

BOARD OF COUNTY COMMISSIONERS' MEETINGMay 18-19, 1977Wednesday, May 18, 1977

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

(Commissioner Millison was not present.)

The meeting was called to order at 8:50 a.m.

READING AND APPROVAL OF MINUTES

The minutes of May 11-12, 1977 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Parlett. All Commissioners present voted in favor.

(Commissioner Millison entered the meeting - 9:05 a.m.)

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 submitted, seconded by Commissioner Parlett. All Commissioners voted in favor.

HOUSE BILL 1281SENATE BILL 621

Present: Harris Sterling, Director of Finance

The County Administrator advised the Commissioners that the Maryland Association of Counties is recommending a special session of the legislators in order to clear up certain difficulties in House Bill 1281 and Senate Bill 621, which pertain to property assessments. The Commissioners directed the County Administrator to contact MACO that the Commissioners will forward correspondence to the Governor requesting a special session in order to clarify these two bills.



ECONOMIC IMPACT FEE AGREEMENT  
NORTH INDIAN CREEK ESTATES

The County Administrator presented the Economic Impact Fee Agreement by and between Oliver R. Guyther and the Board of County Commissioners of St. Mary's County, setting forth the method of payment of the Economic Impact Fee for North Indian Creek Estates.

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

ROAD RESOLUTION NO. 77-32  
BAREFOOT ACRES

On behalf of the County Engineer, the County Administrator presented Road Resolution No. 77-32 designating the following Stop Streets in Barefoot Acres Subdivision:

Stop Sign on Norris Drive at its intersection with Barefoot Drive;

Stop Sign on Norris Drive at its intersection with Abell Drive;

Stop Sign on Garrison Drive at its intersection with Barefoot Drive;

Commissioner Dean made a motion to approve the above-referenced Road Resolution, seconded by Commissioner Jarboe. All Commissioners voted in favor.

REQUEST FOR WAIVER OF SITE PLAN FEE  
ST. JOSEPH'S RECREATION CENTER

The County Administrator presented correspondence from Mr. John S. Wooten, Coordinator for the St. Joseph's Recreation Center requesting waiver of the site plan review fee in the amount of \$150. Mr. Cox recommended that the fee not be waived as it does not comply with the County's Resolution No. 75-53 - "Abatement of Building Permit Fees".

Commissioner Millison made a motion to waive the \$150 fee, seconded by Commissioner McKay.

After discussion, Commissioner Jarboe made a motion to table this matter until next week, seconded by Commissioner Dean. All Commissioners voted in favor.



REQUEST FOR AUTHORITY TO HIRE

The County Administrator presented a memorandum from the Personnel Officer requesting authority to refill the position that will be vacated by Susan Morse, Clerk-Steno, Office of Land Use and Development, who has submitted her resignation as of July 5, 1977 and further to refill the position of Motor Equipment Operator II in the County Engineer's Office which will be vacated by Mr. Bernard Tippettt who submitted his resignation as of May 20, 1977.

Commissioner Dean made a motion to grant the Personnel Officer authority to refill these positions in accordance with the county's hiring policy, seconded by Commissioner Parlett. All Commissioners voted in favor.

LEGISLATIVE AIDE

The County Administrator requested authority to hire Ann Marie Lowe as Legislative Aide under the direction of the County Attorney and the Codification Review Committee to assist in the recodification of all local laws at a salary of \$160 per week during the summer months. Commissioner Parlett made a motion to grant this request, seconded by Commissioner Millison. All Commissioners voted in favor.

COOPERATIVE REIMBURSEMENT PROGRAM GRANT APPLICATION  
IV-D SUPPORT DIVISION (STATE'S ATTORNEY'S OFFICE)

On behalf of the State's Attorney, the County Administrator submitted the Grant Application for the Cooperative Reimbursement Program for the IV-D Support Division, providing for an Assistant State's Attorney and a part-time secretary. Commissioner Dean made a motion to authorize Commissioner President McKay to sign said Grant Application, seconded by Commissioner Parlett. All Commissioners voted in favor.

NATIONAL ASSOCIATION OF COUNTIES ACHIEVEMENT AWARDS

The County Administrator reported to the Commissioners that the National Association of Counties has honored St. Mary's County with achievement awards for the three submissions by St. Mary's County - "Airport Impact District Regulations", "Cash Management and Investment Program Analysis" and "Personnel Practices". Therefore, Mr. Cox submitted Press Release for the Commissioners' review and approval to be distributed to the news media. Commissioner Dean made a motion to authorize the release of the Press Release, seconded by Commissioner Jarboe. All Commissioners voted in favor.



OVERTIME POLICY REQUEST

The County Administrator requested authorization for the payment of overtime for the Budget Officer's secretary, Mrs. Peggy Childs, for hours worked (maximum of eight hours during the next two weeks) in preparation of the budget documents and attendance at the public hearings.

Commissioner Millison made a motion to authorize the payment of overtime to Mrs. Childs, seconded by Commissioner Dean. All Commissioners voted in favor.

WATERSHED PROJECT - STATE FOREST SERVICE

Present: Robert Clark, State Forest Service

Mr. Clark appeared before the Commissioners to explain the forestry program being conducted at the watershed project at Great Mills and mentioned the economic benefits and accomplishments of the program. Mr. Clark requested the Commissioners assistance in the promotion of the Forest Service Program and after discussion, the Commissioners directed the County Administrator to arrange a meeting with Mr. Clark and Ward Miller, Economic Development Coordinator, to discuss the various economic aspects of the program.

ST. MARY'S HOSPITAL/NURSING HOME  
ACCESS TO ROUTE 245

Present: Dr. Richard Martin, St. Mary's Hospital Administrator  
Mrs. Virginia Thomas, Director, Nursing Home  
Michael Davis, Attorney, St. Mary's Hospital  
George E. Raley, Member Nursing Home Board  
Joe O'Dell, Budget Officer  
John Norris, County Engineer

The above persons appeared before the Commissioners to apprise them of the problems and alternative solutions concerning the parking and access road situation of the St. Mary's Hospital and the Nursing Home. Dr. Martin displayed a plat of the affected properties and the alternative methods of access to Route 245, Hollywood-Leonardtown Road. After discussion the Commissioners requested Dr. Martin to present this plan to the Nursing Home Board for their concurrence, after which time he should return to the Commissioners for their consideration and action. In addition, the Commissioners requested a cost estimate and possible source of funding and return to the Commissioners with this information.

PROCLAMATION NO. 77-29  
OLDER AMERICANS MONTH

Present: Eloise Pickrell  
Billye McGaharn, Executive Secretary, Commission on Aging

The Commissioners presented Proclamation No. 77-29 designating the month of May as Older Americans Month.



PRESS CONFERENCE

Present: Jack Kershaw, Sunny Schust (Enterprise)  
 Brian Murphy, Diane Sachs (Guardian)  
 Dick Myers, WKIK  
 Mike Klienbeck, Beacon

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 12:00 noon.

Thursday, May 19, 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 9:00 a.m.

PIZZA HUT SITE PLAN

Present: John Norris, County Engineer  
 Dan Raley, Chief, Permits and Inspection  
 Arnold Gardner, State Highway Administration  
 Jack Duerr, State Highway Administration  
 Herman Hewitt, Adjacent Property Owner  
 Rudy Baliko, Consultant for Mr. Hewitt  
 Walt Sawyer, Attorney for Mr. Hewitt  
 Lewie Aldridge, Adjacent Property Owner  
 Clark Raley, Attorney for Mr. Aldridge

The above referenced individuals appeared before the Commissioners to discuss the drainage problem associated with the Pizza Hut, Besche Oil, Aldridge Ford, and the Herman Hewitt property on Great Mills Road. The State Highway Administration representatives reiterated their position as contained in their letter of April 1 to the County Engineer's Office. After considerable discussion among the participants, the Commissioners agreed to meet on the site on May 25, 1977 at 1:30 p.m.



ST. MARY'S COUNTY SEWER ORDINANCE

Present: Mike Marlay, Director, Metropolitan Commission  
 Harry Knight, Metropolitan Commission  
 Steve King, Metropolitan Commission  
 Charles Mander, Attorney, Metropolitan Commission

The above individuals appeared before the Commissioners to review the changes that have been submitted with regard to the Sewer Ordinance, consequent to the public hearing held January 27, 1977 and informed the Commissioners that the bill authorizing the Commissioners to adopt said Ordinance has been passed by the General Assembly and signed by the Governor as of Tuesday, May 17, 1977. After some discussion, the Board of County Commissioners directed that an adopting resolution be prepared and final amendments included in the proposed ordinance and established the date of May 25, 1977 for the adoption of said Ordinance.

MATTAPANY ROAD RECONSTRUCTION (SEWER LINE)

Present: Mike Marlay, Director, Metropolitan Commission  
 Harry Knight, Metropolitan Commission  
 Steve King, Metropolitan Commission  
 John Norris, County Engineer  
 Frank Gerred, County Planner

Mr. Marlay presented two alternative cost estimates for the proposed gravity sewer and force main along the center of the west-bound traffic lane of Mattapany Road and requested authorization from the Board of County Commissioners to hire Beavin Company to do the necessary engineering work.

After discussion, Commissioner Jarboe made a motion to accept Alternate 2 Cost Estimate in the amount of \$63,000, seconded by Commissioner Parlett. All Commissioners voted in favor.

BOARD OF EDUCATION  
SCHOOL SEWAGE FACILITIES

Present: Dr. Robert King, Superintendent of Schools  
 David Morgan, St. Mary's County Public Schools  
 Henry Kanowicz, St. Mary's County Public Schools  
 James Forrest, President, Board of Education  
 Mike Marlay, Metropolitan Commission

The above individuals from the St. Mary's Public Schools appeared before the Commissioners to request their concurrence with the creation of a position for a qualified and well-trained operator for the operation of the school sewage facilities at Piney Point, Chopticon, and Great Mills Elementary in lieu of contracting services from the Metropolitan Commission.

After discussion, the Commissioners gave their concurrence with this request.



COUNTY ENGINEER'S OFFICE - PAYMENT OF BILLS

Present: John Norris, County Engineer

The County Engineer presented the following bills for approval for payment by the Commissioners:

(1) Voucher No. 08029 payable to B. F. Asher in the amount of \$4,593.50, for final payment for the reconstruction of Chaptico-Mechanicsville Road;

(2) Voucher No. 09761 payable to B. F. Asher in the amount of \$26,827.30 for final payment for asphalt overlay for Sunnyside Road, Abell Road, Hill's Club Road, and Old Route 5;

(3) Estimate No. 8 (revised) in the amount of \$28,551 payable to B. F. Asher for reconstruction of Golden Beach Road.

Commissioner Parlett made a motion to approve payment of the above bills, seconded by Commissioner Dean. All Commissioners voted in favor.

LINCOLN AVENUE RECONSTRUCTION

Present: John Norris, County Engineer

Commissioner Dean advised the Commissioners of a discussion he had with Tom Howard, project coordinator for Dean Construction on the above referenced project, concerning the proposed 20 foot width of Lincoln Avenue. Due to the fact that this road will not only service a subdivision but also a school and health department facility, Mr. Howard recommended that the width be 24 foot rather than 20 foot. The County Engineer estimated the cost to be approximately an additional \$8,000, and because inspection is being done by county forces, there are funds in the project account.

Commissioner Jarboe made a motion to authorize the widening of Lincoln Avenue to 24 foot, seconded by Commissioner Parlett. Four Commissioners voted in favor with Commissioner Dean abstaining.

LETTER TO GOVERNOR MANDEL  
SENATE BILL 621 and HOUSE BILL 1281

The County Administrator presented a letter addressed to Governor Mandel for the Commissioners' signatures recommending a Special Session of the Maryland General Assembly to correct the deficiencies of Senate Bill 621 and House Bill 1281. The Commissioners agreed to sign and forward said letter.



SOUTHAMPTON SUBDIVISION  
FINANCING BY FARMERS HOME ADMINISTRATION

Correspondence was presented for the Commissioners' signatures requesting appropriate officials' cooperation in providing Farmer Home Administration financing for new homes in Southampton Subdivision. The Commissioners agreed to sign and forward said letter.

ECONOMIC IMPACT FEE AGREEMENT - AMENDED  
LAND O' LAKE SUBDIVISION - SECTION IIA AND IIB

The County Administrator presented the amended Economic Impact Fee Agreement by and between Oliver Guyther and the Board of County Commissioners for St. Mary's County setting forth the payment of the economic impact fee for Sections IIA and IIB of Land O' Lake Subdivision.

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

TRANSFER OF FUNDS  
ECONOMIC DEVELOPMENT COMMISSION

The Economic Development Commission submitted a request for transfer of funds in the amount of \$1,122 for the purchase of portable audio-visual slide projector, screen and remote loud speaker. Commissioner Parlett made a motion to approve the transfer of \$1,122 by increasing Account No. 2220-3101 (Office and Communications Equipment) and decreasing Account No. 2220-1111 (Salaries, General) for the purchase of this equipment seconded by Commissioner Dean. All Commissioners voted in favor.

TRANSFER OF FUNDS  
PRINTING OF ZONING ORDINANCE

The Office of Land Use and Development submitted a request for transfer of funds in the amount of \$3,950 for the printing of the Zoning Ordinance update. Commissioner Parlett made a motion to approve the transfer \$3,950 by increasing Account No. 1083-2161 (printing) and decreasing Account No. 2410-2081 (Contingency Account) for the printing of the Zoning Ordinance update, seconded by Commissioner Dean. All Commissioners voted in favor.



TRANSFER OF FUNDS  
JUDICIAL DEPARTMENT

The Judicial Department submitted a request for transfer of funds in the amount of \$150.00 for the purchasing of a filing cabinet. Commissioner Parlett made a motion to approve the transfer of \$150.00 by increasing Account No. 1021-3101 (Office Equipment) and decreasing Account No. 1021-2101 (Office supplies) for purchase of a filing cabinet, seconded by Commissioner Jarboe. All Commissioners voted in favor.

LETTER TO TRI-COUNTY COUNCIL  
PROTECTION OF PATUXENT RIVER

Commissioner Parlett made a motion that the Commissioners sign and forward a letter to Tri-County Council regarding possible litigation concerning the degradation of the Patuxent River, seconded by Commissioner Dean. All Commissioners voted in favor.

LETTER TO U.S. ENVIRONMENTAL PROTECTION AGENCY

Commissioner Jarboe made a motion to forward a letter to the U.S. Environmental Protection Agency expressing serious concern about the Patuxent River Basin Water Quality Management Plan and opposition to certain portions of the Plan, seconded by Commissioner Parlett. All Commissioners voted in favor, although Commissioner McKay stated for the record that he was of the opinion that the letter was somewhat presumptuous.

"WINGS OF THE MORNING"

Due to the fact that funds have not yet been received by the State for the "Wings of the Morning" production. Commissioner Jarboe made a motion to advance \$5,000 for "Wings of the Morning", which is to be repaid when State funds are received, seconded by Commissioner Dean. All Commissioners voted in favor.

REZONING HEARING - CASE NO. 77-02  
RETAIL CLERKS INTERNATIONAL ASSOCIATION

Present: Ray Hamilton, Manager (Placid Harbor)  
 James Kenney, Attorney for applicant  
 Richard E. Arms, Urban and Regional Planner  
 J. Spence Howard, Real Estate Broker and Appraiser  
 Jamie Raley, Office of Land Use and Development

(Commissioner McKay excused himself from this rezoning hearing because of possible conflict of interest.)



REZONING HEARING - CASE NO. 77-02  
RETAIL CLERKS INTERNATIONAL ASSOCIATION cont.

Application was made by Retail Clerks International Association for the rezoning of approximately eight acres of premises known as "Placid Harbor" located off Clarks Landing Road, Sixth Election District, from R-1, rural residential, to CM - commercial marine.

The secretary read the Notice of Public Hearing.

The following exhibits were submitted into the record by James Kenney, Attorney to applicant:

- Exhibit 1 (a-m) - Return receipts from registered letters to property owners within 200 feet of adjacent property;
- Exhibit 2 - Letter from Retail Clerks International Association regarding posting of Notice of Public Hearing;
- Exhibit 3 - Plat of subject property;
- Exhibit 4 - Qualifications of Richard E. Arms, A.I.P., Urban Planner;
- Exhibit 5 - Report by Richard Arms on Changes and Mistake;
- Exhibit 6 - Qualifications of J. Spence Howard.
- Exhibit 7 - Most recent revision of site plan.

The secretary read the recommendation of the Planning Commission as contained in their memorandum of May 12, 1977.

Commissioner Parlett, presiding over the hearing in the absence of Commissioner President McKay, inquired if anyone wished to speak for or against this rezoning request, hearing none, the hearing was closed.

The meeting adjourned at 12:43 p.m.

APPROVED BY,

  
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 James M. McKay, President  
 County Commissioners