AREA

Present: John Norris, County Engineer

Mr. Norris stated that some citizens in the Compton area have requested speed bumps on a county road; however, he has been against installing speed bumps as he feels they can be more of a hazard. Commissioner McKay recommended reducing the speed limit in that area in lieu of installing speed bumps.

BIRCH MANOR - SECTION III

Present: Hugh Allston
John Norris, County Engineer

Mr. Allston appeared before the Commissioners to obtain the Board's concurrence on the Letter of Credit, Public Works Agreement and Economic Impact Fee for Birch Manor, Section III. The Commissioners directed that these documents be reviewed for approval by the County Attorney prior to their making a decision on this matter.

REZONING HEARINGCASE NO. 76-11 - STERLING AND LILLIAN TENNISON

Present: Sterling Tennison, Applicant
John Rue, Attorney for Applicant

Application was made by Sterling and Lillian Tennison to have a parcel of land containing approximately 30,000 square feet located at the intersection of Maryland Route 235 and Maple Road, Eighth Election District rezoned from R-1, Rural Residential, to C-2 Highway Commercial.

The secretary read the Notice of Public Hearing.

The applicant is requesting rezoning based on what he believes to be a mistake in the original classification of the property at the time of the adoption of the Zoning Ordinance in 1974.

REZONING HEARINGCASE NO. 76-11 - STERLING AND LILLIAM TENNISON cont.

The Secretary read the Planning Commission's recommendation, which is as follows:

"The Planning Commission recommends to the County Commissioners that the application as submitted be denied; however, the Planning Commission recommends that the Board of County Commissioners approve a reclassification from R-1 to C-1 (neighborhood commercial) with the following stipulation: (a) If property is developed that public water will be utilized with owners dedicating an adequate site for well and pumping station.

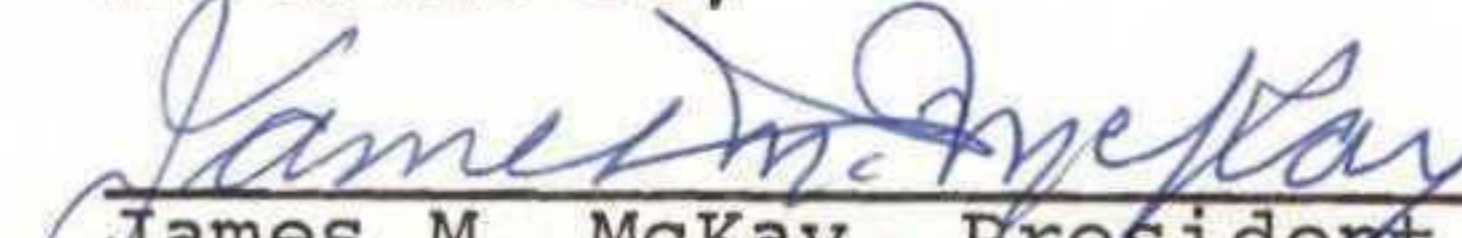
"The Planning Commission is of the opinion that there has been a significant change in the character of the neighborhood that would warrant this reclassification and that there is some evidence that a mistake was made in the original zoning of the property".

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

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

The meeting adjourned at 12:10 p.m.

APPROVED BY,


James M. McKay, President
County Commissioners